



COTSWOLD
DISTRICT COUNCIL

5 December 2023

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CABINET MEMBER FOR PLANNING AND REGULATORY SERVICES DECISION MEETING

A Cabinet Member for Planning and Regulatory Services Decision Meeting will be held at the Council Chamber - Council Offices, Trinity Road, Cirencester, GL7 1PX on **Wednesday, 13 December 2023 at 10.00 am.**

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. **Declarations of Interest**

To note any declarations of interest from the Cabinet Member or Officers present.

2. **Neighbourhood Planning: Representation to the Regulation 16 Consultation On The Stow-On-The-Wold And The Swells Neighbourhood Development Plan (Pages 5 - 314)**
Purpose

To agree a representation from the Council to the Regulation 16 consultation on the Stow-on-the-Wold and the Swells Neighbourhood Development Plan.

Recommendations

That the Cabinet Member considers the draft representation, and subject to any amendments, agrees it for submission to inform the review by the Independent Examiner.

DATE OF DECISION: NO EARLIER THAN 13 DECEMBER 2023

DEADLINE FOR COMMENTS: NOON ON 12 DECEMBER 2023

Reporting Officer: Joseph Walker (joseph.walker@cotswold.gov.uk)

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.

3. **Neighbourhood Planning: Regulation 18 Decision on the Down Ampney Neighbourhood Development Plan (Pages 315 - 346)**

Purpose

To consider whether the Down Ampney Neighbourhood Development Plan, as modified, meets the Basic Conditions required by the Localism Act, and therefore should proceed to referendum.

Recommendation

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.

DATE OF DECISION: NO EARLIER THAN 13 DECEMBER 2023

DEADLINE FOR COMMENTS: NOON ON 12 DECEMBER 2023

Reporting Officer: Joseph Walker (joseph.walker@cotswold.gov.uk)

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.

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Agenda Item 2



COTSWOLD
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR PLANNING AND REGULATORY SERVICES DECISION MEETING – 13 DECEMBER 2023
Subject	NEIGHBOURHOOD PLANNING: REPRESENTATION TO THE REGULATION 16 CONSULTATION ON THE STOW-ON-THE- WOLD AND THE SWELLS NEIGHBOURHOOD DEVELOPMENT PLAN
Wards affected	Stow
Accountable member	Juliet Layton, Cabinet Member for Planning and Regulatory Services Email: juliet.layton@cotswold.gov.uk
Accountable officer	Charlie Jackson, Assistant Director, Planning and Sustainability Email: Democratic@Cotswold.gov.uk
Report author	Joseph Walker, Community Partnerships Officer Email: joseph.walker@cotswold.gov.uk
Summary/Purpose	To agree a representation from the Council to the Regulation 16 consultation on the Stow-on-the-Wold and the Swells Neighbourhood Development Plan.
Annexes	Annex A: Stow-on-the-Wold and the Swells Neighbourhood Plan A1: Stow-on-the-Wold and the Swells Neighbourhood Plan Regulation 16 Draft A2: Design Code A3: Basic Conditions Statement A4: Consultation Statement A5: Strategic Environmental Assessment A6: Strategic Environmental Assessment and Habitat Regulations Assessment Screening Annex B: Cotswold District Council Draft Representation
Recommendation(s)	That the Cabinet Member considers the draft representation, and subject to any amendments, agrees it for submission to inform the review by the Independent Examiner.



Corporate priorities	<ul style="list-style-type: none">• Respond to the climate crisis• Make our local plan green to the core• Support health and wellbeing• Enable a vibrant economy
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>The Plan has been consulted on by Stow Town Council, and is currently subject to a consultation carried out by this Council. Local residents, businesses and a range of statutory and non-statutory organisations have been informed of the consultation. It should be noted that the consultation does not present an opportunity to add to or alter the plan directly – but is instead an opportunity for consultees to raise concerns with the examiner to inform the decision on whether the submitted plan meets the Basic Conditions – the legal requirements for a Neighbourhood Development Plan to proceed to referendum.</p>

1. EXECUTIVE SUMMARY

- 1.1 This report outlines the progress to date with the Stow-on-the-Wold and the Swells Neighbourhood Development Plan (SSNDP), attached at Annex A, and the rationale for submitting a representation, the draft of which is attached at Annex B.

2. BACKGROUND

- 2.1 Stow-on-the-Wold Town Council (STC) first applied to this Council in 2012 to designate a neighbourhood area. The area applied for was the boundary of the parish. In 2015, STC and Swells Parish Council (SPC) applied for a new neighbourhood area, covering the entirety of the two parishes. They agreed that STC would act as the Qualifying Body, that is the body that qualifies to submit a neighbourhood plan for the designated neighbourhood area. Since that date, volunteers and councillors, and more recently, professional consultants have been working up the Plan, a process made more challenging by Covid 19 restrictions. Nevertheless, they carried out a statutory Regulation 14 consultation from February to March 2023. Representations to these consultations have been considered in preparing a submission draft, which has recently been received by this Council.
- 2.2 This submission draft is attached at Annex A, along with supporting information and additional evidence, in line with procedural requirements. Following the submission of this draft to the Council, 'the Regulation 16' consultation was launched on 14 November 2023, closing on 5 January 2024.

3. MAIN POINTS

- 3.1 This consultation gives Cotswold District Council a further opportunity to seek to influence the content of the SSNDP. Should a neighbourhood plan proceed through examination, and subsequent referendum, and be made by this Council, it will become part of the Development Framework through which planning applications are determined. As the Local Planning Authority making those determinations, it is in the Council's interests to ensure that so far as possible, neighbourhood plans meet the necessary legal standards and provide a useful framework for decision-making.
- 3.2 The representation attached at Annex B has been prepared and reviewed by a number of officers who have an involvement within Development Management, Planning Policy and Neighbourhood Planning. Through informal discussions with members of the SSNDP steering group, and through the Council's representation to the Regulation 14 consultation, the Council has previously shared its perspective on the policies proposed by the SSNDP. This consultation provides an opportunity to update that view in light of the most recent edits, and share with the independent examiner, to inform their judgement on whether the plan should proceed to referendum, and if so, with what modifications.

4. ALTERNATIVE OPTIONS

- 4.1 The Council could choose not to provide a representation. However, this would be unusual, and contrary to established practice in Cotswold District. To do so would take away the opportunity to share with the independent examiner the points proposed in Annex B. In all likelihood, not sharing a view on the submitted plan would lead the examiner to issue clarification questions seeking to understand the Council's position.

5. CONCLUSIONS

- 5.1 The draft representation at Annex B provides what is in officers' view, an appropriate commentary on the SSNDP. While it contains a degree of challenge to the SSNDP's proposals, this reflects the scale of the SSNDP's ambitions and the complex planning constraints covering the parish of Stow-on-the-Wold and to a lesser extent, Swell Parish. It is consistent with the Council's informal comments earlier in the process, and the comments formally submitted as the Council's Regulation 14 response.

6. FINANCIAL IMPLICATIONS

- 6.1 None – this decision purely concerns the response to the current consultation.

7. LEGAL IMPLICATIONS

- 7.1 None – this decision purely concerns the response to the current consultation, and informs the independent examiner's review of the submitted SSNDP

8. RISK ASSESSMENT

- 8.1 This is a low risk decision but mitigates the risk of the SSNDP being examined without the Council's concerns being taken into account.

9. EQUALITIES IMPACT

- 9.1 Not required for this decision.

10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 10.1 None directly for this decision, as it is purely a consultation response. The SSNDP encourages high quality design, and expects development proposals to demonstrate minimisation and mitigation of climate change impacts. Furthermore, it supports the protection and enhancement of green infrastructure.

11. BACKGROUND PAPERS

- 11.1 None.

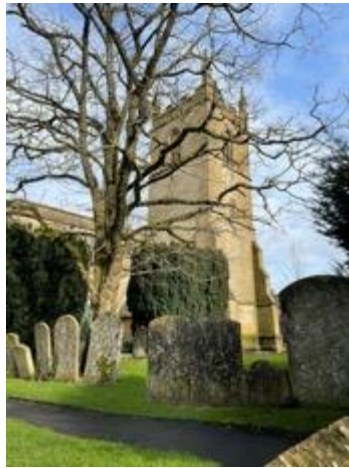
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STOW ON THE WOLD & THE SWELLS

Neighbourhood *Plan*

2023 – 2031



NEIGHBOURHOOD PLAN

Published by Stow on the Wold Town Council for examination under the
Neighbourhood Planning (General) Regulations 2012 (as amended).

SEPTEMBER 2023

A Guide to Reading this Plan

Of necessity, this Neighbourhood Plan is a detailed technical document. The purpose of this page is to explain the structure and help you find your way around the plan.

1. Introduction & Background

This section explains the background to this Neighbourhood Plan and its purpose.

2. The Neighbourhood Area

This section summarises the key facts and features of the designated Neighbourhood Area, that is Stow on the Wold and the Swells (the plan covers both the town and its neighbouring parish).

3. Planning Policy Context

This section identifies the key national planning policies and those of the local planning authority, Cotswold District Council that relate to this area and have guided the preparation of the plan.

4. Community Views on Planning Issues

This section summarises the community involvement that has taken place so far.

5. Vision, Objectives & Land Use Policies

This section sets out a vision of the area in 2031 and the objectives of the plan. It then proposes the land use planning policies to achieve those objectives over the plan period, which are accompanied by some explanatory text. There are Policy Maps at the back of the document which show where area or site-specific policies will apply.

6. Implementation

This section explains how the Plan will be implemented and future development guided and managed. It also proposes priorities for how the Community Infrastructure Levy (CIL) will be reinvested by the Town Council in support of the plan objectives. Finally, it proposes how any issues that are outside the scope of land use planning (and therefore this Neighbourhood Plan) may be taken forward by the Town Council.

Appendices

This section contains important policy details and supporting information, as well as a summary of the evidence documents used to inform the plan.

STOW AND THE SWELLS NEIGHBOURHOOD PLAN 2023 - 2031

SEPTEMBER 2023

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A PLAN BY THE COMMUNITY FOR THE COMMUNITY

I would like to start by expressing thanks to all those members of our community who have helped to create the exciting vision of the future which has led all our work on the Neighbourhood Plan (SSNP). By filling in questionnaires, attending meetings and offering views you have told us what we needed to know to complete this draft; your continued support and guidance is essential to achieve its final adoption.

The SSNP describes a vision, aspirations and plans for the future development and land use of the area covered by it, namely the town of Stow on the Wold and the parish of Swell. When finally approved our Neighbourhood Plan will be a statutory document that will be incorporated into the Cotswold District Council's planning framework and be used by them to determine planning applications. It is therefore of the greatest importance in protecting the AONB in which Stow and Swell sit from future uncontrolled development, as well as allocating land for development to meet the needs identified by the community over the next ten years.

This final version of the Neighbourhood Plan is based on the views of residents, local organisations, community groups and businesses of Stow on the Wold and Swell Parish, expressed through surveys and consultation events. Details of what the community has had to say on various issues are included throughout the Plan to illustrate how we have relied on your guidance.

The Plan has been drafted by the Neighbourhood Plan Steering Group (NPSG) of six residents and four councillors at any one time

NPSG Members

Stow on the Wold Councillors:

Councillor Alun White (Chair of NPSG), Councillor Ben Eddolls (Chair of Stow on the Wold Town Council), Councillor Jenny Scarsbrook, Councillor Peter Day, Councillor Sue Green, Councillor Mike Curtis, Councillor Maggie Deacon, Councillor Alex Clayton, Councillor Janet Piper

Swell Parish Councillors:

Councillor Diane Cresswell, Councillor Tom Blythe

Residents:

Mr Nicholas Carr, Mrs Ashleigh Cox, Mr David Cox, Mr Peter Dixon, Mr Stephen Gurmin, Mrs Bridget Ritacca, Mrs Merlyn Stracey (now a councillor), Mr Cathal Murphy

NPSG has been supported by other residents, who have been actively involved in developing specific policy areas and championing the Plan.

SSNP Champions

Susan Arthurs, Mary Beston, Alexander Clayton (now a councillor), Phillipa Davy, Ella Forster, David Germaney, Arun Hamilton, Colin Piper, Janet Piper (now a councillor), Millie Robinson, Paul Walker, David Wiblin, Sophie Winter (now a councillor) Clare Stubbs, Ed Shaw, Marc Buffery, Mike Clarke, Scheila Maliska, Sean Clarke, Steve Gurmin, Sue North-Bond, Stow Civic Society Committee.

As Chair of Stow on the Wold Town Council, I would like to thank the community for its feedback and members of NPSG and SSNP Champions for their commitment and hard work, together with Stow on the Wold Town Council Clerk/RFO Heather Siphthorp and her successor Claire Evans, Deputy Clerk, Liz Sajewicz and our Planning Consultants, ONeill Homer Ltd, who have provided invaluable support and advice to NPSG, and AECOM who have carried out the Strategic Environmental Assessment of the plan.

This document is the last step along the way to final adoption of our Neighbourhood Plan that the Town Council controls. As the local planning authority, it is now for Cotswold District Council to arrange for the independent examination of our plan and the referendum.

Ben Eddolls
Chairman
Stow on the Wold Town Council

LIST OF POLICIES

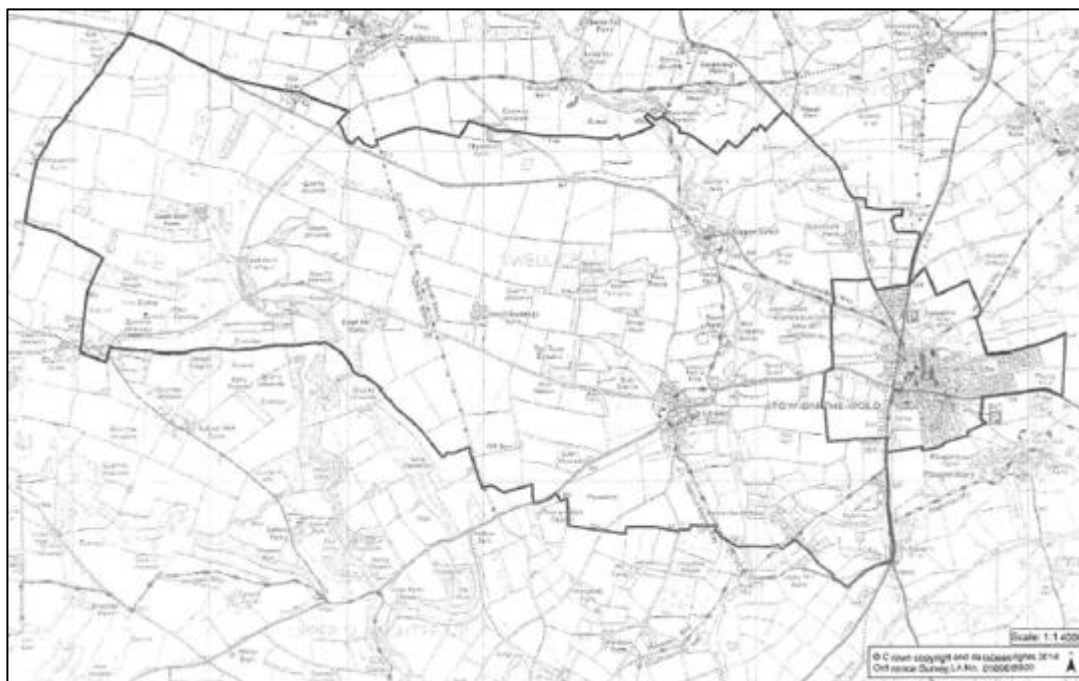
POLICY NO.	POLICY TITLE	PAGE NO.
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1. INTRODUCTION & BACKGROUND

1.1 Stow on the Wold Town Council and Swell Parish Council have jointly prepared a Neighbourhood Plan for the area designated by the local planning authority, Cotswold District Council (CDC) in April 2015. The plan was prepared in accordance with the Neighbourhood Planning (General) Regulations of 2012 (as amended) with the Town Council defined as the 'qualifying body' on behalf of the joint venture, as per the regulations.

1.2 The area coincides with the boundaries of the two councils (see Plan A below) with the town of Stow on the Wold on its eastern edge and the two villages of Lower and Upper Swell to its west, along with a large area of countryside further to their west towards the Guitings. To its north (along the ancient Fosse Way) is the town of Moreton in Marsh; to its east are the villages of Mangersbury and Broadwell; and to its south (also on the Fosse Way) the town of Bourton on the Water and the Slaughters. All of the designated area lies within the Cotswolds Area of Outstanding Natural Beauty (AONB).

1.3 The purpose of the Neighbourhood Plan is to set out a series of planning policies that will be used to determine planning applications in the area in the period to 2031. The Plan forms part of the development plan for the area, alongside the adopted Cotswold District Local Plan and its successors in that period.



Plan A: Designated Stow on the Wold and Swells Neighbourhood Area

1.4 Neighbourhood Plans provide local communities with the chance to manage the quality of development of their areas. Once approved at a referendum, the Plan becomes a statutory part of the development plan for the area and will carry full weight in how planning applications are decided. Plans must therefore contain only land use planning policies that can be used for this purpose. This often means that there are important issues of interest to the local community that cannot be addressed in a Plan if they are not directly related to planning.

1.5 Although there is considerable scope for the local community to decide on its planning policies, Neighbourhood Plans must meet some 'basic conditions'. The basic conditions are:

- having regard to national policies and advice contained in the guidance issued by the Secretary of State it is appropriate to make the plan.
- the making of the plan contributes to the achievement of sustainable development
- the making of the plan is in general conformity with the strategic policies contained in the development plan for the area
- the making of the plan does not breach, and is otherwise compatible with, EU-derived obligations
- prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.

1.6 In addition, the council needs to demonstrate to an independent examiner that it has successfully engaged with its respective communities in preparing the Plan. If the examiner is satisfied that it has, and considers the Plan meets the above conditions, then the Plan will go to a referendum of the local electorate. If a simple majority of the turnout votes in favour of the Plan, then it becomes adopted as formal planning policy.

The Submission Plan

1.7 The Submission Plan embraces the core planning principle of the NPPF, namely to contribute to sustainable development with new housing and attendant infrastructure; to foster well-designed places with accessible services and open spaces; to protect and enhance our historic environment; and to improve biodiversity and tackle climate change.

1.8 It is the version of the plan that is subject to examination and then a referendum. It follows a formal consultation period on the 'Pre Submission' version of the plan in February – March 2023, during which the Town Council consulted on its proposed vision, objectives and policies of the Plan. It has reviewed the comments made by the local communities, the District and County Councils, other statutory bodies, land interests and other stakeholders. Some changes have been made as a result of their comments, which are summarised in the separate Consultation Statement.

The 2022 Levelling Up & Infrastructure Bill and 2021 Environment Act

1.9 During the preparation of this plan the Government published for consultation its proposed Levelling Up & Infrastructure Bill with some helpful changes to both the development plan and management system. It suggests that there is a positive future for neighbourhood planning in that system. The expectation is that the Bill will be enacted during 2023 and maybe after the examination of this Neighbourhood Plan.

1.10 The Environment Act 2021 has also come about during the preparation of the plan. It contains a number of proposals that may influence the final version of the plan, notably in respect of development proposals delivering biodiversity net gain and of addressing local nature recovery. The councils will keep a keen eye on the implementation of the Act in the coming months as these new policy initiatives chime well with the expressed interests of the local communities.

Sustainability Appraisal & the Habitats Regulations

1.11 The District Council confirmed in its screening opinion of October 2020 that the Plan would require a strategic environmental assessment (SEA) as per the Environmental Assessment of Plans & Programmes Regulations 2004. The councils have proceeded to meet that obligation in the form of a broader sustainability appraisal (SA/SEA) to enable them to assess the social and economic effects of the plan, as well as its environmental effects. An environmental (SA/SEA) report has been published separately alongside the plan in accordance with the regulations.

1.12 That same screening opinion confirmed that the plan would not require an appropriate assessment (as per the Conservation of Habitats and Species Regulations 2017 (as amended)) as it is not considered to have the potential for significant adverse effects on any international habitat.

2. THE NEIGHBOURHOOD AREA

2.1 Stow-on-the-Wold is an ancient Cotswold market town. It sits on a hill at about 800 feet above sea level. The town was founded as a planned marketplace to take advantage of its unique position at the convergence of eight trackways, now eight busy roads. The main source of wealth in the Cotswolds was wool and Stow grew to provide accommodation and other services for those visiting its fairs.

2.2 Buildings in Stow were built with the mellow Cotswold limestone from local quarries. Many of the houses were built in the 16th century, but those built later have blended in to become part of the character of this beautiful town. The historic core of the town is a Conservation Area with an extensive concentration of listed buildings. Stow and Swell lie within the Cotswolds AONB. Stow is popular with visitors for its architecture and range of independent shops, cafes, restaurants, pubs and accommodation.

2.3 The number of Stow residents was 1,905 in Census 2021, a drop from 2,042 in 2011 and continuing a longer term trend since 2001 (see Figure 1 below). 14% of the population comprises children under 15 compared with 18% in England, and this proportion is declining. 54% of the Stow population is aged 16-64 compared with 66% in England, and the percentage of the Stow population over 65 is 32%, compared with 16% in England.

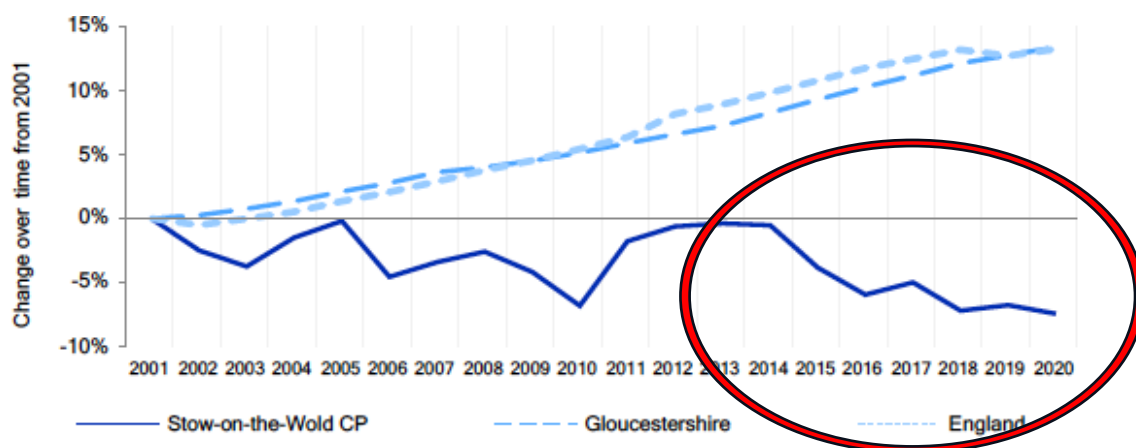


Figure 1: Population Change 2001 – 2020
(ONS via Local Insight Profile for Stow on the Wold CP, GCC)

2.4 Between 2011 and 2019 the proportion of Stow residents aged 18 and under dropped by 30%, the proportion of working age dropped by 6% and the proportion aged 65+ increased by 44%. (Data from 2011 Census and GCC Population Mid Year Estimates for 2019).

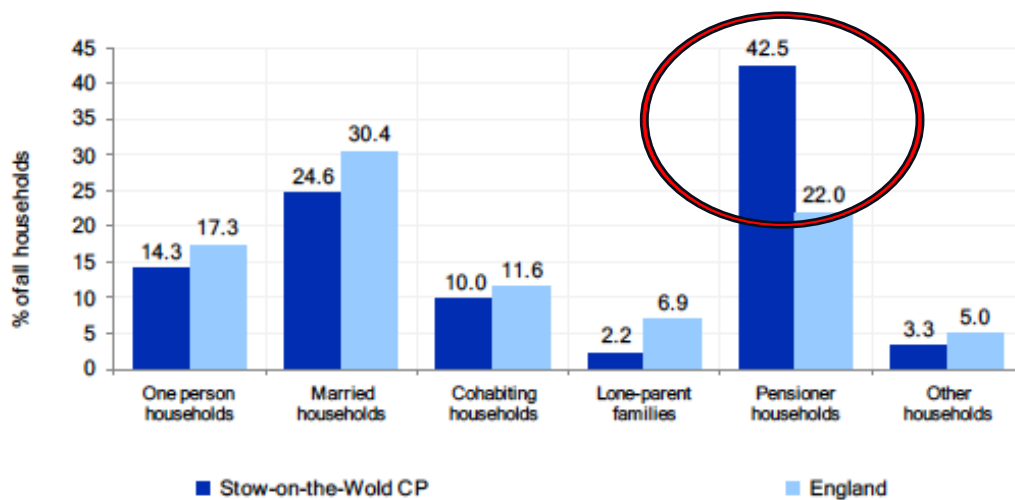


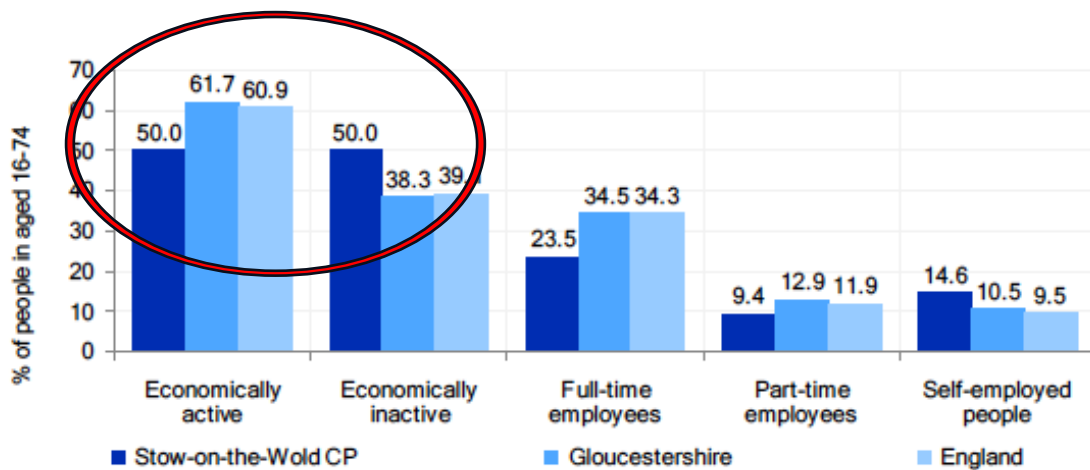
Figure 2: Household Types
(Census 2021 via Local Insight Profile for Stow on the Wold CP, GCC)

2.5 Swell Parish (pop 380) was formed in 1935 by the amalgamation of Upper and Lower Swell parishes. Both villages are located one mile west of Stow-on-the-Wold. The River Dikler, which is prone to flooding, runs through Upper and Lower Swell to join the River Windrush. In doing so it passes old farmsteads and some of the loveliest countryside of the Cotswolds.

2.6 The attractiveness of the area has brought housing and parking pressures. Movement out of London and the south-east has made Stow and Swell particularly attractive for retirement, second homes and holiday lets. There have been two major retirement complexes built outside Stow's development boundary in recent years. There is continuing decline in private long term rentals, with consequential pressure on rents. There has been no significant development of socially rented accommodation since the mid twentieth century and much of the existing stock has been taken up by right to buy.

2.7 While exact figures cannot be verified, information provided by Cotswold District Council, and the number of Stow on the Wold properties available for rent through holiday rental websites, indicate that currently around 16% of Stow on the Wold housing stock is used as holiday rentals and/or second homes. It is apparent that, since Covid, the number of properties being turned into holiday lets continues to increase rapidly, in both Stow and Swell.

2.8 The area has high property values but low incomes. Failure to provide an appropriate mix of housing has led to more economically-active people, particularly the young, being forced to look elsewhere for somewhere to live. There is little unemployment in the North Cotswolds and local employers have difficulty in recruiting. This poses a significant risk to Stow's sustainability and raises its carbon footprint as many of those who work in Stow commute from the wider area. There is a strong case for the provision of affordable housing to address these issues. Given the high local house prices and private rental prices, this points to the need for a significant amount of social rented accommodation.



*Figure 3: Economic Activity
(Census 2021 via Local Insight Profile for Stow on the Wold CP, GCC)*

2.9 Stow has a tight development boundary with very little developable land. Any major development would have to be outside that boundary (as was the case with the two recent major retirement projects). Such development would need to be sensitive and address Stow's needs for new primary residences and socially rented accommodation available in perpetuity.

2.10 There is significant pressure on parking spaces in Stow due to commuters, visitors, and houses with no off-street parking. There is also a desire to make the historic town square and its immediate environs a more pedestrian friendly environment. To address these objectives, sufficient additional parking needs to be developed.

MAIN PLANNING ISSUES

- During the mid Twentieth Century a substantial amount of social housing was built in two major developments – King Georges Field and the Park estate. A substantial number of these properties have passed into private hands under the Right to Buy and have not been replaced. There is only limited turnover in the remaining social housing.
- Stow, a compact hilltop community within the AONB, has a tight development boundary. Most developments in recent years have been minor infill developments within the development boundary. Stow's attractiveness has resulted in high prices well beyond the reach of almost all local residents. There has been an increase in the number of second homes. The private rented sector has seen a significant shift towards holiday lettings pricing local people out of that market also. This has forced many young people away from Stow leaving an increasingly ageing population.
- Stow's working age population has fallen over the last decade and the Primary School rolls have declined with an increasing number of pupils coming from outside the parish. Only two significant developments have been permitted outside the development boundary both of which have been restricted to retirement living. Taken together the McCarthy and Stone development north of Tesco and the Brio development on Stow Hill (for which approval was given on appeal) will add some 200 elderly residents to Stow's population (currently about 1900).
- There is a strong case for seeking to improve Stow's sustainability by providing a significant number of houses that local people, people of working age and essential workers can afford. This can only be achieved by substantial development of affordable housing, primarily social rented, outside the current development boundary.

3. PLANNING POLICY CONTEXT

3.1 The Neighbourhood Area lies within the Cotswold District Council area in the county of Gloucestershire.

National Planning Policy

3.2 The most recent version of the National Planning Policy Framework (NPPF) published by the government in 2021 is an important guide in the preparation of neighbourhood plans. The following paragraphs of the NPPF are considered especially relevant to this neighbourhood plan:

- Sustainable development (§8)
- Non-strategic policy making (§18)
- Neighbourhood plan making (§28-§29)
- Supply of homes (§60-§64 and §67)
- Planning larger scale housing development (§73)
- Ensuring the vitality of town centres (§86)
- Promoting healthy and safe communities (§92)
- Local green spaces (§102)
- Promoting sustainable transport (§106)
- Supporting high quality communications (§115)
- Achieving well-designed places (§127 and §129)
- Conserving and enhancing AONBs (§176 and §177)
- Conserving and enhancing the historic environment (§190)

3.3 The combination of these policy objectives has been in effect in the neighbourhood area not only since the advent of the NPPF in 2012 but for decades prior, with their emphasis on environmental constraint in this type of area. In most regards, the area has greatly benefited from this continuity in policy but its downside has become more obvious to the community in the past few years. The introduction of neighbourhood planning in 2011 has allowed communities to consider striking a different balance between these objectives.

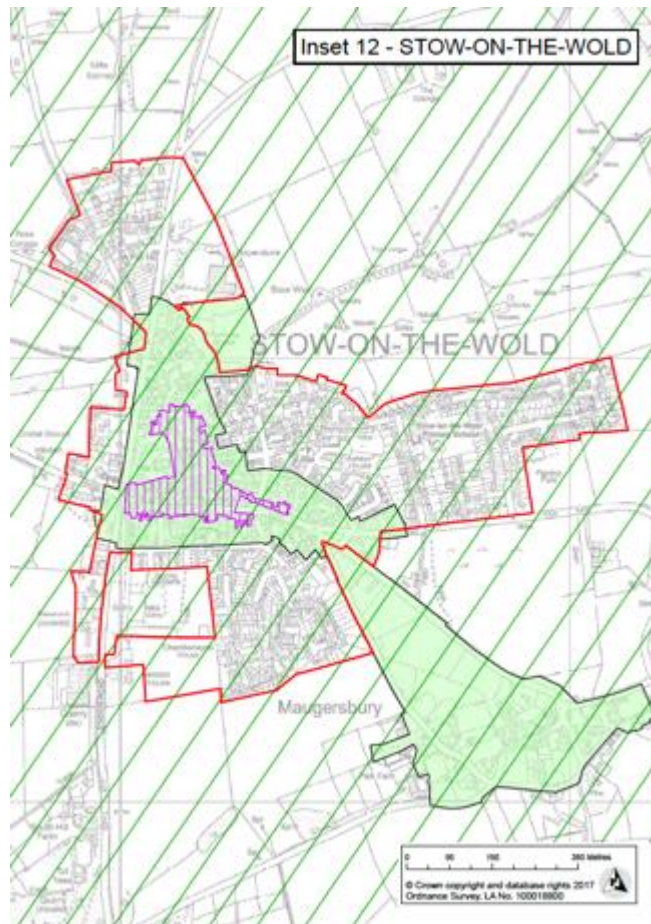
3.4 More recently, the Government published its first National Model Design Guide in autumn 2019 to encourage better design outcomes from the planning system. The Guide encourages local communities to engage in understanding the character of their areas and, where preparing neighbourhood plans, to prepare design policies specific to their local areas. Here, the Cotswold Design Code pre-empted this initiative in 2018.

Strategic Planning Policy

3.5 The Neighbourhood Plan must be in general conformity with the strategic policies of the development plan, which primarily comprises the Cotswold District Local Plan 2011 - 2031 adopted in August 2018. Although the majority of its policies have some relevance to this Neighbourhood Plan, some are especially important:

- DS1 Development Strategy
- DS2 Development within Development Boundaries
- DS3 Small Scale Residential Development in Non-Principal Settlements
- SA2 Mid Cotswold Principal Settlements
- S13 Stow on the Wold
- H1 Housing Mix and Tenure
- H2 Affordable Housing
- H3 Rural Exception Sites
- H4 Specialist Accommodation for Older People
- EC3 Employment Generating Uses
- EC7 Retail
- EC10 Tourist Facilities and Visitor Attractions
- EN1 Built Natural and Historic Environment
- EN2 Design
- EN4 Historic and Natural Landscape
- EN5 Cotswolds AONB
- EN10-EN12 Heritage Assets
- INF1 Infrastructure Delivery
- INF2 Social and Community Infrastructure
- INF10 Low Carbon Energy Development

3.6 As with the direction of national policy and guidance shaping the Local Plan, a theme for this part of the District with these combined policies has been to see the town, villages and countryside remain much as they are and have been for many years. Its Policy S13 is specific to the town and encourages improvements to community and tourism facilities but contains no development proposals. It notes that, “tourism is crucial to the long-term economic prosperity of Stow, and the high quality of the town’s environment has been a key factor in the town’s economic success. The town is an important contributor to the District's economy, with a good range of shops and services” (§7.15.2).



Plan B: Local Plan Policies Map – Stow on the Wold Inset

3.7 It notes too that, “enhancing the town centre further (e.g. by reinstating the Market Square as the focal point of the town) is an important economic priority. Addressing car parking and congestion problems in the town would help to achieve this” (§7.15.3). It goes further in advising that, “options should be explored for improving the physical environment of the town centre, including moving car parking provision from the Market Square to a suitable location within easy reach of the town centre. A suitable site could also be identified for additional off-street car parking provision to alleviate the impact of tourism and maintain the contribution that visitors make to the town’s economy” (§7.15.4) but stops short of making specific proposals. This steer has been especially important in shaping the vision, objectives and policies of the Neighbourhood Plan.

3.8 The District Council is currently carrying out a Partial Update of the adopted Local Plan to cover the same plan period to 2031. This exercise has reached the ‘Issues & Options’ stage (under Regulation 18) with the intention of submitting the plan for examination later in 2023. The Neighbourhood Plan will therefore be examined in relation to the adopted Local Plan and not the emerging Local Plan.

3.9 However, the Issues & Options consultation document highlighted a number of ways in which the District Council is considering how its area may better respond to the challenges of climate change and of wider sustainable development issues. The Town and Parish councils have been very mindful of those issues from the start of the project in 2018 – indeed, they have been at the very forefront of their thinking, driving the vision, objectives and policies.

3.10 There are other waste and minerals development plans for Gloucestershire that apply in the Parish, but they are not considered relevant in the preparation of this Neighbourhood Plan. There are no made neighbourhood plans in the vicinity, but others in the District have been made or are in the process of being prepared. Although it is not part of the development plan, the Gloucestershire Local Transport Plan has been considered in the preparation of this Plan as it is relevant for some of the issues that the Neighbourhood Plan seeks to address.

Cotswolds AONB Management Plan

3.11 The latest iteration of the statutory Management Plan covers the period 2018 – 2023. It sets out the vision, outcomes and policies for the management of the AONB to conserve and enhance its natural beauty and to increase the understanding and enjoyment of its special qualities. It considers the key issues for the AONB to be the erosion of that beauty and those qualities combined with an inconsistent approach to management across the AONB and a lack of understanding of its benefits.

3.12 The scope of the Management Plan extends well beyond that of the land use and development planning system but inevitably the majority of its policies are closely related to how the development plan – the Local Plan and this Neighbourhood Plan – should seek to manage development proposals in this area to 2031. Of these policies, those that are considered the most relevant to shaping the Neighbourhood Plan (and which refine more general Local Plan development management policies) are:

- CE1 Landscape – requiring attention is paid to the CCB’s Landscape Character Assessment and Landscape Strategy & Guidelines
- CE3 Local Distinctiveness – requiring proposals to be designed and landscaped to respect local settlement patterns, building styles, scale and materials
- CE4 Tranquility – seeking to avoid and minimise noise pollution and visual disturbance
- CE11 Major Development – requiring proposals to be ‘landscape-led’
- CE12 Development Priorities – wanting priority to be given to the provision of affordable housing, maintaining and enhancing local community amenities and services, and improving access to these amenities and services



Plan C: Map of the Cotswolds AONB area

4. COMMUNITY VIEWS ON PLANNING ISSUES

4.1 Stow on the Wold Town Council, Swell Parish Council and the Neighbourhood Plan steering group have consulted with the local community during the course of the Plan preparation process, and the Neighbourhood Plan is based on the result of these consultations, which have included meetings, community barbecue, open days, newsletters and community surveys. Particular emphasis was placed on early community consultation to engage as wide a range of local people and interested parties as possible at the start, before any proposals were formulated. This raised the awareness of residents and businesses and ensured that their views and priorities could influence the plan from the outset.

4.2 Then during 2011, 2012 and the first half of 2013 a Neighbourhood Plan for Stow on the Wold was consulted upon and a draft was very close to publication, when, at the suggestion of Cotswold District Council, in August 2013 the plan was put on hold pending the outcome of a number of planning applications in the town. If all of the applications were to be approved the character of the town would be entirely changed and the Neighbourhood Plan rendered obsolete prior to its publication.

4.3 A public meeting was held in March 2014 to inform the community of the pressing need to produce a new Neighbourhood Plan and establish a vision of what the community wanted for the future of Stow and the Swells.

4.4 After the meeting a steering group was formed. The group designed a comprehensive questionnaire for residents which was delivered to all households and businesses during August and September 2014 asking the community's views on a number of issues including planning, housing, sports facilities, traffic and on street car parking, education, health and wellbeing etc. In September 2014 a community barbecue with entertainment was held in the town square, free to residents in return for completion of the questionnaire. In November 2014 a public meeting was held at Stow Primary School seeking the views of parents, teachers and the children as to how Stow should look in the future and more questionnaires were distributed. Residents were able to respond about individual issues or all issues. The number of responses received was: Environment - 115, Health, welfare and community - 136, Traffic, parking and transport - 209, Planning and housing - 140, Education - 214, and general comments - 17.

4.5 The steering group analysed responses and in April 2015 community road shows were held at three locations in Stow and one in Swell parish to update residents with results from the questionnaire. The findings of the questionnaire and other surveys identified several development proposals and infrastructure projects within the town of Stow and the villages of Swell to improve their facilities. The steering group put together a list of proposals and preferred sites to address these improvements and during 2015 those land owners whose property could possibly be involved were approached and their permission sought to include the various pieces of land in the Neighbourhood Plan.

4.6 The following typifies feedback from within the community to a number of questionnaires and housing surveys: we must address 'the lack of affordable housing', we need to 'ensure that any new affordable housing is made available in perpetuity and then only to people who can demonstrate a local connection' as , 'any development should conserve and enhance the character of the parishes in a way that meets townscape and AONB guidelines'. In response to these demands during 2015 and early 2016 discussions took place with interested parties within Stow and the Swells regarding the publication of a Design Statement or Code to regulate future developments and alterations and additions to existing properties within the Neighbourhood Plan area.

4.7 The views and opinions of many residents were sought as to the content of the Design Statement. Those consulted included local architects, members of the planning committees from both of the parishes, representatives of Stow and District Civic Society, local builders and residents of Stow and the Swells. The final Draft of the Community Design Statement was published in May 2016.

4.8 In parallel with the creation of a Design Statement, during 2015 and early 2016, at the instigation of Stow Town Council and the Neighbourhood Plan Steering Group and subsequent to a number of public meetings, a committee of volunteers was formed to set up a Community Land Trust with a view to facilitating the development of truly affordable housing and other developments within the Parishes to meet the identified needs of the community.

4.9 During The Stow Cotswold Festival, in July 2015, the Neighbourhood Plan Steering Group manned a stall in the Market Square informing the community and visitors to the festival of the progress of the Neighbourhood Plan and what lay ahead before the plan could be approved and adopted. In October and November 2015 at the behest of the Neighbourhood Plan Steering Group GRCC carried out a further Housing Needs Survey in Stow. A questionnaire was delivered to every household in Stow and the results of the survey are available on the project website.

4.10 A survey was conducted with a questionnaire delivered to every household in October 2015 seeking the residents' views on "Play and Sports Facilities in Stow". The results are available on the website.

Two further roadshows to discuss the results of the Housing Needs Survey and to announce the formation of the Community Land Trust were held in Feb 2016. Also in February a survey of every business within 250m of Stow Market Square was conducted to evaluate the daily on-street parking requirements for the managers and staff of all the businesses. In February and March 2016 a further survey was carried out to determine the on-street parking requirements of households within 250m of the square. The results of each of these surveys are also available on the website. At the same time a survey of the residents of The Swells was conducted via "The Swell Voice" to establish the support for a children's play area in the community. Support was so sporadic that the proposal has been temporarily shelved.

4.11 During 2017 a number of drafts of the Neighbourhood Plan were issued by the Steering Group with the final draft, version number 12, being adopted together with the Community Design Statement by both Stow Town Council and The Swells Parish Council on 28th September 2017.

4.12 In 2019 a group of Neighbourhood Plan champions from across the community was established, whose members were briefed on the Neighbourhood Plan so they could support the steering group and help family, friends and neighbours to understand the issues. In March 2020 community consultations were held by means of a postal survey created by Gloucestershire Rural Community Council to identify residents' concerns and what they supported in the Neighbourhood Plan. 325 households returned the postal questionnaire, a response rate of 31.4%, or 37%, if the total number of households is discounted for second homes and holiday lets. In March 2020 public drop-in days were held to consult the community about possible development sites. 170 forms were completed.

4.13 During the summer of 2020 the Steering Group followed this up with detailed surveys and face to face interviews with residents and visitors to ensure the views of more young people and businesses were gathered about sport, leisure, community facilities, green spaces, access and parking.

4.14 In May 2022 a letter was sent to all households in Stow and Swell parishes to update the community on what they had asked for and what progress had been made. This was followed by public drop-in events to seek the community's views on potential development proposals. Responses received 214.

MAIN ISSUES AND CONCERNS RAISED AS A RESULT OF CONSULTATIONS

- Concern that the unique townscape and environment of the town, parish and AONB should be conserved and enhanced and not spoilt by inappropriate development.
- The need for truly affordable housing for local people.
- Concern regarding the development of too many assisted living/care units.
- The need to maintain and develop the town's economy.
- The desire for a new leisure/community centre including a youth club.
- An identified need for additional sports and leisure facilities for young e.g. adventure playground, skate/BMX Park, etc.
- A desire for a town museum.
- The critical need for more parking close to the town centre, better access to public transport and a reduction in the impact of through traffic especially HGVs.
- A desire to reconfigure the market square re-establishing it as the focal point of the town and make visiting it a more enjoyable experience for residents and tourists alike.
- A desire to achieve a balance between social, environmental and economic sustainability.
- Support for the development needed to address current threats to sustainability.
- A desire to achieve a sustainable social and economic future for Stow and the Swells.

4.15 The Pre-Submission version of the plan was consulted on in early 2023 in line with the Regulations. The consultation generated significant interest in the town and the surrounding rural areas, most notably in respect of its main housing development proposal to the north east of the town. The comments highlight the differences of opinion on the future role and function of Stow but a large majority were submitted by residents of Broadwell village using a template letter. Most do not support the proposed vision, but this runs counter to the views expressed by Stow residents and businesses earlier in the project.

4.16 The exercise has served to make such views clearer, now neighbouring settlements have had the opportunity to engage with the project in a more formal way. But it has not led to new factors of technical substance coming to light that would warrant the deletion of that proposal from the submitted Plan.

4.17 More generally, the policies have been roundly supported by most or all parties, albeit with suggested improvements to some policies and their justification. Its green infrastructure, heritage, primary residence and zero carbon buildings policies have been especially well supported. It was therefore considered that the Plan can proceed to submission and examination with some modifications made to the text and maps to improve their meaning, to make corrections and to address omissions.

5. VISION, OBJECTIVES & LAND USE POLICIES

Vision

5.1 The vision of the neighbourhood area in 2031 is:

The unique townscape and environment of Stow and Swell parishes and the AONB have been conserved and enhanced. The community now has a better supply of market and affordable housing of a variety of types to meet its needs, which has led to a higher proportion of young people living in the town. Preventing new homes being used for second homes has also made a difference.

The town's economy has diversified with new small businesses and home workers, although its tourism appeal remains vital. The Market Square is now less dominated by parking with its public realm being significantly improved. Its public car parks are well used and have encouraged visitors to walk to the Market Square. The town has also benefited from its new community hub building, which has complemented its longstanding community facilities.

The Swells have retained their special rural Cotwolds character. Little has changed but Lower Swell has benefited from improved car parking arrangements for local residents.

Objectives

5.2 The key objectives of the Neighbourhood Plan are:

- To ensure that the unique townscape and environment of the town and the surrounding parish is conserved and enhanced.
- To ensure that the community has an adequate supply of affordable housing to meet its needs.
- To secure and develop the town's economy.
- To ensure that the community has appropriate infrastructure in terms of health services, community facilities, traffic and parking, public transport, and its green infrastructure.

Land Use Policies

5.3 The following policies relate to the development and use of land in the designated Neighbourhood Area. They focus on specific planning matters that are of greatest interest to the local community, especially in seeking to make a step change from the past to deliver a more sustainable future for the town, villages and countryside.

5.4 Special care has been taken by the councils to avoid any unnecessary repetition of policies between this plan and the Local Plan. However, for completeness there is some overlap so that this plan can be read without having to continuously cross reference.

5.5 Each policy is numbered and titled and it is shown in bold, coloured text. Where necessary, the area to which it will apply is shown on the Policies Map attached to the document. After each policy is some supporting text that explains the purpose of the policy, how it will be applied and, where helpful, how it relates to other development plan policies.

Policy SSNP1: The Stow on the Wold Development Boundary

The Neighbourhood Plan defines the Stow on the Wold Development Boundary, as shown on the Policies Map. Within the Development Boundary applications for development will be permissible in principle.

5.6 This policy restates the principle in policy DS2 of the adopted Local Plan for how proposals located within the Development Boundary of Stow on the Wold – a ‘Principal Settlement’ – will be managed, as distinct from proposals outside that boundary, which are addressed by Policy SSNP2. The Boundary shown on the Policies Map has been modified to reflect the completion of the surgery development on Maugersbury Road and the site allocation in Policy SSNP7 in accordance with Local Plan policy DS2.

5.7 The wording of policy DS2 is repeated so that Policy SSNP1 can operate independently of DS2 if the weight attributed to that policy is undermined by an out of date Local Plan or a failure by CDC to maintain a sufficient supply of housing land. Proposals are only considered appropriate in principle. They must also accord with all the other policies of this Plan and of the adopted Local Plan as relevant to their location, nature and scale. The Stow & Swells Design Code of Policy SSNP8 will be especially important in managing how well proposals fit with the very special character of the town.

Policy SSNP2: Development in The Swells and the Countryside

A. The Neighbourhood Plan identifies Lower Swell as a small village with very limited local services that is suited only to small scale residential development and where its existing community facilities and local green spaces will be protected and its off-street parking capacity improved.

B. The Neighbourhood Plan identifies Upper Swell as a hamlet with no local services that is not suited to small scale residential or any other form of urban development.

C. In the Rural Area beyond the settlements of Lower Swell and Upper Swell proposals to improve the agricultural economy, equestrian facilities and to deliver nature recovery will be supported. Proposals for any isolated homes in the Rural Area argued on the basis that they are of exceptional quality alone will not be supported.

5.8 This policy sets out the principles for development in Lower and Upper Swell and the rest of the countryside of the neighbourhood area. It is consistent with the policies of the adopted Local Plan, notably its Policy DS3 in managing small scale development in the villages (as ‘non-principal settlements’) that do not have defined Development Boundaries and its policies DS4, EN4 and EN5 in managing development outside settlements in the wider natural and historic landscape of the area, which all lies within the Cotswolds Area of Outstanding Natural Beauty. For clarity, the policy does not alter the ‘non-principal’ status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of the Local Plan’s Development Strategy as set out in policy DS1. The purpose of the policy is to provide certainty for applicants and CDC in clarifying the types of development that are suitable in each settlement based on their settlement character.

5.9 The policy acknowledges that whilst Lower Swell is of a scale that may accommodate some small scale development, Upper Swell is a hamlet that is so small that proposals could not practically meet all of the criteria of Policy DS3. Furthermore, although the NPPF (§80) makes provision for isolated homes in the countryside, this policy rules out those proposed only under its clause (e) as being of exceptional quality, as it is considered there is no location in the countryside of the area where its immediate setting would be enhanced rather than harmed by such a proposal, which no level of architectural quality could redeem. It does not prevent proposals coming forward seeking to benefit from other clauses in NPPF §80.

Policy SSNP3: Housing Mix

A. Within the Stow on the Wold Development Boundary proposals for residential development schemes of 6 or more dwellings are required to deliver as part of the scheme at least 30% of the affordable dwellings (rounded as necessary) as First Homes to be made available at a minimum 50% discount. The mix of other affordable home tenures should have regard to the evidence in an up to date housing need assessment and should also be delivered within the scheme. Proposals that seek to maximise opportunities for new open market and affordable homes to be made available to persons with either a local connection to the Neighbourhood Area and its immediate surroundings or persons that are defined as key workers will be especially supported.

B. Within the Stow on the Wold Development Boundary proposals for residential development schemes of 6 or more dwellings will be required to deliver the following mix of dwelling types:

- **17% 2 bed**
- **33% 3 bed**
- **34% 4 bed**
- **16% 5 bed**

5.10 This policy serves two purposes for the town: firstly, it sets out the requirement for delivering affordable homes as a refinement of Policy H2 of the adopted Local Plan (which requires at least 40% of homes to be affordable), in line with the evolution of national policy since 2018 (notably the launching of the 'First Homes' affordable housing for sale product). Secondly, it sets out the baseline proportions of housing types (by size) to meet local needs as a refinement of Policy H1 of the adopted Local Plan. At Lower Swell proposals will be determined in accordance with the adopted Local Plan policies H2 and H3 on affordable housing and rural exception sites.

5.11 The policy has been evidenced by the Housing Needs Assessment prepared for the neighbourhood plan by special consultants, AECOM, in March 2022 and published separately in the evidence base. This report recommended that the Plan should increase the proportion of First Homes from the minimum 25% to 30% and should increase the sales discount rate from the minimum 30% to 50% to reflect the acute affordable housing problem of the town. Applicants should take into account that report and any later such evidence as circumstances may change during the plan period. Proposals with a number of dwellings that does not break down in whole units against the percentages specified in Clause A and B may need to adjust the percentages marginally. However, applicants should accommodate the percentages to the furthest extent possible.

5.12 The report notes that the town has an above average number of affordable homes in its current stock but that this still falls far short of meeting needs in a place like Stow. The community wishes to use the opportunity presented by this plan to redress the balance of its stock and this policy will apply to the allocation in Policy SSNP7 and to all other qualifying proposals over the plan period, unless a future review and assessment of need indicates otherwise. The report concludes that an emphasis on delivering a strong mix of social rented properties and First Homes will tackle the problem at a scale not seen in the town for generations. The policy especially favours proposals that will make provision for key workers (as defined by CDC's adopted Affordable Housing SPD) and that can show they will appeal to, and be marketed at, local households as part of CDC's housing allocation process.

5.13 In respect of housing types, the report has assessed the nature of the existing stock and the goals of the plan to encourage and enable young people and families to live in Stow to turn around its increasingly aging population profile. In that sense, the policy is intended to work in parallel with policies SSNP4, SSNP5 and the allocation of SSNP7 as a combined and sustained effort to bring about a more sustainable community.

Policy SSNP4: Principal Residence

Proposals for new open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.

5.14 This policy follows those of other local and neighbourhood plans in England where the growth of second homes has begun to have a serious adverse effect on access to market and affordable homes and its consequences for local services. Although it has been observed that in larger towns to which this type of policy applies there has been an effect on the operation of the local housing market, it is not considered such effects will be of a scale in a smaller, more contained town like Stow.

5.15 Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend the majority of their time when not working away from home. The condition or obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them.

5.16 Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition, and be obliged to provide this proof if/when the District Council requests this information. Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc). Although this presents enforcement challenges to the District Council, it has noted that other planning authorities have not had to devote considerable resources to its implementation and supports the initiative.

5.17 The Housing Needs Assessment cited 2011 Census data showing 17% of the housing stock was second homes. The 2021 Census data is not yet available but is likely to show the same problem, combined with the increase in AirBnB-type listings (30-40 no. on average). With the allocation proposal of SSNP7 creating a generational opportunity to change the town's housing stock, and alongside the provisions of SSNP4 and SSNP5, its housing supply cannot be undermined by second home ownership.

Policy SSNP5: Specialist Accommodation for Older People in Stow

Proposals for specialist accommodation for older people falling within classes C2 or C3 of the Use Class Order, including sheltered and extra-care housing, care homes and other appropriate models of accommodation for the elderly and those with particular needs, will not be permitted unless:

- **they are of a small scale and are delivered as affordable housing for households with a local connection; and**
- **they deliver no more than a total of 40 (C2) units and/or dwellings (C3) of this type over the plan period.**

5.18 The policy is intended to slow down the supply of age-restricted housing in Stow for the plan period by confining such schemes to those of a small scale linked with the plan's affordable housing objectives and by placing a cap on their total number. Although national policy encourages planning for an increasing demand for such accommodation to meet the needs of an aging population, it does not take into account those places like Stow that already have an over-supply and where such an approach will only exacerbate the problem.

5.19 The town has seen two major such developments in the last decade – the only housing developments in the town of any scale since the 1980s. Neither Lower or Upper Swell are considered suitable locations for this type of use in any event, given their remoteness and lack of local services.

5.20 The change in the town's age demographic between only 2011 and 2019 is stark. The Census data and mid-year estimate for 2019 show that the 65+ age group increased by 44% and the working age group and under 18s fell by 6% and 30% respectively. The policy is therefore needed in these special circumstances to sit alongside policies SSNP3 and SSNP4 as a package of measures seeking to bring greater, plan-led management of future housing supply. Its effect will be monitored and reported on in the next main review of the plan.

5.21 In doing so, it refines Local Plan Policy H4 on this same matter that allows for such proposals where there is a proven need and where they are well located and will provide affordable and other accommodation needs. This 'predict and provide' approach is a self-fulfilling prophecy, as shown in the Housing Needs Assessment report, and will only serve to make the town more attractive to wealthier, older households moving into the area from far afield. Though their spending power may be helpful to some local services, such schemes have a significant opportunity cost in using vital brownfield or greenfield land that could otherwise be used for a wider range of housing provision, which would broaden the town's economic case and patronage of local services.

5.22 However, the town has benefited from almshouse-type schemes in its past as a means of providing genuinely low cost housing for people who have a local connection, as defined by CDC. The policy therefore provides an exception for minor schemes – defined as 9 or fewer C2 units and/or C3 dwellings of this type (per the definition of minor development in national policy). However, it requires such proposals to be only almshouse-type schemes for elderly person households relocating from within the Town or Parish or from a Parish that immediately adjoins the Neighbourhood Area. And it caps the total number units and dwellings of this type that are provided to 40 over the plan period to avoid a higher number of incremental proposals whose cumulative effect may otherwise undermine the vision of the Neighbourhood Plan.

Policy SSNP6: Health and Well Being

Proposals for housing development of any type should demonstrate how they will support the community's physical and mental health and social networks. Proposals will be supported that:

- encourage active lifestyles and healthy choices
- provide access to open spaces and links to footpaths and cycling routes and provide for cycle storage
- deliver on site green infrastructure that meets Building with Nature standards and the principles set out in Natural England's Green Infrastructure Framework as relevant to the nature, scale and location of the proposal
- are designed to improve air quality, reduce noise pollution, reduce car use and calm traffic
- contribute towards the provision of new community infrastructure defined in Section 6 of this Plan
- for major housing development schemes as defined by NPPF §177, include publicly shared outside green, play and allotment space and sympathetic landscaping including appropriate native trees which screen the development from distant views
- incorporate 'Healthy Home' features, as described in the UK Green Building Council's *Health and Wellbeing in Homes* (July 2016) document, and reflect the varied design of buildings in historic Stow
- do not differentiate between different types of housing tenure in respect of their design

5.23 The purpose of this policy is to ensure that any new housing development is focused on the people who will live there, the impact of the development on the environment and the future impact of climate change.

5.24 The challenges of COVID have highlighted how important it is to build sustainable communities through the design of the built environment. This area managed those challenges relatively well with its mix of local services and facilities. But it is vital that its assets are maintained well into the future to handle not just the potential for similar events, but also as a means of tackling climate change and of encouraging healthier lifestyles.

Policy SSNP7: Land North East of Stow

A. The Neighbourhood Plan allocates 10 Ha of land to the north east of the town, as shown on the Policies Map, for a low or zero carbon mixed use development scheme comprising:

- A community hub building for a mix of local community facility uses (falling within either Classes E(d) or F2(b) only) and managed workspace uses (falling within Class E(g)(i) only);
- A public car park scheme of approx. 150 spaces; and
- An enabling housing scheme of approx. 170 homes comprising approx. 100 open market homes (of which at least 5 plots should be provided as serviced plots for self-build or custom build homes) and approx. 70 affordable homes.

B. The community hub scheme shall comprise either a single, multi-purpose building or ground floor accommodation as part of the housing scheme and shall be of a detailed specification to be agreed with the Town Council. The building form and design should be distinct from the main housing scheme but should accord with the relevant requirements of the Cotswold and Stow Design Codes. It shall be located adjoining the public car park to be able to share some of its spaces. The building form, its noise attenuation measures and its hours of operation should be

designed in a way that will protect the amenities of nearby residential properties but that will also enable the facility to be accessible and functional to meet a wider range of community needs during the daytime and evenings and on weekdays and weekends.

C. The public car park scheme shall be located within the site in a way that minimises the walking distance to the town centre and that fits well with the layout of the adjoining housing and community hub schemes. It shall comprise a single car park laid out and landscaped in such a way as to minimise its urban appearance in the wider landscape. It shall be lighted using discreet columns that combine motion-sensitive lighting and CCTV to achieve a safe space that does not emit unnecessary light pollution. It shall comprise a permeable surface only. It shall be designed in such a way that every space can accommodate an electric charging point, with a minimum of 10% of the spaces having installed points at the outset.

D. The enabling housing scheme shall comprise a mix of dwelling types as required by Policy SSNP3 and an affordable housing mix of 70% social rent, 25% First Homes and 5% affordable rent, and shall be located in a way that relates well to the public car park and community hub schemes to aid their natural surveillance.

E. The design strategy shall comprise a layout, plots, building forms and designs and a landscape design that are informed by a clear understanding of the relevant guidance published by the Cotswolds AONB and with the relevant requirements of the Cotswold and Stow Design Codes. Its character and appearance should be inspired by the Parks Estate Character Area provisions in the Design Code. It shall provide for a layout and landscaping scheme that successfully mitigate the effects of the development on the AONB countryside to the east and shall acknowledge the views across the site south eastwards from Broadwell Lane.

F. The active travel strategy shall comprise a layout that creates new pedestrian routes to connect with Well Lane, with the superstore development to its immediate west and with the pavement on the eastern side of the A429 Fosse Way at its junction with Broadwell Lane. These routes shall be well signposted to the town centre from within the housing scheme and from the public car park scheme.

G. The transport strategy shall seek to discourage traffic generated by the housing, public car park and community hub schemes from travelling east on Broadwell Lane towards Broadwell village. It shall also implement any improvement works shown to be necessary to the A429 Fosse Way/Broadwell Lane junction prior to the occupation of the first dwelling.

H. The green infrastructure strategy shall make provision for onsite biodiversity net gain of at least 20% (as measured by the most up to date BNG Metric) as part of its proposals to integrate with the wider network of green infrastructure. It shall avoid any loss of the existing mature tree and hedgerows within the site boundaries and shall seek to reinstate historic hedgerows as part of the landscape scheme. The landscape scheme shall also seek to replace existing non-native tree species on the site boundaries with native species.

I. Proposals should be made in the form of a comprehensive planning application and must include:

1. an illustrative masterplan that defines the land uses and sets out the key development principles for access, layout and design;
2. a delivery plan setting out how the community hub and public car park schemes and supporting infrastructure will be secured and delivered, with the requirement that a planning obligation is agreed to require both schemes are delivered and available for

operation before the final occupation of the housing scheme (excluding the self-build element) at the latest;

- 3. design features that improve energy efficiency and reduce carbon dioxide emissions; and**
- 4. a proposal for how the scheme will manage any future identification of any part of the land as having heritage value as a battlefield site.**

5.25 This policy allocates 10 hectares of land on the north-eastern edge of Stow to deliver a new building to support community and business uses and additional public car parking, together with a housing scheme that will enable the delivery of both of those benefits. It is an essential component of delivering the vision for the future success of the town as a package of measures with policies SSNP3 and SSNP4 and a concept masterplan is shown in Plan D below.

5.26 The land is in the control of a single developer and can be delivered in full within the next five year plan period. It is well located in respect of the town centre (less than 400m walking distance) and of the main superstore (less than 100m). The same developer also controls a smaller area of land that lies within the same defensible boundaries of the allocation site but lies outside the Neighbourhood Area (in adjoining Broadwell Parish). The Town Council has therefore engaged with the community and other stakeholders – including Broadwell Parish Council – using that larger proposal for transparency, even though the Plan itself can only allocate land and contain policy relating to the larger part of the site within its area. In doing so, the developer has confirmed that there is no viability dependency of the larger site on the smaller site.

5.27 A small part of the site – its south-western corner – lies within the Conservation Area and part may also lie within land defined as having heritage interest on the periphery of the site of the Battle of Stow. New evidence to determine the full extent of the battlefield came to light during the consultation on the Plan but the matter remains uncertain (see the Heritage Assessment technical report in the evidence base for more information). This may be resolved by the time a planning application is made to deliver the allocation, for which purpose clause I(4) has been added to the policy. All of the site forms part of the wider, gently sloping hillside sweeping to the east and south and so is visible in the generally setting of the town from the east. The land is reasonably well enclosed from public vantage points on its north, west and southern boundaries but is exposed to the east and the wider AONB countryside. In this regard, the allocation proposal is considered to comprise a ‘major development’ in the AONB, the justification for which must show that its public benefits outweigh the harm to the AONB (as per NPPF §177 and set out in Appendix E).

5.28 It is therefore vital that the masterplan demonstrates how the layout and design of each of the component schemes will use the shape, natural features and topography of the land to conserve the special landscape and scenic beauty of the AONB. The concept plan shown in Plan D is for illustrative purposes only at this stage; there may be different ways in which the scheme components and on-site mitigation measures can be planned and this will be done at the planning application stage. In any event, the design of the overall layout and the distinct schemes will be expected to follow the distinctive design principles of this part of the Cotswolds – as set out in a number of Cotswolds AONB Conservation Board published guidance documents and by a combination of the Cotswold and Stow Design Codes – to ensure that it stitches into the fabric of the town visually as well as functionally. The vernacular aesthetic and general form of the Parks Estate on the south side of the town is considered as the most appropriate inspiration for the scheme.

5.29 The evidence base and site assessment note (also part of Appendix E) explain the rationale for selecting this land for allocation. The land presents a generational opportunity to address matters of increasing concern to the local community. The town is an internationally renowned, historic tourist

attraction of few equals in the UK. But its success has created housing and parking problems that, if left unaddressed, have the potential to undermine that success in future years.



*Plan D: Land East of Fosse Way, Draft Indicative Layout
 (Source: Bloor Homes)*

5.30 The town has lacked a community centre of a size commensurate with its population. In addition, in the light of the effects of the Covid 19 pandemic, the community is keen to reduce the town's dependency on tourism for its commercial success. The land is well-located, and is of a

sufficient size, to incorporate a new multi-functional building that can meet each of these objectives (or provided in ground floorspace as part of a larger building with the dwellings above). An initial specification (in Appendix C) has evolved and been agreed by the Town Council based on its analysis of community and business needs, comprising a mix of office/managed workspace accommodation (now Class E(g)(i)) and of a hall/meeting place also suited to indoor sport, recreation and fitness uses (now Class E(d) and F2(b)). The Town Council is seeking to relocate from its current inadequate facility in the town centre to the building, hence its provision for some office accommodation, and at this scale it is not considered to undermine the 'town centre first' principle. Similarly, it is possible that the hub may include a café facility, but this would be ancillary to the main uses of the building and not a separate, standalone facility. The Town Council will seek to agree these matters with the developer as a priority on the making of the Plan and a condition will be attached to the planning permission restricting the uses to avoid any future change within those respective use classes.

5.31 The provision of a new public car park is another essential public benefit. It will enable the relocation of spaces out of the Market Square (see Policy SSNP8) to allow for public realm improvements, as well as to increase capacity for those that work in the town as well as visitors. Although utilisation data is dated, it indicated that parking capacity in the town was negligible at most times – new research has been commissioned but it is not considered that it will conclude anything other than capacity being an even greater problem. Once completed, the Town Council will endeavour to work with the District and County Councils in agreeing a parking strategy across the whole town to ensure the new capacity is operated as efficiently as possible. Its precise location will be proposed in the planning application but the policy requires that it balances securing the most convenient location to encourage walking to the town centre with accommodating its access from Broadwell Lane in a way that fits with the grain of the final scheme layout.

5.32 The housing scheme serves two purposes. Firstly, it makes the land available from its private owner for the community and car park schemes and the developer will fund the delivery of both schemes. There is no suitable public or other private land available for these purposes and no public funds to deliver them. Secondly, although the current Local Plan requires no new housing supply from the town for the plan period, it will make an important contribution to enabling the ever-aging demographic character of the town to be arrested with a scale of new, genuine affordable housing not seen in the town for many years. The policy proposes a tenure mix that differs from the mix proposed in Policy SSNP3 in order to deliver on the community's desire to see a significant uplift in the number of socially rented homes built in the town on this the largest scheme.

5.33 The green infrastructure strategy, aligned with a landscape design that follows the AONB guidance, should enable significant improvements to biodiversity and local nature recovery, which are also important AONB conservation objectives. There is sufficient non-developable land within the site to accommodate these requirements.

5.34 The policy requires that any planning application that wishes to benefit from its support must be comprehensive in covering all of its elements and must set out precisely how and when the community and parking schemes will be delivered. This reflects the fact that the housing scheme must enable their timely delivery, leaving no prospect that it will be built out and occupied before they are secured and able to operate. This will be done through a planning obligation, which will also secure other elements of the policy, for example its affordable housing. The land interest has confirmed that this approach is reasonable and acceptable and that the project is small enough to be completed in one phase comprising all its elements. In which case, it is not considered neither necessary nor reasonable for the policy to require the delivery of those schemes any earlier than before the housing scheme is completed and occupied.

Policy SSNP8: Stow Town Centre & Market Square

A. The Neighbourhood Plan identifies the Stow on the Wold Town Centre on the Policies Map. The Market Square is defined as the primary shopping area within the Town Centre and is also shown on the Policies Map. On ground floors within the Market Square development proposals for Commercial, Business and Service uses will be supported. On ground floors outside the Market Square, development proposals for Commercial, Business and Service uses and Pub or Drinking Establishment and Hot Food Take-away uses will be supported.

B. Development proposals for new or intensified Commercial, Business and Service uses and Pub or Drinking Establishment and Hot Food Take-away uses should be carefully designed and mitigated to ensure that the amenity of existing residential uses is not negatively impacted upon and that the potential for statutory nuisance is avoided.

C. Proposals in the Market Square to change the use of an active ground floor frontage to a residential use will not be supported.

D. Proposals for new residential uses on upper floors will be supported, provided they:

1. are carefully designed to achieve a good quality of life for residents;
2. achieve well-designed development that creates a safe and comfortable living standard, and which positively addresses the townscape through good design that enhances the external appearance of buildings;
3. take account of existing ground floor uses and mitigate accordingly to minimise the scope for conflict with existing commercial operations and ensure that future residents have a good quality of life in amenity terms and that existing commercial operations are not unduly constrained;
4. so far as possible, avoid residential access via rear service yards in order to enhance natural surveillance and assist legibility. Where this is unavoidable, measures to enhance legibility such as lighting should be incorporated into design, and clear distinction should be made to delineate between residential access routes and areas required for commercial activity; and
5. minimise street clutter by directing supporting infrastructure such as bin stores and cycle facilities away from active frontages.

E. Development proposals that require some loss of ground floor floorspace to facilitate access to upper floor residential will be supported where this can be achieved without undermining the integrity and viability of the existing unit(s); and provided it will not result in a proliferation of residential accesses that would undermine the vitality and viability of an individual shopping frontage.

F. All development proposals in the Town Centre must accord with the Design Code in respect of sustaining and enhancing the special architectural and historic character of the Conservation Area and of responding to the presence of statutory listed buildings and non-designated heritage assets.

G. Proposals that lead to a reduction in the overall space in the Market Square dedicated to vehicle parking will be supported, provided that space is repurposed for public realm improvements only and that the number of spaces lost will not undermine the commercial viability of the Market Square.

5.34 This policy is intended as an expression of how the community wishes to see the town centre thrive in a 'post-Covid' world. It seeks to sustain and build on the success of the town centre as a vibrant and vital heart of the town and the wider rural area and as a renowned visitor destination. The combination of its historic form and range of retail, commercial and other uses makes it one of the best liked town centres in the Cotswolds.

5.35 However, although it has ridden the retail storms of the last decade better than many, with few vacant units, we cannot be complacent in the face of increasing competition from online retailing. The policy takes account of the new Use Classes Order which defines Commercial, Business and Services Uses by combining previous retail, financial services, café/restaurant, offices and other social uses. It updates and refines Policy EC8 of the adopted Local Plan to bring it up to date with the NPPF and the Order and is consistent with the role of the Market Square – which it defines as the primary shopping area – and other parts of the town centre as a 'Key Centre' in the District.

5.36 The neighbourhood plan project has reviewed the town centre boundary defined by the Local Plan and found that it continues to serve this purpose. The Market Square remains the 'jewel in the crown' as one of the most identifiable in the country. Its mix of ground floor (and above in some cases) commercial uses, all operating from historic buildings around its edge, plays a number of vital roles: in defining the essence of the character of the Conservation Area, in operating as a critical mass of vital and viable commercial activity (from shops to bars, pubs and hotels) and in generating a strong demand for tourism. It is vital that these roles are sustained.

5.37 The other parts of the town centre – Digbeth Street, Sheep Street, Church Street, Talbot Court and Brewery Yard – play a vital supporting role to the Market Square, providing locals and visitors alike with a wider range of commercial offers. However, there are some dwellings interspersed in some of them, as well as uses better located beyond the Market Square like takeaways.

5.38 The goal is to sustain this special retail-led mix of commercial uses within the Town Centre to promote a thriving daytime and evening economy whilst recognising the important contribution that other uses on its fringes, including residential development, can make in promoting a vibrant and competitive town centre where people want to visit, live and work. The policy will operate alongside national and other development plan policies relating to heritage assets (including the Design Code of this plan), as the Conservation Area covers the whole of the Town Centre and beyond. There are also more than 60 listed buildings of various grades with most others have local heritage and/or townscape value. It must also operate within the flux of permitted development rights applying to town centres, although some of those rights are not applicable here because of its heritage assets.

5.39 The policy also encourages the use of upper floors by refining Local Plan Policy EC8 to acknowledge the challenges of doing so in an historic environment and makes provision for the relocation of some parking spaces to the new public car park to be delivered by the allocation in Policy SSNP7. This responds to the steer of Local Plan Policy S13 to improve the public realm of the Market Square. Detailed proposals have not yet been drawn up, but the principle has been a feature of the community engagement activities. Many spaces are occupied by those working in the Town Centre (and having to drive from well beyond the town to access affordable housing) and the opportunity to relocate some spaces will enable public realm improvements to reduce the effect of vehicles in this special space. The policy requires that number of spaces to be relocated strikes the balance between securing this benefit and maintaining sufficient spaces for visitors/customers of the Market Square shops and services.

Policy SSNP9: Playing Field Facilities

A. Proposals to upgrade, extend or replace the pavilion facilities at Queen Elizabeth II Field, as shown on the Policies Map, will be supported provided that any extension of the building is no larger than 150% of existing floorspace and, if a replacement, it is located on or immediately adjoining the existing building footprint and its massing and height will not undermine the open character of the Local Green Space.

B. Proposals to provide a new pavilion facility to serve the King George's Playing Fields, as shown on the Policies Map, will be supported provided the building adjoins the existing play facilities and its massing and height will not undermine the open character of the Local Green Space.

5.40 This policy responds to a desire to improve these important community facilities on the western and eastern edges of the town respectively. The playing fields are proposed as Local Green Spaces in Policy SSNP10 but in each case it is considered possible to extend the existing building (at QEII if kept to no more than half the size again, i.e. 150% of the existing pavilion) or to erect a new building (at King Georges) without harming the open appearance or function of those spaces.

5.41 Proposals need to comply with recognised standards on dark skies including 'The Reduction of Obtrusive Light' guidance note published by the Institution of Lighting Professionals and the Dark Skies Technical Advice Note published by the South Downs National Park Authority.

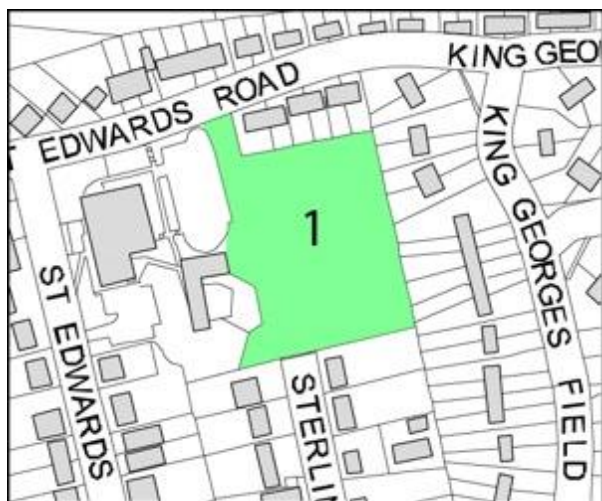
Policy SSNP10: Local Green Spaces

The Neighbourhood Plan designates the following Local Green Spaces, as shown on the Policies Map and on the plans below:

- 1. Stow Primary School Playing Field, Stow**
- 2. King George's Field & Play Park, Stow**
- 3. Allotments, Stow**
- 4. The Park/Back Walls, Stow**
- 5. Lower Swell Playing Field**
- 6. Fox Drive Open Space, Lower Swell**
- 7. St Mary's Close Open Space, Lower Swell**
- 8. QEII Field, B4068, Stow**
- 9. The Shrubbery, Stow**

Inappropriate development within a Local Green Space will only be supported in very special circumstances as defined by national policy.

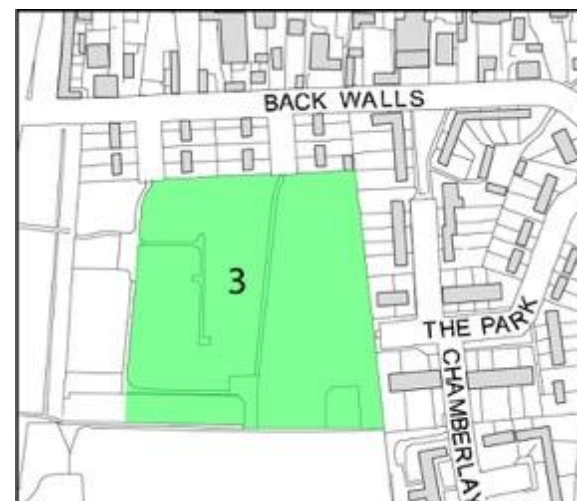
5.42 This policy designates nine Local Green Spaces to protect them from inappropriate development, the detailed maps of which are shown below. All of them are considered to meet the tests of NPPF §102 to show they are cherished by the local community (see Appendix A for further details). The effect of the designation is to give the spaces the equivalent protection as national Green Belt policy, meaning that only very special circumstances will justify inappropriate development. They are all owned by one or other public body.



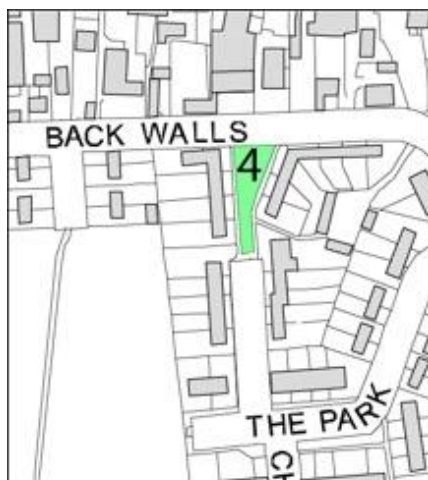
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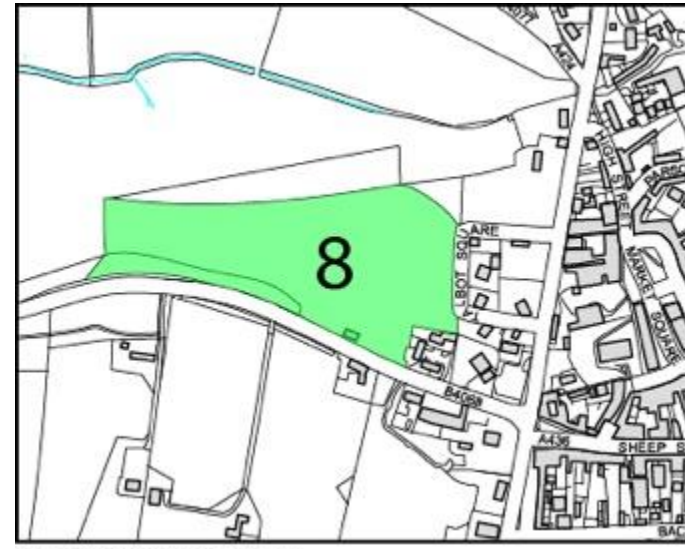
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Policy SSNP11: Stow and the Swells Design Code

Development proposals must accord with the Stow and the Swells Design Code.

5.43 This policy supplements the Cotswold Design Code (in Appendix D of the adopted Local Plan) with a Stow and the Swells Design Code for the town and parish. It is a lengthy document and so is published separately to the plan, but the policy extends the full weight of the development plan to its contents.

5.44 The Code has been structured to fit neatly alongside the Cotswold Design Code so they can easily be read together. It has divided the town into four 'character areas' that are reasonably distinct in following the age of growth of the town over the centuries. It sets out for each character area how the principles of the Cotswold Design Code specially apply to that area, accepting that what might 'fit in' with one part of the town may not fit in with another. The Code also covers Lower Swell and Upper Swell as separate character areas with their own design guidance.

5.45 As with the Cotswold Design Code and the AONB Management Plan, the policy seeks to strike a balance between prescription and flexibility. In some regards – notably building form and materials – the Cotswold vernacular context is so strong that any significant departure would like lead to a harmful scheme. In others, the Code offers designers a degree of flexibility to accommodate modern solutions, and there are examples in the area of how this has worked well in recent years.

Policy SSNP12: Non-designated Heritage Assets

Proposals that may affect a non-designated heritage asset (listed in Appendix B) should take into account the significance of its heritage value and must demonstrate how any harm to, or loss of, that significance is outweighed by its benefits.

5.46 This policy assists with the implementation of Local Plan Policy EN12 and §203 of the NPPF, both of which set out how proposals affecting non-designated heritage assets should be handled. Having carried out the design coding analysis, the councils have been able to draw up a list of such buildings, as set out in Appendix B.

5.47 The councils have followed the guidance published by Historic England so that the list is derived from a consistent and transparent methodology based on set selection criteria. The majority of the buildings lie within one of the Conservation Areas and so already benefit from some degree of extra protection in the planning system, most notably in respect of controlling their demolition. However, this status, and the specific local interest ascribed to each building, will enable their intrinsic architectural or historic interest to be defined and taken into account in future development proposals.

5.48 To be clear, this status is not the same as statutory listing (carried out by Historic England) which is governed by a combination of separate planning law (the Listed Buildings & Conservation Areas Act 1990), Local Plan policy (EN10) and national policy (elsewhere in the NPPF).

Policy SSNP13: Zero Carbon Buildings

A. Development proposals should be ‘zero carbon ready’ by design as relevant to their nature, scale and location so that they will minimise the amount of energy needed to heat and cool buildings by way of their layout, building orientation, massing and landscaping.

B. Proposals for new and refurbished buildings should demonstrate that they have been tested to ensure the buildings will perform as predicted and a planning condition will be attached to a permission to require the provision of a Post Occupancy Evaluation Report to the Local Planning Authority within a specified period. Where the Report identifies poor energy performance and makes recommendations for reasonable corrective action, the applicant must demonstrate that those actions have been implemented before the condition will be discharged.

C. Wherever feasible, buildings should be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m²/year. Where schemes that maximise their potential to meet this standard by proposing the use of terraced and/or apartment building forms of plot size, plot coverage and layout that are different to those of the Design Code Character Area within which the proposal is located, this will be supported, provided it can be demonstrated that the scheme will not cause substantial harm to a designated heritage asset. Proposals that meet this standard are exempted from the provisions of clause B.

D. All planning applications for major development are also required to be accompanied by a Whole Life-Cycle Carbon Emission Assessment, using a recognised methodology, to demonstrate actions taken to reduce embodied carbon resulting from the construction and use of the building over its entire life.

E. An Energy Statement will be submitted to demonstrate compliance with the policy (except for householder applications). The statement will include a passive design capacity assessment to demonstrate how opportunities to reduce the energy use intensity (EUI) of buildings over the plan period have been maximised in accordance with the energy hierarchy. Designers shall evaluate the operational energy use using realistic information on the intended use, occupancy and operation of the building to minimise any performance gap.

5.49 This policy is in five parts, the combination of which is intended to deliver the type of step change required by §152-154 of the NPPF in making ‘radical reductions’ in carbon emissions. Its focus is on delivering on the energy performance standards required of all new developments in the area to encourage and thereby on incentivising the use of the Passivhaus or equivalent standard of building design. Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver.

5.50 Clause A of the policy requires developers to ensure they address the Government’s climate change targets and energy performance at the very initial stages of design as encouraged by the District Council’s own Net Zero Carbon Toolkit 2021. ‘Zero Carbon Ready’ by design means making spatial decisions on layout and orientation of buildings at the outset to maximise the passive design benefits (‘free heat’) of a site and avoids leaving this to technical choices and assessment at the Building Regulation stage, by which time the opportunity may have been lost.

5.51 Clauses B and C are intended to operate together in a way that incentivises the use of the Passivhaus Planning Package (PHPP) or equivalent design methodology. Firstly, clause B seeks to tackle a longstanding problem of constructed buildings not meeting the energy performance standard proposed by the builder, which only becomes obvious once the building is occupied. Without a check and balance in the approval system there is currently no means of correcting these failures that are resulting in higher energy bills for occupants and under-performance on meeting carbon reduction targets.

5.52 It therefore requires the developer of a consented housing development scheme of any size to ensure that they have made provision with future occupants to be able to enter properties after the first year of occupation, or thereabouts, to carry out a Post-Occupancy Evaluation (POE), including actual metered energy use, and to submit a report to the local planning authority. It will be implemented by attaching a planning condition to this effect, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Although it is accepted that this will increase the post-application resource of CDC, it has declared a climate emergency and this will be one of the most effective ways of this ambition being acted upon. Further guidance on the purpose and operation of clause B is contained in Appendix D of this document.

5.53 Secondly, clause C encourages all new buildings, no matter what their intended use or size, to adopt the Passivhaus Planning Package (PHPP) or equivalent design methodology where it is feasible to do so. It is accepted that there may be some factors that make its use unfeasible, for example, the topography and orientation of the site. The policy will also ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Passivhaus certified schemes are exempted from the POE provision of clause B as they cannot fail in that way. Until such standards can be required by planning policy it is hoped that this exemption will be an effective incentive, especially as the build costs of doing so are now only just above those of conventional buildings.

5.54 The policy recognises that occasionally a feasible design solution cannot adhere to all of the parameters of the Design Code of its local area, especially given its special historic and architectural interest. It therefore strikes the balance in favour of that solution unless the proposal will cause substantial harm to a Conservation Area or to the setting of a listed building. Applicants will be expected to address this matter in the Design & Access Statement.

5.55 Proposals seeking to apply the PHPP must be able to demonstrate that the Passivhaus standard can be achieved. Prior to commencement a 'pre-construction compliance check' completed by a Passivhaus Designer accredited by the Passive House Institute (PHI) will be required and secured by condition. Upon completion a Quality Approved Passivhaus certificate for each building will be required prior to occupation, again secured by condition.

5.56 In the absence of any current adopted or saved Local Plan policy covering the energy performance of new buildings, Clause D requires all major development proposals (as defined by the NPPF) that are not householder applications to be accompanied by a Whole Life-Cycle Carbon Emissions Assessment. This requirement will be added to the Cotswold Validation Checklist for outline and full planning applications applying to proposals in the Neighbourhood Area until such a time that there is a Districtwide requirement.

5.57 In addition, Clause E requires an Energy Statement to be submitted to cover the following as relevant and proportionate to the nature and scale of the proposal:

- an assessment of the proposal to minimise regulated and unregulated emissions, the embodied emissions and the emissions associated with maintenance, repair and replacement of the new building(s), as well as its dismantling, demolition and eventual material disposal;
- a calculation of the energy and carbon emissions covered by the Future Homes Standard and Building Regulations and, separately, the energy demand and carbon emissions from any other part of the development that are not covered by the Future Homes Standard or Building Regulations;
- the proposal to reduce carbon emissions beyond the Future Homes Standard and Building Regulations through the energy efficient design of the site, buildings and services;
- the proposal to further reduce carbon emissions through the use of zero or low-emission decentralised energy where feasible;
- the proposal to further reduce carbon emissions by maximising opportunities to produce and use renewable energy on-site, utilising storage technologies where appropriate;
- the proposal for a demand-side response, specifically through installation of smart meters, minimising peak energy demand and promoting short-term energy storage; and
- an analysis of the expected cost to occupants associated with the proposed energy strategy.

5.58 Every new build or redevelopment project in the Neighbourhood Area provides an opportunity to make a difference and a contribution towards meeting our climate change targets for 2050. This new information requirement need not be an unreasonable expectation of even the smallest schemes for new buildings. Land values in the town and parish are high relative to build costs and ought to be sufficient to ensure requirements to tackle improving energy and carbon performance are viable.

Policy SSNP14: Walking & Cycling in the Town and Parish

Proposals that will improve the existing network of footpaths and cycleways through and out of Stow on the Wold will be supported. Proposals to create an off-road Stow to Bourton Cycle Path to the extent the route lies within the Neighbourhood Area will be supported.

5.59 This policy brings an emphasis to the need for development proposals in the area to take proper account of their effects on walking and cycling. The town and villages are compact with few properties in the town more than a 15 minute walk to the Market Square, although its topography can be challenging in places. With the broader aim of reducing the effects of traffic in the town more must be made of the opportunities to encourage walking and cycling.

5.60 With that in mind Policy SSNP7 will enable new routes to be created on the northern side of the town as residents and users of the new car park and community hub are encouraged to walk and cycle between that new area and the Town Centre and Tesco superstore. There is also the ambition of finding a way of creating an off-road cycle path to link the town with its neighbour Bourton on the Water to the south. The policy offers encouragement to this realising that goal to the extent that the route lies within the Neighbourhood Area. Strategic multi-modal connections would also be supported, such as provisions for cycle access to Kingham Rail Station and the National Cycle Network.

Policy SSNP15: Vehicle Parking

A Proposals for residential developments must meet the standards for off-street parking provision set out in the Design Code.

B Proposals to create shared off-street vehicle parking in Lower Swell will be supported, provided:

- **they are of a size and location that does not harm the special historic character and appearance of the Conservation Area;**
- **they do not cause significant harm to the amenities of local residents; and**
- **they include provision for EV charging.**

5.61 This policy seeks to ensure that new housing developments do not exacerbate already serious parking problems, especially in Stow on the Wold and that their parking provision will be adequate to meet likely future needs generated by the development, whether for residents, visitors or trades/delivery people. Community engagement on the plan has highlighted the problems the town faces in accommodating parking for residents, businesses and visitors on historic streets and in surrounding residential areas.

5.62 The policy also encourages land interests, including local residents, in Lower Swell to bring forward proposals to relocate the sporadic on-street and off-street car parking in the village to locations that are safer but still convenient. In doing so, those proposals may enhance the appearance of the Conservation Area and enable new provision for EV charging to benefit local residents that cannot access off street charging points at home.

Policy SSNP16: Digital Communication Infrastructure

The public benefit of improving access to digital communication infrastructure in the area will be significant weight in the planning balance of proposals that may cause harm to designated heritage assets or to the special landscape and scenic beauty of the Area of Outstanding Natural Beauty. Proposals are required to be sensitively located and designed in order to avoid or minimise potential adverse effects on the natural beauty of the Cotswolds National Landscape, including its landscape and scenic beauty.

5.63 This policy seeks to encourage the provision of new digital communications infrastructure that will drive technological advancements necessary to support new businesses and homes. This infrastructure includes the installation of new transmitters, antennas, junction boxes and satellite dishes. Creative industries, office space and commerce rely on high speed, reliable connectivity but this is difficult in much of this rural area. It is acknowledged that many such works may be permitted development but where they are not then the policy requires that significant weight is attached to the public benefit of having access to this infrastructure when weighed against any harm to heritage and landscape in the planning balance of each proposal.

6. IMPLEMENTATION

6.1 The Neighbourhood Plan policies will be implemented through the determination of planning applications for development in the Town and Parish by the local planning authority.

Development Management

6.2 The planning authority will use a combination of the Local Plan and Neighbourhood Plan policies to inform and determine its planning application decisions. The Town and Parish Councils are statutory consultees on planning applications made in the area and they will be made aware of any future planning applications or alterations to those applications by the planning authority. They will seek to ensure that the Neighbourhood Plan policies have been identified and applied correctly by applicants and by officers in their decision reports. The Town and Parish Councils will also prepare and publish an annual monitoring report outlining how the Neighbourhood Plan has been applied.

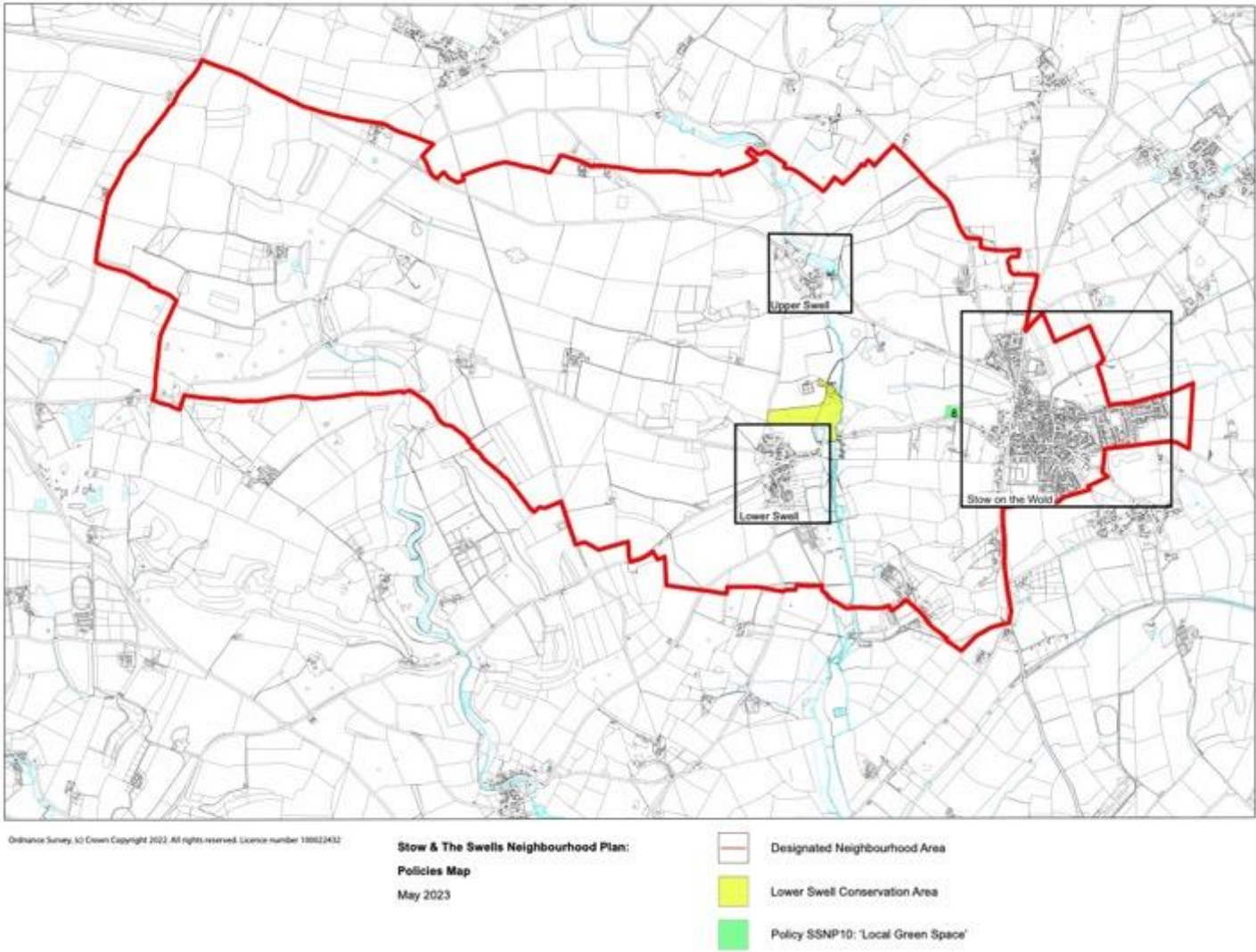
Local Infrastructure Improvements

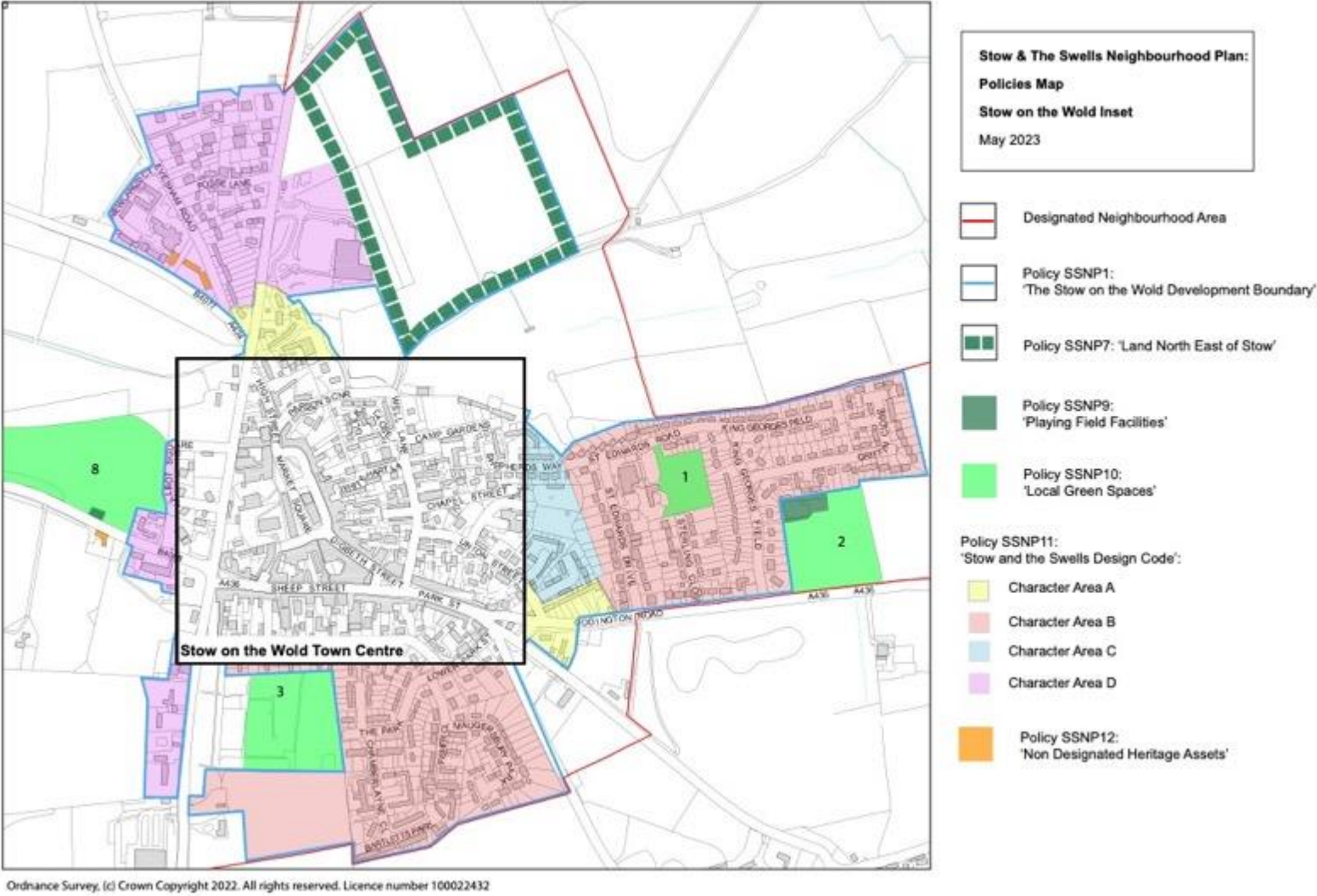
6.3 Where opportunities arise through the Community Infrastructure Levy and S106 obligations to secure financial contributions to invest in improving local infrastructure, the Town Council proposes that the priorities for investment are Market Square public realm improvement and the Community Hub.

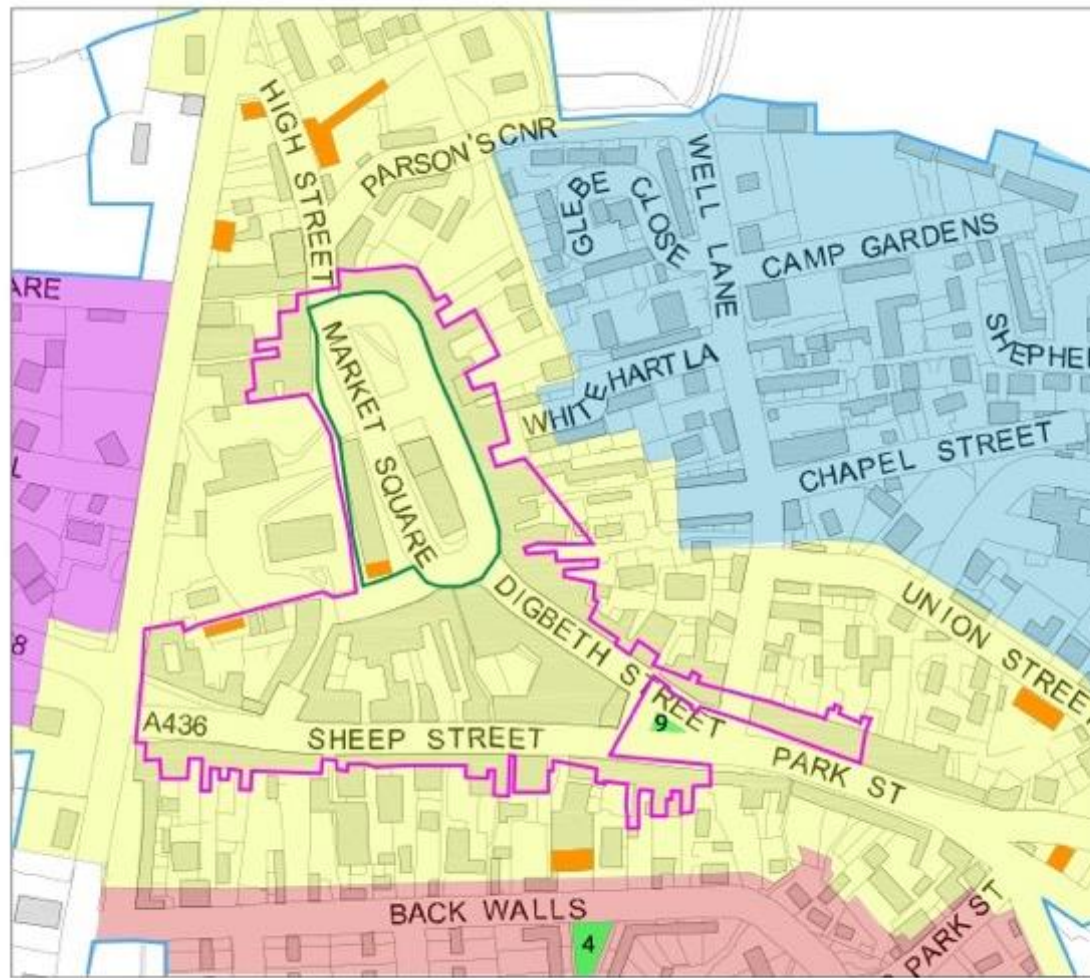
Other Non-Planning Matters

6.4 During the process of preparing the Neighbourhood Plan, there have been many ideas for improving or addressing current problems in the area that lie outside the scope of the land use planning system to control or for which the timing of the plan is too soon. The Town and Parish Councils have noted these issues and will take them forward through their day-to-day business and in partnership with the local community and relevant parties. These include additional car parking and an increase in public EV charging points at Lower Swell.

POLICIES MAP & INSETS



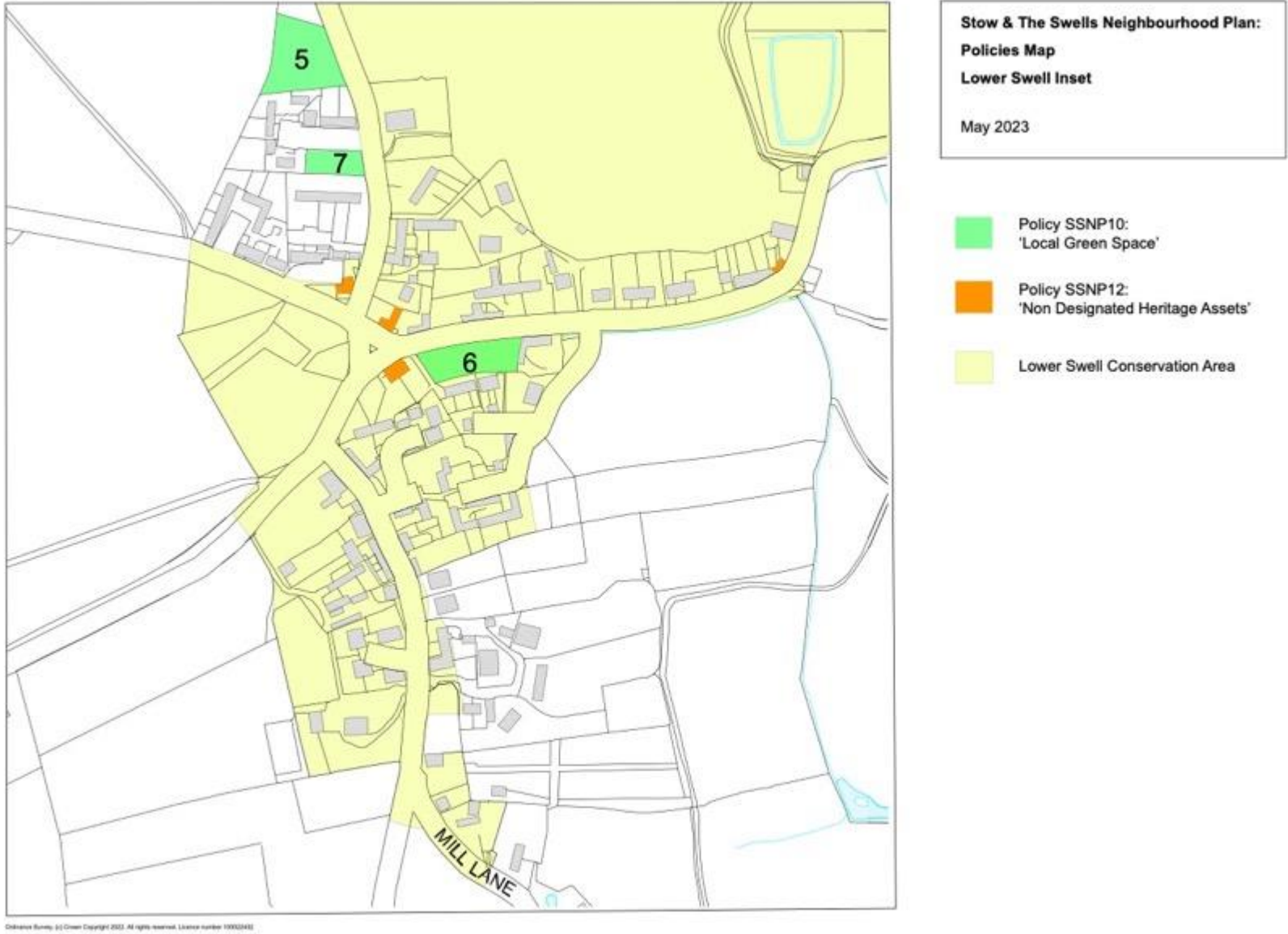




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**Stow & The Swells Neighbourhood Plan:
Policies Map
Stow on the Wold Town Centre Inset**
May 2023

-  Policy SSNP1:
'The Stow on the Wold Development Boundary'
- Policy SSNP8: 'Stow Town Centre & Market Square':
 -  Stow on the Wold Town Centre
 -  Market Square
-  Policy SSNP10:
'Local Green Spaces'
- Policy SSNP11:
'Stow and the Swells Design Code':
 -  Character Area A
 -  Character Area B
 -  Character Area C
 -  Character Area D
-  Policy SSNP12:
'Non Designated Heritage Assets'





APPENDIX A: LOCAL GREEN SPACES (SSNP10)

The policy designates a number of spaces as Local Green Spaces as per §102 of the NPPF. Set out below is a brief description of the factors that may each space special – all lie in close proximity to, and are cherished by, their local communities and none are considered large tracts of land.

Stow Primary School Playing Field

An essential part of the school facility but limited in its size to accommodate one small football pitch and therefore precious to the successful operation of the school.



King George's Field & Play Park

An important recreational area serving the eastern side of the town and including a play park and special gated entrance in stone and decorative iron work on Oddington Road.



Stow Allotments

A popular social as well as green infrastructure asset for the town.



The Park/Back Walls, Stow

An area of amenity land laid out as part of the Park estate in the late 1950s and an essential part of its green character.



Lower Swell Playing Field

A popular local facility serving the village and used by the school.



Fox Drive Open Space, Lower Swell

Although not publicly accessible this open space lies at the heart of the village and is an essential part of its character and identity.



St Mary's Close Open Space, Lower Swell

This area of mature planting and open space was laid out as part of the St. Mary's Close development and is a precious asset for the village.



QEII Field

An important sports and recreational area serving the western side of the town and also hosting annual community events.



The Shrubbery, Sheep Street/Digbeth Street, Stow

A small green space at the edge of the town centre that is popular with visitors to the town.



APPENDIX B: Non Designated Heritage Assets (POLICY SSNP12)

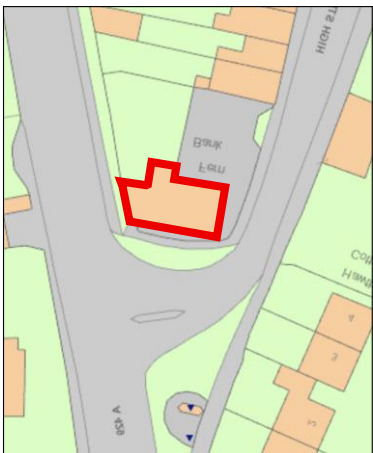
The policy identifies a number of non designated heritage assets. Set out below is a brief description of the local heritage interest of each building.

Fosseway Farm Cottage, High Street – a range of dwelling and barn/ancillary buildings in the Cotswold vernacular occupying a prominent, large site at the northern entrance to the Market Square



Google ©

Fern Bank, High Street – in the Cotswold vernacular, modified but retaining many original window and stone quoin features, occupying a very prominent position in the streetscene at the northern entrance to the Conservation Area



Google ©

Talbot Cottage, Fosse Way – comprising No2 of three storeys and a lower former coach house both in the Cotswold vernacular, occupying a prominent location at the back of pavement on the Fosse Way.



Google ©



Building, corner of Market Square and Church Street – a two storey building with a chamfered corner, with a ground floor retail unit of traditional design and low slate roof, adjoining the taller listed building ('5224 The Square') in the Cotswold vernacular and of considerable group value and occupying a prominent corner site with Church Street in the immediate setting of St Edwards Church and connected to its listed boundary wall and archway.



The Bell Inn, Oddington Road – a three storey main building with two storey side and rear additions in the Cotswold vernacular with distinctive double bay window and porch arrangement on the ground floor frontage, occupying a very prominent position at the entrance to the main part of the Conservation Area and its extension towards Maugersbury.



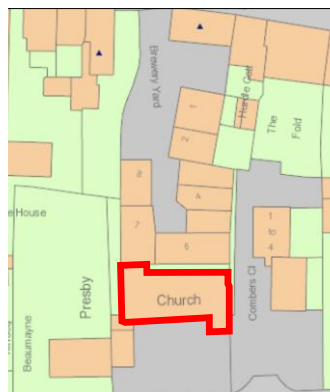
The Old School House, Union Street – impressive former girls school building of 1901 by architect H.W.Chatters, now a home, rock faced with most original architectural details surviving, including cupula tower (visible in views above rooftops from the west), large windows on N and E facades with ogee gable and pediment above on N side, with “gawky, vaguely Jacobean detail” (Pevsner).



Our Lady & St Kenelm RC Church, Back Walls – described in Pevsner as a converted former infant school of 1836, a single storey building in the Cotswold vernacular set back from the road; stained glass window by Donald Brooke, c 1950.



Google ©



Hillside & West Deyne (former Swell Villas), Lower Swell Road – a pair of Victorian cottages.



Google ©



Westcombe and The Limes (former Batsford Villas), Tewkesbury Road – a pair of early Edwardian villas, two storeys with large two storey bay windows, original prominent twin window gabled W dormer and decorative stonework around windows and above doors; front gardens with lawns and original low brick and ironwork railings and gates. Extended to the E but successful in maintaining grant character.



Google ©



Walter Reynolds Homes, Evesham Road – ‘a fine group of 1928 by Seth-Smith & Monro in two sections set at an angle with gables, mullioned windows and hipped bays’ (Pevsner), almshouses operated by local charity, occupying a prominent site on the NW entrance to the town off Fosseway



Google ©



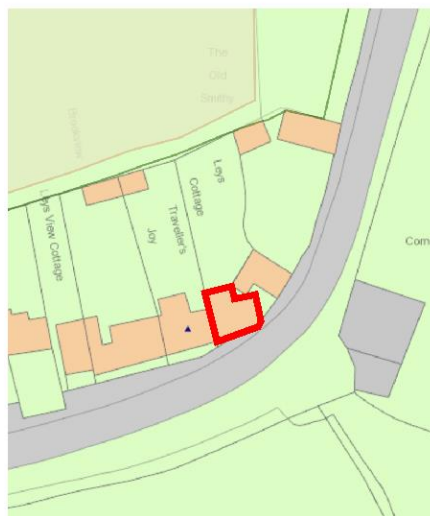
Stow on the Wold Almshouses, Church Walk – a terrace of four and a pair of low, stone one bed cottages facing on to a small communal courtyard with their rear, windowless elevations on to Church Walk next to the grounds St. Edwards Church. The first record of almshouses on this site is in 1594, when the buildings were derelict and rebuilt in that year. The current almshouses are thought to have been built in the mid 18th century.



Corner Cottage, B4068, Lower Swell – of the Cotswold vernacular occupying a prominent site at the eastern entrance to the village and has group value with the listed Travellers Joy to Leys View Cottage



Leys View Cottage, B4068, Lower Swell – of the Cotswold vernacular and has group value with the listed Travellers Joy to Corner Cottage.



Google
©

Horseshoe Cottages, Cotswold House and Barn Cottage, B4068, Lower Swell – of the Cotswold vernacular and have group value in framing the war memorial village green and are prominent in the street scene.



Google
©

Lower Swell Village Hall – of the Cotswold vernacular, occupying a prominent location at the centre of the second, smaller village green and with significant historic social value.



Barn, Upper Swell Farm, B4077 Upper Swell – a large barn that is part of a larger converted farm complex, of Cotswold stone walls (with a regular pattern of triangular winnowing holes and a Victorian post box inserted into its wall) and a Welsh slate roof, occupying a prominent location at the centre of the village.



Bridge Cottage, B4077, Upper Swell – modern (1929) but in the Cotswold vernacular and with the listed Old Mill opposite creating a delightful entrance to the village.



Nos 1 & 2, Upper Swell House, B4077, Upper Swell – a semi-detached pair of cottages in the Cotswold vernacular behind a low rubble stone wall incorporating a former drinking fountain, occupying a prominent location in the village centre and with group value with adjoining the barn of Spring House.



Barn, Spring House, B4077, Upper Swell – a low, long former barn at a diagonal to the main road creating interest in the streetscene and with group value with adjoining Nos 1 & 2 Upper House.



APPENDIX C: SPECIFICATION FOR STOW ON THE WOLD BUSINESS & COMMUNITY BARN (POLICY SSNP7)

INTRODUCTION

The Neighbourhood Plan Steering Group established a sub-group to explore the potential ways in which the plan could make provision for a new enterprise and community facility. The idea was one that came out of the early community engagement activities, which highlighted the weaknesses in the town's current supply of space for local businesses to start up and in its inadequate and aging community facilities. It would also provide a new, modern home for the Town Council itself.

The sub-group looked in detail at the type of facility needed in terms of its compatible uses and the size of the building to accommodate them. It concluded its work in 2021 by producing an ideal specification for what it called a 'business and community barn', and this is set out below. The provision made in the final version of Policy SSNP7 has been iterated as the site opportunity and allocation policy has evolved in liaison with the land interests over the last year. The essence of the specification remains part of the policy but some of the details have been modified in order to deliver a practical and viable facility.

VISION

To expand and support the economy of Stow on the Wold and the Swells by facilitating and supporting entrepreneurship and creativity towards a more balanced mix of tourism, retail and commercial enterprise by providing progressive, sustainable, and sympathetic spaces for dynamic and aspiring entrepreneurs and community use.

FOCUS

The focus for the Business & Community Barn will be for creative businesses, home working space and community events including those supporting the green economy. It will work with other venues in the town to create an integrated and appropriate offer to those wishing to hire space for events and activities.

BUILDING DESIGN AND MATERIALS

The Business & Community Barn sits within the Area of Outstanding Natural Beauty (AONB). As such the design of buildings must comply with the Cotswold Design Code and the Stow on the Wold and the Swells Neighbourhood Plan Design Code. In essence buildings must be complementary to the Cotswold vernacular. Buildings which abut countryside should also reflect the rural surroundings. Final design to be agreed with Stow on the Wold Town Council & Cotswold District Council.

OVERALL SPECIFICATION

The overall size of the Business & Community Barn could be approximately 1000 sq m. consisting of four main areas:-

- Circa 185 sq m of flexible space for businesses, consisting of units suitable for starter and pop-up businesses requiring space as offices, meetings rooms, retail or advisory/agency services.
- Circa 600 sq m of space including a serviced hall suitable to take about 200 people seated with associated facilities and capable of being divided into up to three smaller spaces suitable for events, meetings, performances and learning.
- Circa 100 sq m of space for a commercial gym sited next to the hall to enable exercise activities to take place in association with the gym.
- Circa 30 sq m of space for Town Council offices.

Toilets to be provided in two areas adjacent to the main hall serving all users of the building.

In accordance with the Stow on the Wold and the Swells Neighbourhood Plan Access & Parking Policy document (SSNP7), sufficient parking should be provided to serve the needs of all users of the Business & Community Barn, including businesses, customers, visitors including those using the hall for events and deliveries. This could be provided in association with the public car park also to be provided on this site.

DETAILED SPECIFICATION

Business space will focus on office and retail users in arts and crafts, wellbeing and rehabilitation, digital and tech, climate change mitigation, start-up businesses, learning and business support. Home workers will be encouraged to come to the Business & Community Barn to prevent social isolation and encourage shared learning and innovation. It could comprise:

- A 35 sq m open plan co working office space to accommodate 10 hot desks and 1 meeting room to accommodate 6-8 people available for flexible working and meetings
- 6 x 25 sq m offices/retail units should be available for rent for periods of under one year. Retail units should have mezzanine floors for effective use of space
- At least one of the potential retail spaces should be available for pop-ups.
- With the business space supported by ultrafast broadband.

CENTRAL HALL

The central hall of 600 sq m will provide opportunities for both business users and the community. There should be a storage area sufficient to take 200 chairs and 20 x 6 person tables. Shared kitchen facilities could enable event catering and workspace refreshment. Soundproof room dividers should enable the hall to be broken up into smaller spaces.

GYM

The focus of the gym (of approx. 100 sq m gym space) will be wellbeing and rehabilitation. An important support service for an area with a significantly large population of people over the age of 65. Effective use of space could be provided by a mezzanine floor.

COUNCIL OFFICES

Provision for 30 sq m dedicated to new Town Council office space.

APPENDIX D: POST OCCUPANCY EVALUATION GUIDANCE (POLICY SSNP13)

This guidance note sets out how Post-Occupancy Evaluation (POE) should be undertaken to accord with clause B of Policy SSNP13 and is derived from published guidance and best practice.

1. Post-Occupancy Evaluation (POE) is the method of obtaining feedback on a building's energy performance 'in use', to ensure it measures up to the commitments made by the team that designed and built it. It offers significant potential to address the performance gap and occupant satisfaction.
2. Where a monitoring regime to ensure the 'as designed' building performance targets are achieved in practice for all new and refurbished buildings is required, it is important that data is collected robustly, following good practice POE principles. It is therefore recommended that for residential development the POE methodology in section 11.4 of the Home Quality Mark ONE: Technical Manual: England, Scotland & Wales SD239 (2018)58, or as updated, is used as a guide for meeting this requirement. For non-residential buildings the BSRIA Soft Landings and Design for Performance framework (BG 76/2019), or as updated, may be used.
3. Applicants are required to set out in their Energy Statement how their monitoring regime, based on the HQM, BISRIA or similar methodology, will work in practice and be independently verified by a third party. The Energy Statement to be submitted with the planning application.
4. As each new or refurbished building comes into use, the developer must ensure performance monitoring and data collection for all relevant parameters for one whole year is carried out once the building is substantially occupied, in line with good POE practice for residential or non-residential uses. This verification process should entail, after appropriate commissioning has taken place, comparison of the 'as designed' parameters (energy, carbon, air quality and overheating risk) to monitoring data under the same categories, to assess and compare actual performance.
5. In order to account for seasonality, a minimum of 12 months monitoring data is required. On the other hand, to account for actual weather, the modelling results can be adjusted with degree days for the relevant year. A 'performance gap metric', which will compare designed and actual performance (e.g. a percentage difference) for each of the 4 required parameters (energy, carbon, air quality and overheating risk) should be issued at POE stage. This needs to be issued for both the 'central' scenario and the 'lowest acceptable performance /reasonable worst-case scenario' as a minimum, with multiple scenarios considered if at all possible. The process and reporting methodology used for the POE will need to be repeatable, so that performance can be monitored for at least 2 annual space heating cycles.
6. A report will then be required to be submitted to both building owners/occupiers and to Cotswold District Council, which states the performance gap metric and identifies any reasons for deviation from predicted energy usage, carbon emissions, indoor air quality and overheating performance, as well as recommendations for reasonable corrective action that will be taken to reduce or eliminate the performance gap.
7. The submission of the monitoring report to owners/occupiers and the council must be secured by planning condition, to be determined at the time of application based on case-specific factors. The applicant must demonstrate that the reasonable corrective actions committed to in the monitoring report, and subsequently agreed by Cotswold District Council, have been implemented through another annual heat cycle before the condition will be discharged.

APPENDIX E: STATEMENT ON MAJOR DEVELOPMENT IN THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY (POLICY SSNP7)

Purpose

The purpose of this statement is to set out the case for allocating land for a major, mixed use development scheme on Land East of the Town in Policy SSNP7 in the Cotswold Area of Outstanding Natural Beauty (AONB). At the request of the Cotswold Conservation Board during the Regulation 14 consultation period, its checklists for assessing proposals for major development in the AONB have been added for completeness at the end of the statement. Although the checklists are intended to inform proposals at the planning application stage, they have some relevance to site allocation proposals at the plan making stage.

Background

Following its extensive community engagement work and site assessment process (including a sustainability appraisal) the Town Council (TC) is proposing to allocate land off Broadwell Lane for approx. 170 homes, a community hub and public car park.

All of the neighbourhood area lies within the AONB. AONBs benefit from the highest status of protection in relation to conserving and enhancing landscape and scenic beauty. The TC acknowledges its obligation in respect of Section 85 of the Countryside and Rights of Way Act 2000, which places a duty on relevant authorities to have regard to the purpose of conserving and enhancing the natural beauty of the area of the AONB.

It is also aware that the National Planning Policy Framework (NPPF) requires that ‘great weight’ be given to that objective in decision taking and that the scale and extent of the development within AONBs should be limited (§176), which may also be applied to plan making, and that its §177 states:

‘permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.’*

The TC takes this obligation seriously and has discussed its NP vision, objectives and policies with the local planning authority, Cotswold District Council (CDC) and with the Cotswolds Conservation Board (CCB), which has responsibility for managing the AONB. It has reviewed the relevant policy and guidance published by the CCB for this purpose, notably the Management Plan 2018-2023, the Landscape Character Assessment, the Local Distinctiveness & Landscape Change report and the Position Statements on Housing and Landscape-led Development.

Proposal

The draft proposal comprises five essential features – the delivery of:

1. Approx. 170 homes (extending to approx. 240 homes on land outside the NP area) with at least 40% affordable housing
2. Approx. 150 space public car park to meet the needs of town visitors, employees and residents
3. A multi-functional building of community facilities, retail and business workspace
4. New public footpaths to the town centre and adjoining superstore development

5. A design code and landscape strategy to successfully stitch the scheme into the town and surrounding landscape, as well as to deliver biodiversity net gain on site

It is driven by the vision of making the town a more self-sustaining community by 2030 than it is at present. Its population is aging quickly and its economy has become too dependent on tourism. Access to affordable housing is increasingly difficult and traffic and parking are blighting its national heritage significance.

The housing scheme will be the first of its type in the town for two generations. Its combination of smaller open market homes, First Homes, social rent and shared equity affordable homes will make a step change in meeting local housing need to shift its demographic profile. It will also create sufficient land value to enable a viable scheme to be delivered that includes its other essential features.

The car park scheme will increase total capacity for the town to enable spaces in Market Square to be relocated and the space reused for public realm improvements. The site will be well connected to the town centre – a ten minute walk – and to the superstore with a new footpath network. The highways access will be on to Broadwell Lane to the north only.

The community building will provide the town with much needed, modern facilities that it currently lacks. It will also meet the growing demand for managed business space and will provide a support hub for the town's working from home population.

The design code will ensure the scheme is inspired by The Park estate on the opposite side of the town, a development considered to capture the essence of the Cotswold vernacular in a modern form. All of the new buildings will be of a zero-carbon energy performance standard with on-site renewable energy generation. Its associated landscape strategy will blend the scheme into the wider countryside and incorporate new public open space and on-site biodiversity net gain.

The land is available now and is being actively promoted by the landowner and development partner. It is expected the scheme will be delivered in two phases: the first in the NP area by 2028 with the early delivery of the car park and landscape strategy, then of the community building before completion; the second on the land outside the NP area.

A suite of technical reports has been prepared to inform the evolution of the proposal and its environmental assessment. They are published separately in the evidence base and cover landscape and visual impact; highways and transport; heritage; flood risk and drainage; ecology; and arboriculture. Each report comprises the essential, proportionate information to enable the proposals to be justified in principle at this plan making stage. Once the Neighbourhood Plan is made, further technical work will be carried out as part of a planning application for the whole scheme, as required by Policy SSNP7.

The Exceptional Circumstances

The community has become increasingly concerned about where past trends will lead to for the town if left unaddressed. The town has become a victim of its own success as it struggles to mitigate the dominance of tourism, traffic and an increasingly older, necessarily affluent, population. It has seen no meaningful growth in its housing stock or supporting infrastructure since the 1970s, other than two major specialist accommodation for older people schemes, which have only served to reinforce its aging population profile.

A new vision and objectives to plot a course to a different, more sustainable future, present the essence of exceptional circumstances to justify the change proposed in the AONB in the wider public interest. In that regard, putting the NP to a referendum in due course, will be the ultimate test of measuring that interest.

The TC does not dispute that the proposal is ‘major development’ and that such a change will be harmful and permanent as a matter of principle. Nor does it dispute the fact that the land exhibits the special qualities of the AONB (as set out in the CAONB Management Plan), lying on an east facing slope of the town within its wider setting that is visible in part in long views from the east. That said, the existing physical extent of the King George Field estate on that same slope, which is more clearly within the setting of the historic town in those same views, diminishes that harm in part.

For the proposal to form an allocation policy of the NP it must meet the ‘basic conditions’ in both having regard to national policy and being in general conformity with strategic development plan policy (notably Policy EN5 ‘AONB’ of the adopted Cotswold District Local Plan 2011-2031). It is therefore necessary to demonstrate that all three of the tests of NPPF §177 (to which Policy EN5 defers) are met.

Test A: The Need for the Development

The scheme would secure both market and affordable housing for which there is a need in Stow to shift its demographic profile, economic base and self-sustainability. It would boost the supply of local housing in way that has not happened in 40 years and contribute to District-wide housing supply. Crucially it will deliver almost 100 affordable homes, some of which will be restricted to local people and to remaining as primary residence. It would also increase the number of working age people to help diversify its economic base away from a significant dependence on tourism.

Test B: The Absence of Alternatives

The whole of the NP area lies within the AONB. The benefit of the NP plan-led approach is that it allows for communities to envision their future, gather local evidence and come to a planning judgement on reasonable alternatives. Since the 1970s, any housing (other than for older people), economic (other than for tourism) and social (again, other than for older people) needs of Stow have been met by other towns in the northern part of the District, or in neighbouring Districts. For the vision to be realised, of necessity these needs must be met in Stow and therefore in the AONB.

Test C: Moderating Detrimental Effects

The concept masterplanning work has shown that the site is large enough to accommodate a landscape strategy that can successfully moderate the majority of the harmful environmental effects. The arrangement of uses and design strategy will enable new landscape to permeate the scheme and to bolster the existing tree belts and hedgerows within the site and around its eastern, southern and northern boundaries. The scheme has additional environmental benefits in the form of green infrastructure and biodiversity enhancements. It would also deliver recreational benefits through new footpath links and the creation of publicly accessible areas on land that is currently private.

Summary

The TC considers that the planning balance favours its proposal as the three tests can be met and the exceptional circumstances justified in principle. It will continue to work closely with the land interest, CDC and CCB to complete an evidence base in support of the proposal for the submission of the Plan in due course.

CHECKLIST 1: NATURE OF THE PROPOSED DEVELOPMENT

FACTOR	MAJOR DEVELOPMENT CONSIDERATION	Y/N	IS IT POTENTIALLY MAJOR DEVELOPMENT? (Y/N) ¹²	REASONS / JUSTIFICATION / COMMENTS
MISCELLANEOUS CONSIDERATIONS				
Town and Country Planning (Environmental Impact Assessment) Regulations 2017	Is it an EIA Schedule 1 development?	N		As it is an allocation in a Neighbourhood Plan, EIA is not necessary. However, the Plan has been subject to a Strategic Environmental Assessment and a separate Environmental Report has been published. A future planning application may be screened for EIA in the normal way in due course.
	Is it an EIA Schedule 2 development?	N		
	If so, is it above the 'applicable thresholds and criteria'?	n/a		
	If so, would it significantly exceed the 'applicable thresholds and criteria'?	n/a		
Town and Country Planning (Development Management Procedure) (England) Order 2015	Is it 'major development' under the 2015 Order, i.e.:	Y		The allocation is for approximately 170 dwellings.
	(i) The winning and working of minerals or the use of land for mineral-working deposits?	N		
	(ii) Waste development?	N		
	(iii) 10+ dwellings?	N		
	(iv) 1,000 square metres or more of new floor space?	Y		
	(v) Site having an area of 1 hectare or more?	Y		
	If it is (iii), (iv) or (v), would it significantly exceed the relevant thresholds?	Y		
Additional 'nature' considerations under Schedule 3 of the EIA Regulations	Would it involve the production of waste?			N/A
	Does it have the potential to cause pollution or other nuisance?			
	Would it entail the risk of major accidents?			
	Would it entail risks to human health?			
	Would there be a cumulation of adverse effects with other existing / approved development?			
Existing assessments of potential adverse	Do any existing assessments indicate that, for the site or locality in question, the type (and / or scale) of development being proposed might have an adverse impact on any of the factors that contribute to the natural beauty of the Cotswolds	Y		Yes, the evidence produced in support of the site allocation indicates that the development of the site has the potential for adverse AONB impacts, but concludes that there are ways of moderating those impacts to the extent

impacts	National Landscape?		that the public benefits outweigh the residual harm. The development of the site will generate emissions from its construction and occupancy but this must be seen within the context of the social and economic benefits and of the opportunity presented by its non-housing elements to reduce the need for the community to travel outside of the town to access services for employees in the town's businesses and public services to live as far away from the town as they do now to access affordable housing.
	If so, are any of these impacts identified as being potentially significant?	Y	
	Do any existing assessments indicate that the site wouldn't have capacity to accommodate the type (or scale) of development being proposed?	N	
Climate change	Could it exacerbate the impacts of climate change (for example, through significant carbon dioxide emissions)?	N	

FACTOR	MAJOR DEVELOPMENT CONSIDERATION	Y/N	IS IT POTENTIALLY MAJOR DEVELOPMENT? (Y/N) ¹²	REASONS / JUSTIFICATION / COMMENTS
LANDSCAPE – see also ‘Setting’ checklist				
Local Forces for Change	Is it a ‘local force for change’, as identified in the Cotswolds AONB Landscape Strategy and Guidelines for the relevant landscape character type?	Y 15.1		<p>The proposal is a type of Local Force for Change (15.1) and has such has the following potential landscape implications:</p> <ul style="list-style-type: none"> • Encroachment of built development onto the Farmed slopes intruding into the landscape, particularly on the more prominent upper slopes. • Proliferation of suburban building styles, housing estate layout and materials and the introduction of ornamental garden plants and boundary features. • Spread of lit elements on the Farmed Slopes • Potential for glint from buildings, particularly on hillsides. • Degradation of views to and from the Farmed Slopes from the adjacent Pastoral Lowland Vale and Ironstone Hills and Valleys. <p>However, it is not considered that it will undermine local distinctiveness as the policy makes requirements for a planning application to meet a series of key development and design principles. In respect of the outline landscape strategy and guidelines, they seek to:</p> <ul style="list-style-type: none"> • Avoid development that will intrude negatively into the landscape and cannot be successfully mitigated, for example, extensions to settlements onto the Farmed Slopes • Avoid development that may restrict or obscure views to or from the Farmed Slopes. • Ensure new development is carefully integrated into the rural character of the Farmed Slopes • Ensure new development is proportionate and does not overwhelm the existing settlement. • Ensure that new development does not adversely affect settlement character and form • Avoid standardised development layout, suburban style lighting, construction details and materials that cumulatively can lead to the erosion of peaceful rural landscape character. • Control the proliferation of suburban building styles and materials
Potential landscape implications	Could it exacerbate the ‘potential landscape implications’ for the type of development being proposed?	Y		
Landscape strategy and guidelines	Could it conflict with the ‘landscape strategies and guidelines’ for the type of development being proposed?	Y		
Local distinctiveness / design (especially with regards to housing and built development)	Could it undermine local distinctiveness by, for example:			
	• Not being consistent with, or incorporating, the relevant ‘special qualities’ of the Cotswolds National Landscape?	N		
	• Not being consistent with the local distinctiveness / design-related guidelines of the Cotswolds AONB Landscape Strategy & Guidelines for the relevant landscape character types?	N		
	• Not being consistent with the guidance in the Cotswolds Conservation Board’s ‘Cotswolds AONB Local Distinctiveness and Landscape Change’ publication (in relation to: the type, form and distribution of settlements; boundaries; roofs; and walls)?	N		
	Is it designed in a way that does not reflect the status of the Cotswolds AONB as a landscape of the highest quality?	N		

				<ul style="list-style-type: none"> Promote the use of local stone and building styles in the construction of new buildings which should, at least, respect local vernacular style (per the Design Code). Adopt measures to minimise and where possible reduce light pollution. Ensure the historic character and context are included in the Neighbourhood Plan Identify key viewpoints to and from the Farmed Slopes Plant trees and hedges within and around new development to reduce impact on the landscape ideally in advance of the development taking place. Retain existing trees, hedges etc as part of the scheme. Consider the impact on local Public Rights of Way as settlements expand and take into account any required improvements Ensure development proposals safeguard and provide new links and enhancements to the Public Rights of Way network.
SCENIC QUALITY / BEAUTY – see ‘setting’ checklist				
RELATIVE TRANQUILLITY ²⁷ - see also ‘setting’ checklist				
Noise	Could it increase noise levels and / or other aural disturbance within the locality of the proposed development, including for receptors on local public rights of way?	Y		The proposal will increase noise but it will form an integral part of an established, busy town and adjoin the A429 Fosse Way. The increase will therefore be marginal.
	Could it increase noise levels above the ‘lowest observed adverse effect level’? Could it increase noise levels above the ‘significant observed adverse effect level’?	?		
Visual disturbance	Could it increase levels of visual disturbance within the locality of the proposed development (for example, by introducing incongruous and / or intrusive features into the landscape)?	Y		As above.
Traffic	Could it increase overall traffic movements and / or HGV movements on local roads?	Y		An outline traffic assessment has been carried out and is in the evidence base. GCC has not objected to the proposal on highways grounds. The increase in traffic will be marginal (< 10%) to that already present on the A429 and in the town. The land use mix is intended to reduce inward and outward commuting.
	Could it increase overall traffic movements and / or HGV movements on local roads by 10% or more?	N		

Dark skies	Could it introduce lighting / lit elements into a location that currently has no, or very limited, lighting?	Y		The development could increase existing levels of lighting marginally, but not to a degree where it would be considered to be significant. This can be controlled at the planning application stage.
	Could it increase existing levels of lighting / light pollution?	Y		
	Could any associated obtrusive light exceed the limits set out in the Institution of Lighting Professionals’ ‘Guidance Note for the Reduction of Obtrusive Lights’?	N		
RELATIVE WILDNESS – see also ‘Setting’ checklist				
Sense of remoteness	Could it introduce development into an area that is currently perceived to be relatively remote, i.e. an area that currently has:			
	(i) relatively few roads or other transport routes?	N		
	(ii) a perception of being distant from significant habitation?	N		
NATURAL HERITAGE – see also ‘Setting’ checklist				
Biodiversity net-gain	With regards to biodiversity net-gain, could it result in:	No		The site offers opportunity to deliver >10% BNG.
	(i) net-loss?			
	(ii) no net-gain?			
	(iii) net-gain of less than 10%?			
CULTURAL HERITAGE – see also ‘Setting’ checklist				

CHECKLIST 2: SCALE OF THE PROPOSED DEVELOPMENT

FACTOR	MAJOR DEVELOPMENT CONSIDERATION	ANSWER TO MAJOR DEVELOPMENT CONSIDERATION? (Y/N)	IS IT POTENTIALLY MAJOR DEVELOPMENT? (Y/N)	REASONS / JUSTIFICATION / COMMENTS ('SCALE')
Town and Country Planning (Environmental Impact Assessment) Regulations 2017	Is it an EIA Schedule 2 development above the relevant, spatial 'applicable thresholds and criteria'?	N/A	Y	See above.
	If so, would it significantly exceed the relevant, spatial 'applicable thresholds and criteria'?	N/A		
Town and Country Planning (Development Management Procedure) (England) Order 2010	Would it involve the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more?	Y		
	If so, would the new floor space significantly exceed 1,000 square metres?	Y		
	Would it be taking place on a site having an area of 1 hectare or more?	Y		
	If so, would the area significantly exceed 1 hectare?	Y		
Proportionality	Would it be disproportionate to existing development in the locality?	N		The proposal will increase the current housing stock (approx. 1,000) by 17%. This is not considered disproportionate for a Principal Settlement and is considered important in tackling population decline. There is no prospect of the proposal 'overwhelming' the town – the only housing developments of any scale in the last 30+ years have been restricted to older persons accommodation.
	For example:			
	• Would the quantity, size, shape and / or density of any built development be disproportionate to existing development in the locality?	N		
	• Would the amount of material being imported / exported be disproportionate to existing development in the locality?	N		
	For housing developments in, or directly adjacent to, existing settlements:			

	<ul style="list-style-type: none"> • Would it exceed 5% of the size of – and / or the number of dwellings in - the existing settlement? 	Y		
	<ul style="list-style-type: none"> • Would the proposed development, combined with other allocated / approved / recent housing development, overwhelm the existing settlement? 	N		
Strategic / large scale	Would it be of a scale that would be classed as 'strategic' or 'large scale'?	Y		The proposal is not considered 'strategic' at the Local Plan scale (per the NPPF and PPG). At an increase of approx. 17% it is considered 'large scale'. As above, and as per the policy requirements for non-housing benefits, the proposal will serve local needs and arrest the decline and aging profile of its population.
Limited scale and extent ³⁸	Is it a large site (e.g. more than one hectare)?	Y		
	Is there a large quantum of development (for example, a large number buildings or dwellings)?	Y		
	Does the <i>scale</i> of the proposed development exceed what could be considered to be 'limited'?	Y		
	Does the <i>extent</i> of the proposed development exceed what could be considered to be 'limited'?	Y		
Needs of AONB communities	Would it serve needs over and above the needs of local communities within the AONB?	Y		

CHECKLIST 3: SETTING OF THE PROPOSED DEVELOPMENT

FACTOR	MAJOR DEVELOPMENT CONSIDERATION	ANSWER TO MAJOR DEVELOPMENT CONSIDERATION? (Y/N)	IS IT POTENTIALLY MAJOR DEVELOPMENT? (Y/N)	REASONS / JUSTIFICATION / COMMENTS ('SETTING')
LANDSCAPE QUALITY / BEAUTY – see also 'Nature' checklist				
Landscape Character Type (LCT)	Is it located in a LCT that is identified as having high landscape sensitivity and / or low landscape capacity in the 'Landscape Sensitivity' section of the Cotswolds AONB Landscape Strategy and Guidelines for the relevant LCT?	Y		The site is located in 2 LCTs - High Landscape Sensitivity – Farmed Slopes LCT and High Wold LCT. However, as the site is enclosed from the open landscape it is unlikely to have an impact on the key features of the LCTs.
	Does the 'Landscape Sensitivity' section of the Cotswolds AONB Landscape Strategy and Guidelines for the relevant LCT identify that the LCT is particularly sensitive to – and / or have low capacity for - this type of development?	N		
	Is it in a LCT that is reflected in the 'special qualities' of the Cotswolds National Landscape (i.e. Cotswold escarpment, high wolds, and / or river valleys)?	Y		
	Is it in, or close to, more than one LCT?	Y		
	Are any of the key features / characteristics of the relevant LCTs represented in the locality of the proposed development?	Y		
	Could it adversely affect any of these key features / characteristics?	Y		
Landscape and Visual Sensitivity Assessment (LVSS)	Does a LVSS identify the land parcel as having high-medium or high sensitivity to the type of development being proposed?	N/A		A full LVSS will be undertaken by the applicant following the allocation of the site in this plan. In all these respects there is the potential for adverse impacts on the AONB. However, the outline Landscape Assessment in the evidence base indicates that any potential harm can be moderated to the extent that other public benefits outweigh that harm.
Landscape and Visual Impact	Are any of the relevant landscape receptors 'high value'?	N/A		
	Are any of the relevant visual receptors 'high value'?	N/A		

AONB Special Qualities	Are any of the 'special qualities' of the AONB represented in the locality of the proposed development?	Y		The site adjoins the settlement boundary of Stow along its longest (western) side and the settlement pattern extends much further to the east below the site. It is therefore not considered to be located in the 'open countryside' and it lies within a mximum 800m level walking distance from the full range of town services.
	If so, could it adversely affect any of these special qualities?	Y		
Proximity to existing development	Is it located beyond the boundary of existing development (i.e. in the open countryside)?	Y		
	For housing, is it located outside the settlement boundary?	Y		
	Is it non-contiguous with (i.e. detached from) existing development and / or the settlement boundary?	N		
	Is the development isolated from existing development and / or services?	N		
SCENIC QUALITY / BEAUTY – see also 'Nature' checklist				
Rights of Way	Is it located close to / visible from Public Rights of Way, including (in order of hierarchy):	Y		As above.
	• Cotswold Way National Trail (and / or National Trail circular walks)?	N		
	• County long-distance walks (e.g. Gloucestershire Way)?	N		
	• Other named routes (e.g. Macmillan Way)?	Y		
	• 'Unbranded' rights of way?	Y		
	Could it adversely affect views for receptors on these Public Rights of Way?	N		
Viewpoints	Is it located close to / visible from key viewpoints (e.g. viewpoints marked on Ordnance Survey maps or recognised in a Neighbourhood Development Plan)?	Y		
	Could it adversely affect views for receptors at these key viewpoints?	N		
Access land / common land	Is it in / close to / visible from access land or common land?	N		
	Could it adversely affect views for receptors on this access land / common land?	N		

Landscape Character Types (LCTs)?	Could it adversely affect views that are specified as key features / characteristics of the relevant LCTs?	Y		
	Could it adversely affect views between two or more LCTs?	Y		
RELATIVE TRANQUILLITY – see also ‘Nature’ checklist				
Relative tranquillity	Is it located in an area of relatively high tranquillity and / or low noise pollution (i.e. relatively free of traffic noise, urban development, low flying aircraft, power lines and / or similar influences)?	N		The location is not tranquil. It lies alongside the A429 Fosse Way and the town’s main superstore with the rest of the town to its immediate west and south.
Dark skies	Is it located in an area with relatively low levels of night-time light pollution?	N		As above.
RELATIVE WILDNESS – see also ‘Nature’ checklist				
Sense of remoteness	Is there a sense of remoteness in the locality of the proposed development, with:			As above.
	(i) relatively few roads or other transport routes?	N		
	(ii) a perception of being distance from significant habitation?	N		
Relative lack of human influence	Are there extensive areas of semi-natural vegetation in the locality of the proposed development?	N		
	Are there uninterrupted tracts of land with few built features and few overt industrial or urban	N		
	influences, in the locality of the proposed development?			
NATURAL HERITAGE - – see also ‘Nature’ checklist				
Nature conservation designations	Is it located in, or in close proximity to, any nature conservation designations, including:			
	(i) international-level nature conservation designations?	N		
	(ii) national-level nature conservation designations?	N		
	(iii) local-level nature conservation designations?	N		
	Could it adversely affect any nature conservation designations?	N		

Priority habitat	Is it located in, or in close proximity to, any priority habitats, including:	
	(i) those that are aligned to the relevant 'special qualities' of the Cotswolds AONB (i.e. flower-rich grasslands and ancient broadleaved woodland)?	N
	(ii) those listed in Appendix 8 of the Cotswolds AONB Management Plan 2018-2023?	N
	(iii) irreplaceable habit, including ancient woodland?	N
	(iv) other priority habitat not covered in (i) – (iii)?	Y
	Could it adversely affect any priority habitats?	N
Species	Is it located in, or in close proximity to, any sites that have:	
	(i) protected species?	N
	(ii) priority species (particularly those listed in Appendix 8 of the Cotswolds AONB Management Plan 2018-2023)?	Y
	Could it adversely affect any protected / priority species?	N
Nature recovery networks	Is it located in, or close proximity to, a nature recovery network area?	N
	Could it adversely any nature recovery network areas?	N
Geological designations	Is it located, or in close proximity to, any geological designations, including:	N
	(i) national-level geological designations?	N
	(ii) regional / local-level geological designations?	N
	Could it adversely affect any geological designations?	N
CULTURAL HERITAGE – see also 'Nature' checklist		
Heritage / historic environment assets	Is it located in, or in the setting of, any heritage assets, including:	
	(i) international-level heritage designations (e.g. World Heritage Sites)?	N

FACTOR	MAJOR DEVELOPMENT CONSIDERATION	ANSWER TO MAJOR DEVELOPMENT CONSIDERATION? (Y/N)	IS IT POTENTIALLY MAJOR DEVELOPMENT? (Y/N)	REASONS / JUSTIFICATION / COMMENTS ('SETTING')
	(ii) national-level heritage designations (e.g. scheduled monuments, listed buildings, battlefields, registered parks and gardens)?	Y		There is a scheduled monument beyond the site boundary to the south. There are no listed buildings in its vicinity. Its south-western corner lies in the Stow Conservation Area (but this land is not within the proposed developable area). Some of the northern part of the site may lie on the periphery of the Battle of Stow but this is uncertain. Further evidence may be available by the time of a planning application.
	(iii) local-level heritage designations (e.g. Conservation Areas)?	Y		
	(iv) non-designated heritage assets?	?		
	Could it adversely affect any designated heritage assets?	Y		
	Could it adversely affect any non-designated heritage assets?	?		
Cultural associations	Is it located in, or in close proximity, to a site / view / landscape of importance for its cultural associations?	N		
	Could it adversely affect the cultural associations of any of these sites / views / landscapes?	N		

APPENDIX F: SITE ASSESSMENTS NOTE

Introduction & Purpose

This note describes the approach that has been taken to assessing sites for potential allocation in the Neighbourhood Plan.

Background

From the outset of the project the Town Council has understood that there is no 'top down' driver for the Neighbourhood Plan making site allocation proposals for the plan period to 2031, either at Stow or in the Swells. In this regard, the District Council considers any 'indicative housing figure' (as per §67 of the NPPF) to be zero.

However, early community engagement work during 2018 and 2019 indicated that many in the town were growing concerned at the problems of traffic congestion, the dominance of tourism in the local economy, the inadequate provision of modern community facilities and worsening access to affordable housing. In response, the Town Council determined to explore options for allocating land to address these matters, recognising the significant constraints imposed by the Cotswolds AONB designation across the whole of its area.

A Two Stage Process

The work began in 2019 with the project working group carrying out a call for sites which resulted in 11 sites being identified for assessment, most for their potential to accommodate housing, or housing-led mixed use, schemes, but a couple for new public car parking only. The housing sites were assessed using a pro-forma and an indicative site capacity was provided for each site. During that exercise the group engaged with the respective land interests to ascertain likely availability and to confirm their interests.

This first stage reached a conclusion in late 2020, at which point it became clear to the working group that the only way in which the Town Council could address all of the concerns raised by the community and justify development in the AONB was to allocate a single site. The site would have to be large enough to accommodate not just market and affordable housing but also new public car parking and a community hub. It would also have to be sufficiently accessible to connect well with the town centre, especially if its car parking would enable spaces to be relocated from the Market Square.

The second stage was hindered by COVID 19 but eventually the working group focussed on liaising with the land interests of four of the sites during 2021 and 2022, with the other sites being discarded as unreasonable alternatives to pursue any further. Two (known at that time as sites 6 and 7) were controlled by the same land interest and were combined to form one larger site to the east of the town (south of Broadwell Lane). Similarly, sites known as 9 and 10 were combined to form one site south-east of the town (north of Oddington Road).

Both land interests were asked to put forward outline proposals in response to a brief provided by the working group. The brief summarised the nature and scale of the public benefits that were being sought to meet the community's needs and to demonstrate the exceptional circumstances for major development in the AONB. In respect of the latter site, the Town Council acknowledged that similar development proposals had been made in the past and had been refused and dismissed at appeal, but it wanted to give the community the opportunity to reappraise the option in this light.

The land interests responded by providing concept proposals that the Town Council used to engage with the community again in June/July 2022, seeking to understand a) if a majority of the community were still interested enough in securing public benefits to support a large development scheme on the edge of the town and b) if so, which of the two sites would they prefer. It also requested that its strategic environmental assessment (SEA) consultants, AECOM, to assess the sites as ‘reasonable alternatives’.



Land East of the Town (south of Broadwell Lane)

The land interest of the eastern land (shown above) offered a range of proposals, including an option for providing a new country park on land it also controls to the south of the site. Importantly, it acknowledged that the concept included land in its north-east quadrant that is not in the Neighbourhood Area (the Parish boundary with neighbouring Broadwell Parish runs partially through the site, shown with a blue line on the plan).

The land interest of the south-eastern land (shown below) focused the concept on the lower of the two sites making up the larger parcel, indicating that the scheme could extend on to the northern parcel at a later stage. It too offered a range of proposals in response to the brief.

The Town Council was satisfied that the two outline proposals met the brief to an extent that they offered a fair comparison on which to seek feedback. The plans shown here were therefore part of an online and offline engagement exercise that included the publication of vision documents prepared by each interest.



Land South-East of the Town (north of Oddington Road)

The exercise was successful in the scale and nature of the feedback generated to provide the Town Council with enough confidence to proceed with its overall vision for the town in the Neighbourhood Plan and to prefer the land to the east of the town. Both schemes were able to address the affordable housing and community hub needs but the preference rested on the closer proximity of the eastern land to the town centre. The feedback indicated that the south-eastern land was simply too far from the town centre to make walking (uphill) attractive enough for car park users, and there remained a legacy from the past proposals in terms of their perceived wider landscape effects.

Assessment & Site Selection

The working group blended its community engagement feedback with the SEA assessment and concluded that the land east of the town should be allocated in the Neighbourhood Plan for a scheme of approx. 170 homes, a 150 space public car park and a community hub building – the country park idea was not considered necessary or practical for the Town Council to manage. The SEA assessment reached a similar conclusion to the community feedback in observing the same relative strengths and weaknesses of the two proposals (see Draft SEA Report published separately).

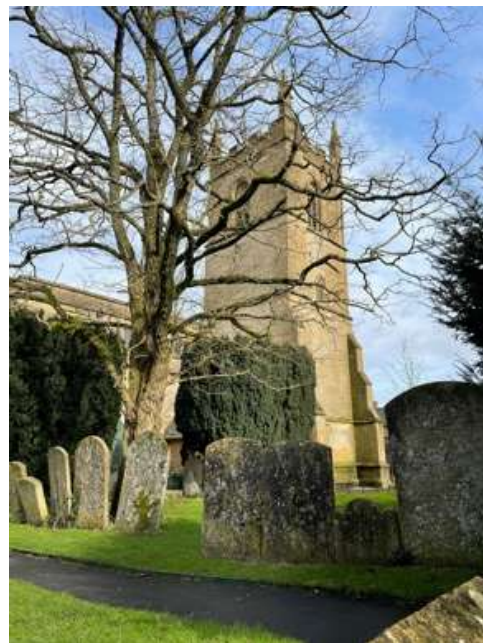
During the production of the draft Plan the working group liaised with the land interest (Bloor Homes) to provide further technical evidence covering landscape impact, highways, ecology, heritage, arboriculture and drainage. Those reports are published in the evidence base. It also liaised with the District Council, the Cotswolds AONB Conservation Board and Broadwell Parish Council to help shape the proposed allocation policy (SSNP7) and to inform its statement on the exceptional circumstances justifying major development in the AONB (see Appendix E).

The final outcome of the site assessment process is Policy SSNP7 of the Neighbourhood Plan.

APPENDIX G: EVIDENCE BASE

- Cotswold District Local Plan (various)
- Cotswolds (AONB) Conservation Board (various)
- Conservation Area Appraisals
- Neighbourhood Plan Working Papers (various)
- Neighbourhood Plan Strategic Environmental Assessment
- Neighbourhood Plan Housing Needs Assessment
- Land North East of Stow technical reports (various)
- Gloucestershire Historic Environment Record
- Natural England Magic Map

STOW ON THE WOLD AND THE SWELLS DESIGN CODE



SEPTEMBER 2023

STOW ON THE WOLD AND THE SWELLS DESIGN CODE

SEPTEMBER 2023

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STOW ON THE WOLD AND THE SWELLS DESIGN CODE

SEPTEMBER 2023

1. Introduction

1.1 The Stow on the Wold and the Swells Design Code (“the Code”) integrates with the Cotswold Design Code (“the District Code”) that covers the whole of Cotswold District. It is intended that applicants for planning permission located in the defined Character Areas in Stow-on-the-Wold, Lower Swell and Upper Swell must acknowledge, understand and respond to the provisions of Code as relevant to the location, nature and scale of their proposals to comply with Policy STOW11 of the Neighbourhood Plan and Local Plan Policy EN2 of the adopted Cotswold District Local Plan. The District Code alone applies to proposals located elsewhere in the Neighbourhood Plan Area.

1.2 It has been derived from the Stow and Swell Community Design Statement and further character appraisal work undertaken for the Stow on the Wold and the Swells Neighbourhood Plan during 2020 – 2022. The District Code was adopted in 2018 by the local planning authority, Cotswold District Council, as Appendix D to the Local Plan. The Community Design Statement has been produced for the evidence base of the Neighbourhood Plan by the Stow on the Wold and District Civic Society.

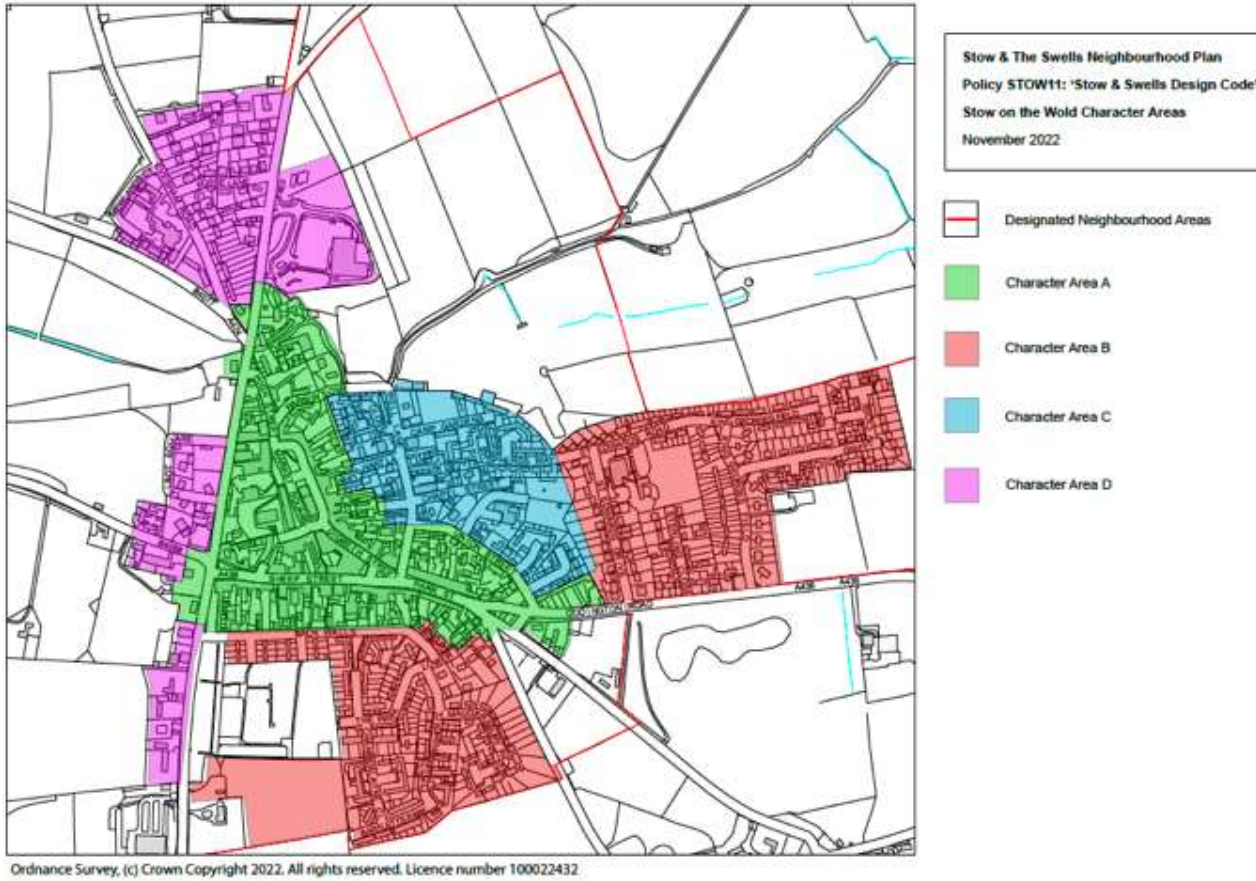
1.3 The Code has been prepared in accordance with the National Model Design Code and its Guidance Notes published by the Government in 2021 as relevant to this area and policy context. The ease of use and effectiveness of the Code will be monitored over the Neighbourhood Plan period. Modifications will be made as necessary and to reflect any future changes to the Local Plan, the District Code and/or to national design guidance.

2. Understanding, Responding to and Applying the Code

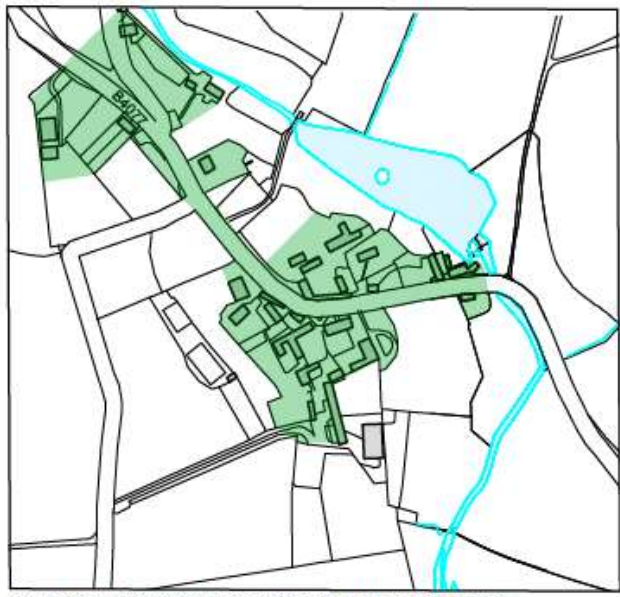
2.1 The District Code sets out 67 design principles, grouped by design theme, and coded D1 – D67. Many principles are generic and apply to all development proposals in the District; some relate to the design process; and some require attention is paid to the location and design context of the proposal. This Code only relates to the location and design context of the proposal by setting out the relevant design principles for each part of the designated Neighbourhood Area.

2.2 For the purpose of the Code, the designated Neighbourhood Area has been divided into six character areas:

- **Character Area A** – comprising the whole of the Stow on the Wold Conservation Area that lies within the designated Neighbourhood Area (and therefore not Maugersbury)
- **Character Area B** – comprising the southern and eastern parts of Stow on the Wold that lie east of St. Edwards Drive and north of the A436 and extends up St. Edwards Road to include Shepherds Way; and south of Back Walls and Lower Park Street that is outside the Conservation Area
- **Character Area C** – comprising that part of Stow on the Wold that lies north east of the town centre that is outside the Conservation Area at St. Edwards Drive and north of the A436 and of Union Street
- **Character Area D** – comprising the western and northern part of Stow on the Wold to the west and east of Fosse Way that is outside the Conservation Area
- **Character Area E** – comprising Lower Swell covering all of the developed area of the village including most of the designated Conservation Area
- **Character Area F** – comprising Upper Swell covering all of the developed area of the village including the designated Conservation Area



Stow & The Swells Neighbourhood Plan:
Policy STOW11: 'Stow & The Swells Design Code'
The Swells Character Areas
November 2022



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 Upper Swell Character Area



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 Lower Swell Character Area

2.3 To aid the understanding and application of the Code, it uses the same design code numbers as the District Code but with a suffix to denote in which part of the Neighbourhood Plan Area the proposal is located. Code D9A therefore relates to Character Area A (the Stow on the Wold Conservation Area) and Code D16E to Character Area E (Lower Swell). The Code quotes, in italics, the relevant District Code text for each principle for ease of reference. It then sets the **CONTEXT** and **CODING** for each part of the Code. The Code has not covered every part of the District Code for every Character Area and where this is the case, the District Code alone forms the guidance for development proposals. For example, the District Code sets out the principles for delivering green infrastructure (D66); the Code refines these principles in some Character Areas where this is considered helpful, but not in others. The term “historic buildings” is used throughout to denote buildings completed before the beginning of the 20th century.

2.4 Applicants preparing development proposals should be familiar with the District Code and should then relate the proposed development location to the correct Character Area of the Neighbourhood Plan Area. The District Council will apply the generic and process principles of the District Code and the specific design principles of this Code as relevant to the location and nature of the proposal. The Town and Parish Councils will use both of the Codes to inform their judgement of proposals in making their representations to the District Council when it is consulted on planning applications.

2.5 As with all design guidance, the principles should be regarded as setting the design brief for a proposal but the applicant may depart from the Code where it can be justified in the circumstances. Given the designated heritage asset (Conservation Area) status of much of the built-up area of Stow on the Wold and the two Swells villages, and the wealth of listed buildings in the Neighbourhood Plan Area, there will be a greater emphasis on the conservation of their special historic and architectural significance, although the Codes allow for appropriate innovation in some parts of the Area. In all cases, the onus will be on the applicant to demonstrate that the Codes have been acknowledged, understood and responded to in a way that is appropriate to the location and nature of the proposal.

2.6 Throughout the Code, we have provided photographs to illustrate the guidance. In addition, Appendix 1 sets out a schedule and photographs of important views that have been identified, together with a plan indicating the position of importance views and includes comments from the community about the views that they hold dear. It is hoped that the combination of plans, photographs and the voice of the community will bring the Area and this guidance to life for potential developers.

CODE NO.	CHARACTER AREA A: STOW ON THE WOLD: CONSERVATION AREA
	LANDSCAPE, SETTLEMENTS AND STREETS
D9A 10A	<p><i>“Each site will have its own characteristics and a specific landscape setting.”</i></p> <p><i>“Settlements are distinctive in how they sit within the landscape ... they have their own unique layouts and patterns of streets.”</i></p> <p>CONTEXT: Stow-on-the-Wold (Stow) is unique in the High Wold landscape character area of the Cotswolds in being a hill-top town (‘Local Distinctiveness & Landscape Change’, Cotswold AONB, 2003). It has developed where it is, being at the junction of the Jurassic Way, the Salt Way and the Roman Fosse Way. These original ancient tracks followed the high ground and enabled the carrying of goods for long distances so that eventually Stow became a convenient trading centre, as it still is today. The Conservation Area covers the historic core of the town and is one of the most special historic areas in England. Its medieval town plan was laid out by the Abbey of Evesham in the 13th century “to exploit its considerable commercial possibilities in the middle of the wool-producing Cotswolds” (The Buildings of England Pevsner Architectural Guide – Gloucestershire 1: The Cotswolds, Verey and Brooks, 1999).</p>



From its early medieval roots, Stow has grown around its Market Square on top of the hill, which itself is to the south west of an Iron Age settlement, and then grew down the sides of the Wolds to the east and to the north and south along the plateau area beside the Fosse Way. The Conservation Area is centred on the Market Square and the rooftops and taller buildings are visible from the wider landscape. It also has a sequence of smaller roads and alleyways (or 'Tures') radiating from its centre as passageways for animals, people and vehicles. The Fosse Way and Sheep Street form part of the wider road network, bypassing the Square to carry traffic around the edge of the Conservation Area. The western slopes facing Swell are relatively undisturbed by development other than on the horizon in most views from public vantage points. The eastern slopes are gentler but with considerable encroachment by development down the slope (St. Edwards Road etc.).



CODING All development proposals must therefore show they have understood the grain and evolution of the Conservation Area in their building form and orientation, their layout and their relationship with the street, lane, alleyway and/or yard, to the extent that is relevant to the nature and scape of the proposal.

D11A *“Cotswolds Towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or marketplaces. Nearly all settlements incorporate important open spaces ...”*

CONTEXT: Stow retains its essential character as a small, rural hill-top town, with its historic buildings clustered around the Market Square and surrounding streets. This effect of clustering is formed by all the buildings in the Market Square, Church Street, Sheep Street, Digbeth Street and Wraggs Row and High Street (from Parsons Corner to Market Square), being terraced (of a wide variety of plot widths and depths, occasionally based on original burgage plots) with only a very occasional gap to allow for rear yard access (in some cases, a former entrance for coaching inns).



The buildings face directly onto the Square and roads and their building lines are set immediately on, or very close to, the back of the pavement. The streetscape character is enhanced by gently curving streets – High Street, Church Street, Digbeth Street and Sheep Street – that lead to the Market Square, views through which are more dramatic with the framing of the Town Hall in its centre. Almost all the streets in the Conservation Area have a narrow profile of 5m – 8m. Even in the rare absence of buildings at the street edge, tall boundary walls maintain the tight profile (e.g. The Walls, Old Forge Lane).

The Market Square is one of the finest historic urban spaces in England, its significance considerably enhanced by the variety of active, ground floor, commercial uses, many with surviving traditional shopfronts and signage. A sequence of lower order, well-defined (but equally as traffic dominated) spaces are found at High Street/Parson's Corner, Digbeth Street/Sheep St, Fosse Way/Sheep Street and Fosse Way/High Street.

Beyond those streets and spaces, the shape, size and orientation of plots and the location of buildings within the plot is more haphazard. In most cases, they will be formed by the rear of the (former burgage) plots fronting those spaces with some civic, hotel and farm buildings – for example, Stow Lodge, Fosseway Farm Cottage – sitting in their own plots with a series of larger and ancillary buildings. All development proposals must retain these essential building and plot form characteristics.

CODING All development proposals must retain these essential building and plot form characteristics.

D12A D13A	<p><i>“..... An understanding of key views is critical.”</i></p> <p><i>“Traditional Cotswold streetscenes contain buildings of a variety of scales and architectural styles. Together, however, there is a sense of rhythm, harmony and balance, and this should be continued in any new development. The particular character of existing streets should be respected, including gaps between buildings, which can often be important. New additions might add interest but should not appear out-of-keeping.”</i></p> <p>CONTEXT: The following are considered key views:</p> <p>View west from various points along Fosse Way, Monarchs Way and Lower Swell Road across agricultural fields and pasture to Lower Swell and to the surrounding and distant Wolds</p> <ul style="list-style-type: none"> • Views of the church tower from the south east • View west and south west from the Queen Elizabeth II playing field and Evesham Road across agricultural fields and pasture to the Swells and the grounds of Abbotswood • View east from Stow Primary School, King Georges Field, St. Edwards Road and Griffin Close across agricultural and open fields to the distant Wolds • View east and south from Fosse Way House, a seventeenth century house with a grand Victorian extension across open fields • View from Well Lane south and south-east across the steep valley, above which sat the Iron Age Settlement • View south and west from various points along the public path to Mangersbury and within Mangersbury Park and Bartletts Park across agricultural fields and pasture • Views across the Market Square in all directions
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- Views along, Digbeth Street, Church Street, Church Walk, High Street, Union Street, Camp Gardens, Shepherds Row, Chapel Street, Sheep Street, Park Street, Back Walls, Fleece Alley and other Tures/alleyways and into historic yards off Sheep Street and the Market Square
- View from the top of Digbeth Street towards Maugersbury across the fields in the distance



The incidence of glimpse views from one space to another is also a distinct feature, for example of the few tall features in the Conservation Area (the church tower, the cupola of the Old School House) or more subtly of smaller spaces and courtyards. The Conservation Area has seen considerable infill development to the rear of the burgage plots radiating from the Market Square and along the secondary streets. The majority of these schemes have fitted in to the grain of the Area well, in places closing or partially closing unimportant gaps; in others retaining and enhancing gaps and creating new, interesting spaces. Views which reflect the rural heritage within the Conservation Area are importance such as along tures/alleyways (former

	<p>sheep drives) and into former agricultural yards. All proposals for new additions must demonstrate how they will fit within the streetscene from every relevant direction.</p> <p>CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of a key view or of a glimpse view.</p>
<p>SCALE AND PROPORTION</p>	
<p>D16A D17A</p>	<p><i>“New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context.”</i></p> <p><i>“Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings but should complement the existing structures and landscape and sit comfortably within their setting.”</i></p> <p>CONTEXT: The Cotswold vernacular is light and subtle in building height and massing and in site prominence. In the Conservation Area only the Town Hall in the Market Square dominates the space, with St Edwards Parish Church set well behind the Square and Fosseway.</p> <p>CODING Proposals for taller or bulkier buildings, whether at prominent locations in the streetscene or not, are not suitable in the Conservation Area.</p>

	
D18A	<p><i>"The height of new buildings should respond to the local context, for example forming a gentle transition from open countryside to settlement edge."</i></p> <p>CONTEXT: The taller three storey buildings are found in the Market Square only. Elsewhere buildings may be two or two and a half storey in height. There are some occasional low cottages of one and a half or two storeys.</p>



CODING Buildings should be no more than two storeys in height unless replacing a three storey or infilling a site adjoining one or more three storey buildings, in which case they may also be three storeys in height.

ARCHITECTURAL STYLE: COTSWOLD VERNACULAR

D21A *"Many Cotswold settlements are quintessential English ... The distinctive traditional architecture of the area is famous worldwide. Buildings have, for many centuries, had a relatively uniform and consistent style, resulting from the use of the local stone and traditional construction techniques. This is known as the Cotswold vernacular."*

CONTEXT: The Conservation Area is one of the strongest and most consistent examples of the Cotswold vernacular in the whole of the AONB. Its over-riding feature is in the use of the honey and golden coloured oolitic Jurassic limestone as the primary building material. The Stow Conservation Area has grown over several hundreds of years. As a consequence, the architectural style of historic buildings varies according to the period of construction and the type of building, whether grand houses or workers' cottages. Even within such categories there are variations in design, for example of windows, architectural features, roof lines and entrances, with adjacent properties having very different styles, but with a pleasing coherence provided by the Cotswold vernacular. An especially helpful example is Wraggs Row, where each of the old cottages has its own character through original design and evolution of the dwellings.




CODING All development proposals should demonstrate an understanding of how such variations in design, emulating these historic variations, can be used to add to the architectural value of the proposed development, extension or alteration.

D25A	<p><i>"Some key qualities of the Cotswold vernacular are...."</i></p> <p>CONTEXT: The Conservation Area is a classic example of the use of the Cotswold vernacular, which is found on all buildings pre-dating the 20th Century and the majority of those that are newer.</p> <div data-bbox="457 440 1108 933" data-label="Image"> </div> <div data-bbox="1121 435 1675 933" data-label="Image"> </div> <p>CODING With the very strong and consistent Cotswold vernacular a fundamental element of the very special historic and architectural significance of the Conservation Area and the setting of its many Listed Buildings and other heritage assets, it is vital that all proposals for the extension or replacement of existing buildings or for infill schemes:</p> <ul style="list-style-type: none"> • Are of a simplicity of form and design of an understated appearance, with any ornamentation usually limited to architectural features • Have a plot width to the frontage that maintains the variety of rhythm of those widths
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	<ul style="list-style-type: none"> • Have steep roof pitches of only open gable or cross gable, single ridge roof forms and not of hipped, half hipped or other roof forms, with the roof either unbroken or with dormers set well within the roof slope above the eaves • Have roof valleys formed by only stone slates swept to a curve with plain shallow eaves and verges and no overhangs, exposed rafter feet, fascias or bargeboards • Have chimneys set to the ridge line, with stacks integral and flush to gable end walls • Have window openings that are well spaced and fairly small, with sizeable areas of wall in between; openings usually centrally placed within gables, and end walls containing chimneys usually blank, or with sparse and offset fenestration. • Have two and three light windows, with a clear hierarchy to the openings of wider ground floor windows below smaller upper floor windows. • Have either stone mullion window surrounds, directly glazed or containing metal casements, and sometimes with stone hood moulds above or have simple flush timber casements, with slender glazing divisions, set below stone or timber lintels • Have doors that are solid timber boarded and, for commercial premises have up to 40% of the total door area as glass • Avoid front porches, which are not a feature of the Conservation Area • Garden areas enclosed by only dry stone walling
D26A	<p><i>"From the eighteenth century, a larger number of buildings were constructed showing the influences of classical architecture ..."</i></p> <p>CONTEXT: There are few examples of classical architecture in the Conservation Area. Those buildings that have used this style are of commercial or civic importance and have retained a vernacular flavour.</p> <p>CODING The classical style is therefore not a building style that is suitable in the Conservation Area.</p>

D27A	<p><i>"A distinctive interpretation of the Cotswold vernacular continued through the Victorian period....."</i></p> <p>CONTEXT: St. Edward's Hall at the centre of the Market Square is a rare example of Victorian Gothic style. Whilst the building is a hub for the community, its design is idiosyncratic when compared with the rest of the Market Square.</p> <p>CODING The Victorian Gothic style is therefore not a building style that is suitable in the Conservation Area.</p>
D28A	<p><i>"The Cotswold vernacular is also renowned for its relationship with the Arts and Crafts movement"</i></p> <p>CONTEXT: There are no examples of Arts and Crafts style buildings in the Conservation Area.</p> <p>CODING It is not therefore a building style that is suitable in the Conservation Area.</p>
ARCHITECTURAL STYLE: CONTEMPORARY	
D22A D30A	<p><i>"The decision whether to adopt a vernacular or more contemporary architectural style will depend upon the type of development, the site and its setting ... On many listed buildings, in some prominent locations ... a contemporary building may appear too starkly out of keeping....."</i></p> <p>CONTEXT: There are no examples of contemporary buildings styles of note in the Conservation Area.</p> <p>CODING Its very strong adherence to the Cotswold vernacular means that the Conservation Area is not generally a suitable location for contemporary design solutions for replacement or infill buildings, structures, boundary treatments or external lighting. However, a contemporary solution may be in keeping with the dominant vernacular in locations that are not very prominent in the streetscene, i.e. the building will not lie at or close to the back of pavement nor will punctuate or terminate a</p>

	view through the Conservation Area. A good example is that of Nursery End Cottage on Union Street. The modern requirements for refuse collection should be met within the fabric of the building.
MATERIALS AND CRAFTMANSHIP	
D36A	<p><i>“The colour of Cotswold Stone varies across the District ... and rich honey colours in the North.....”</i></p> <p>CONTEXT: There is some variation in the colour of Cotswold stone used in historic buildings and from the same material source. This variation adds to the distinct and special character of the Conservation Area.</p> 



	<p>CODING New buildings should be constructed using a colour of Cotswold Stone already present on one or more Listed Buildings in the Conservation Area. The colour of Cotswold stone used for external alterations and extensions, including new or replacement external walls and roofs, should match the colour of the main building.</p>
D37A D38A D39A	<p><i>“There are various styles of walling stone within the Cotswolds. Many higher status buildings are constructed in ashlar stonework. This consists of straight cut, finely tooled blocks of stone, laid to their natural bed, with very tight mortar joints.”</i></p> <p><i>“More commonly walls are constructed of Cotswold Rubble stone ... Many buildings are built up in rougher less worked rubble stone....” Mortars are traditionally lime based....”</i></p> <p>CONTEXT: Both Ashlar dressed Cotswold Stone and rougher ‘rubble’ stone are present in the Conservation Area. For many of the grander buildings, dressed stone predominates. Some historic buildings use both types of stone.</p> <p>CODING For new buildings, either of these stone types is suitable. For external alterations and extensions, the type of walling stone should match the main building. All walls should be laid, and lime mortared to match the main building.</p>
D41A	<p><i>“Many Cotswold vernacular buildings were rendered historically....”</i></p> <p>CONTEXT: Although there has been some rendering of walls in the Conservation Area, this does not sit well with the historic Cotswold vernacular unless it is surviving or repaired limewash.</p> <p>CODING Roughcast or other rendering (other than limewash) are therefore not appropriate finishes for the Conservation Area.</p>

D42A	<p><i>“Other traditional building materials also make an important contribution to local character. Some red brick is seen ...”</i></p> <p>CONTEXT: The use of red brick is rare in the Conservation Area and only associated with peripheral, more modern buildings or building extensions.</p> <p>CODING It is not therefore a material that is suitable for any type of building or structure, including extensions or alterations, in the Conservation Area.</p>
D45A	<p><i>“From the nineteenth century onwards there is more use of blue-grey Welsh slate, for re-roofing”</i></p> <p>CONTEXT: The use of Welsh slate is rare in the Conservation Area and only associated with peripheral, more modern buildings or building extensions.</p> <p>CODING Roofs of Listed Buildings should be repaired and replaced with local Cotswold stone tiles, where that is the material used in the original building. There should be no replacement of original stone tiles with artificial stone tiles or blue slate. Blue slate is only acceptable on outbuildings and extensions to Listed Buildings on which it is already present. Roofs of non-Listed Buildings should be repaired or replaced either with Cotswold Stone tiles (especially where it is located in the immediate setting of a Listed Building with this same material) or modern equivalent tiles that are of a similar quality of appearance.</p>
D46A	<p><i>“Some use of thatch is also seen in the District ... Plain clay tile is seen in some locations and clay pantiles ...”</i></p> <p>CONTEXT: Thatch is not used as roofing material in any part of the Conservation Area. There is no tradition of use of clay tiles or pantiles or wall hanging with tiles in the Conservation Area.</p> <p>CODING The use of thatch, clay tiles, or pantiles or wall hanging with tiles is not appropriate in the Conservation Area.</p>

D50A	<p><i>“Even the choice of finishes can make a vast difference to the character and appearance of buildings, such as window and door paint colours ... Colours should normally be selected from a fairly traditional palette....”</i></p> <p>CONTEXT: Almost all historic buildings, including shopfronts, share a palette of muted colours for the painting of their windows and doors in the Conservation Area, which complement the subtle tones of the Cotswold Stone of buildings. Stronger primary colours were more common for shopfronts in Victorian times.</p> <p>CODING The use of primary and other, non-polite colours for painting timber is not appropriate in the Conservation Area, unless for a shopfront.</p>
D55A	<p><i>“There are also examples of red brick walls and other boundary treatments....”</i></p> <p>CONTEXT: Boundaries are normally marked with Cotswold Stone walls in the Conservation Area.</p> 

	<p>CODING New or replacement boundaries to properties within the Conservation Area should be of Cotswold stone construction. Existing traditional Cotswold stone walls, and native hedgerows should be preserved, and appropriately maintained and managed, both during and after construction.</p>
D57A	<p><i>“Paving is traditionally limestone or Yorkshire flags. Stone cobbles, blue engineering bricks and other traditional setts are commonly seen. And crushed limestone or bound gravel can also be sympathetic surface finishes.”</i></p> <p>CONTEXT: Parts of the Conservation Area have retained limestone flags as a paving material; the remainder comprises a mix of modern materials.</p> <p>CODING Any new or refurbished paving should use the same traditional material as that of any existing traditional paving of the building(s) concerned or adjacent to it. Where such paving is no longer manufactured, the materials should be as near as possible the same character.</p>
<p style="text-align: center;">SUSTAINABLE DESIGN</p>	
D62A	<p><i>“ Sustainable design needs to be responsive to the character of the area and the sensitivities of the site ...”</i></p> <p>CONTEXT: The strength of the character of the Conservation Area is such that contemporary architectural features are very likely to detract from that character. As future planning policy requirements are expected to significantly improve the carbon performance of all buildings, it is vital that the location and form of additions to buildings that require planning permission are handled very sensitively.</p>

	<p>CODING All proposals of this type must demonstrate that they have avoided or minimised any harmful effects on the Conservation Area of the technical options available.</p>
<p>KEY DESIGN CONSIDERATIONS</p>	
D67A	<p><i>“Sympathetic signage section - Lighting of signage should be avoided.....”</i></p> <p>CONTEXT: There are a wide range of shop fronts in the Conservation Area of varying design quality in terms of their individual and collective contribution to its special character. The colour of paint used has as much impact as the design of the shop front.</p> <p>CODING External lighting, including of shop signs within the Conservation Area should be appropriate for the historic and AONB environment. Development proposals relating to shop fronts, even if relatively minor, should consider the Market Square and the adjacent streets and seek to emulate shop fronts which blend well with the building of which they are part and attached buildings. Excessive lighting of signs (such as internally illuminated signs or the use of neon) should be avoided.</p>

CODE NO.	CHARACTER AREA B: STOW ON THE WOLD: SOUTH AND EAST
LANDSCAPE, SETTLEMENTS AND STREETS	
D9B D10B	<p><i>"Each site will have its own characteristics and a specific landscape setting."</i></p> <p><i>"Settlements ... have their own unique layouts and patterns of streets."</i></p> <p>CONTEXT The Character Area covers two similar, exclusively residential, areas of the town beyond its historic core though of different dates. Firstly, there is the area east of the historic core of the town, comprising St Edwards Road, St Edwards Drive, King George's Field, Griffin Close, Sterling Close and Oddington Road (A436) laid out in the 1960s and 1980s with some later infill. Secondly, there is the area south of the historic core comprising the planned Park Estate built in 1951 as the first major expansion of the town for centuries and the Maugersbury Park estate of the 1970s.</p> <div data-bbox="289 857 1033 1331">  </div> <div data-bbox="1045 857 1873 1331">  </div>

Both parts comprise strong and common suburban characteristics of their respective ages, making them very distinct from their neighbouring areas, most notably the Conservation Area. However, the Park Estate adopted a material palette and building form as a modern (1950s) interpretation of the Cotswold vernacular and so there is more that binds it visually with the Conservation Area than contrasts with it, which is not true of the St.Edwards Road area.

The St. Edwards Road area occupies a prominent position in the landscape as it extends down the gradual hill slope from the historic core eastwards. It is especially exposed in the landscape from public vantage points near and at the entrance to the town from the A436 to its south and east and is visible in much longer views towards the town and hillside from the south east in places like Kingham. Its prominence is partially accentuated by all of the roads being laid out against the contour lines. With little in the way of tall, mature tree lines or hedges, much of the boundary of the area offers a hard edge of buildings to the surrounding landscape.

The Park Estate lies on the narrow plateau along the hill top and is enclosed from the wider landscape by the Maugersbury Park Estate other than at Bartletts Park, where it is exposed at the top of the steep southern slope to the hill top ridge. This same edge is exposed at Maugersbury Park and in both cases it has a hard edge to the slope with little in the way of mature landscape to soften the building line.

All of the roads in the St Edwards Road part are laid out primarily in straight sections with slight curves. Together with the gentle slope, this creates an undulation of nearness and distance and therefore a sense of delight in the streetscene. Sterling Close and St Edwards Drive are entirely straight and, with no punctuation along their lengths or features to terminate or frame their ends, they offer little delight in their layout. The Park/Maugersbury estates have layouts with a combination of long straight sections, gentle and tight curves and cul-de-sacs with no over-riding character.

	<p>CODING All development proposals must therefore show they have understood the grain and evolution of the Conservation Area in their building form and orientation, their layout and their relationship with the street, lane, alleyway and/or yard, to the extent that is relevant to the nature and scape of the proposal.</p>
D12B	<p><i>“..... An understanding of key views is critical.”</i></p> <p>CONTEXT: The following are considered key views:</p> <ul style="list-style-type: none"> • View east from Stow Primary School, King Georges Field, St. Edwards Road and Griffin Close across agricultural and open fields to the distant Wolds • View south from various points along Oddington Road towards Mangersbury • View from the top of Digbeth Street towards Mangersbury across the fields in the distance • View across the allotments and cemetery from The Park towards the Fosse Way <p>The incidence of glimpse views is also a distinct feature between the buildings on the south side of Mangersbury Park, Bartletts Park and Beechwood Park southwards towards Mangersbury Hill and between the buildings on the north side of King George’s Field northwards towards Broadwell Hill.</p> <p>CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of a key view or of a glimpse view.</p>



D13B *“... there is a sense of rhythm, harmony and balance, and this should be continued in any new development. The particular character of existing streets should be respected, including gaps between buildings, which can often be important.*

CONTEXT: The roads have common plot arrangements with little variation in shapes and sizes, aside from King George’s Field, which has three distinct plot arrangements on its northern cross-section and its southern cross-section. The area has an average density of 20 – 25 dwellings per Ha.



CODING There is generally insufficient plot width or depth to accommodate new dwellings either in the rear or to the side of existing buildings; only on parts of St Edwards Drive and Lower Park Street are plots large enough to allow for sub-division in this way. There is therefore some scope within each road for plot variation in plot redevelopment or infill proposals, or in proposals to extend the area, as follows:

Road	Plot Width (m)	Plot Depth (m)	Building Line (m)	Road Profile (m)
St Edwards Road	17-18	25-40	6-11	20
St Edwards Drive	15-20	30-40	6-8	25
Sterling Close	10-15	42-50	5-13	20-30
King George's Field	6-7 (west) 7-12 (east)	25-30 (north) 50-55 (west) 35-40 (east)	5 (north) 21 (west) 9 (east)	20 (north) 45-50 (east-west)
Griffin Close	8-14	20-45	5-10	20-30
Oddington Road	10-12	35	13-14	-
The Park	9	30	9	20-25
Back Walls	10	35	14	35
Fisher Close	8	22-24	4	20
Maugersbury Park	5-10	33-50	5	20
Bartletts Park	6	20-25	6	20
Chamberlayne Close	Either blocks of flats or of bungalows			
Lower Park Street	20	40	15	25

SCALE AND PROPORTION

D16B
&
D18B

“New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context ... The height of new buildings should respond to the local context ...”

CONTEXT: the roads have common building forms arrangements with little variation in shapes and sizes, aside from King George's Field, which has three distinct plot arrangements on its northern cross-section and its southern cross-section as follows:

Road	Dominant Building Form	Dominant Roof Forms
St Edwards Road	Two storey semi-detached and detached chalet bungalows.	Steep gable pitched roof with chimneys
St Edwards Drive	Wide, detached chalet bungalows	Steep gable pitched roof with chimneys
Sterling Close	Medium height, two storey semi-detached or chalet bungalows	Gable pitched roof with chimneys
King George's Field	Taller, two storey semi-detached	Gable pitched roof with chimneys
Griffin Close	Medium height, two storey variety	Gable pitched roof with chimneys
Oddington Road	Taller, two storey semi-detached	Gable pitched roof with chimneys
The Park	Lower, two storey semi-detached and double fronted	Gable pitched roof and central chimney
Back Walls	Taller, two storey semi-detached	Gable pitched roof with central chimney
Fisher Close	Medium height, two storey semi-detached or blocks	Gable pitched roof with no chimneys
Maugersbury Park	Taller, two storey semi-detached and detached chalet bungalows	Steep gable pitched roof with chimney
Bartletts Park	Medium height, two storey blocks	Gable pitched roof with chimney
Chamberlayne Close	Tall, two storey blocks of flats (west) Single block of bungalows (east)	Tall, gable pitched roof with no chimneys (west) Low gable pitched roof with occasional chimneys (east)
Lower Park Street	Wide, detached chalet bungalows	Steep, gable pitched roof with chimneys

CODING In each road, with the exception of Chamberlayne Close, there is scope for extending buildings to the rear and by increasing their height to 2.5 storeys to accommodate additional rooms, provided the gable pitched roof form is used. However, the dominance of detached and semi-detached buildings in the area results in many glimpse views between the buildings to the countryside beyond. This contributes to their distinct character in being a modern part of an historic town in a Cotswold setting and, where such a view exists, it will not be appropriate to extend buildings on their side elevations. At Chamberlayne Close, the

	blocks of flats and bungalows form a comprehensive planned layout and only the redevelopment of one or both blocks, replacing them with the dominant semi-detached and detached forms, will be appropriate.
	ARCHITECTURAL STYLE: COTSWOLD VERNACULAR
D22B D25B	<p><i>“Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition ... The decision whether to adopt a vernacular or more contemporary architectural style will depend upon the type of development, the site and its setting ...”</i></p> <p>CONTEXT: The Park Estate (for the former North Cotswold Rural District Council by renowned Oxford architect Thomas Rayson) is distinct in being the only example of a development scheme of the town’s mid 20th Century expansion that strongly reflects the Cotswold vernacular without being pastiche. The scheme comprises a wonderful mix of primarily terraced two storey blocks in stone set in generous, well laid out front gardens behind street trees and verges. As such it should be an inspiration for any new development proposal in any Character Area of the town that is more than a small infill scheme. The St. Edwards area does not have this same character.</p>



CODING Proposals in the Park Estate should adopt the Cotswold vernacular style. Those in the St. Edwards area should follow the vernacular in their domestic scale and form, but may use other materials common to the area.

MATERIALS AND CRAFTMANSHIP


D54B *"There are also examples of red brick walls and other boundary treatments ..."*

CONTEXT: The area contains examples of many modern boundary treatments such as low stone walls and hedges.

CODING The use of red brick for walls and boundary treatments is appropriate other than in the Parks estate area.

	GREEN INFRASTRUCTURE
D66B	<p><i>High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments.....“</i></p> <p>CONTEXT: All of the area is characterised by front gardens with trees, and hedges forming the front, side and rear boundaries to the plot, with grass verges also common. Although far from ‘arcadian’ (other than at The Park estate), combined with generally wide road profiles, they contribute to the overall polite suburban appearance, as distinct from the historic core.</p> <p>CODING Proposals must include landscaping schemes that make provision for generous front and rear plot planting for boundary treatment.</p>

CODE NO.	CHARACTER AREA C: STOW ON THE WOLD: NE EDGE OF TOWN CENTRE
LANDSCAPE, SETTLEMENTS AND STREETS	
D9C	<p><i>“Each site will have its own characteristics and a specific landscape setting.”</i></p> <p>CONTEXT: The Character Area sits on the site of the Iron Age Settlement of Mythelgeris Byrig and abuts the Conservation Area. The south side of Union Street is in the Conservation Area. It forms an important transition between the Conservation Area and the suburban characteristics of the eastern part Character Area B. It includes some historic buildings along the north side of Union Street and Well Lane including Chapel Street and Camp Gardens. The Sub-area includes listed buildings at Shepherds Row and the Bottle Kiln at Chapel Street. There are modern housing developments on the north side of Union Street and at Mount Pleasant Close, Condurrow Court and more Eastview Close. The northern boundary of the sub-area backs onto open countryside and includes an important view across the steeply sloping valley to the south-east of Well Lane. The Fire Station and Tower on Union Street is an example of rather brutal design that detract from this area.</p> <p>CODING New dwellings should therefore not be built within the gardens of historic houses and cottages.</p>

	
D10C	<p><i>“Settlements are distinctive in how they sit within the landscape ... they have their own unique layouts and patterns of streets”.</i></p> <p>CONTEXT: The Character Area mainly consists of narrow streets, similar to those in the Conservation Area. Well Lane follows the contour of the hill in an approximately north-south alignment. The three older passageways of Camp Gardens, Shepherds Row and Chapel Street and the Clifton Close/Well Lane end of Union Street are approximately aligned east/west, each in a relatively straight line running down the gentle upper slope of the hill. Union Street curves to the south east at the Fire Station and then to the south-south east to meet Park Street (the A436). Many of the historic properties have no off-street parking which presents challenges due to the narrow streets. Modern housing has been developed to the north and north-east of Union Street with each development retaining narrow streets aligned to the north east. Some of the more recent developments demonstrate sensitivity to the adjacent Conservation Area through design and materials.</p>



CODING Proposals should respect the traditional layout and not create difficulties for vehicles manoeuvring in the narrow streets, with off-street parking and concealed off-street recycling and refuse storage with easy access for collection in order to avoid cluttering the narrow streets. Proposals for alterations or extensions to existing properties should retain existing off-street parking.

D11C	<p><i>“Cotswolds Towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or market places. Nearly all settlements incorporate important open spaces. Some Cotswold Villages are arranged around village greens. Others are set out in linear fashion or are more dispersed.”</i></p> <p>CONTEXT: As would be expected in this transitional area the buildings display a number of different forms. The Stow Social Club on Well Lane is a large building adjacent to the modest cottages at the end of Camp Gardens. To the north and north-east of Union Street and in Mount Pleasant Close are a small number of detached dwellings, with larger plot sizes. The majority of the remaining dwellings, whether historic or modern are terraced, for example in Landgate Yard. The historic terraced properties sit immediately on the pavement while most modern terraced properties have an area between the house and the street, some with parking space. To the west of Well Lane and abutting the Conservation Area is a small area of modern dwellings in Glebe Close, which consists of detached, semi-detached and terraced dwellings with smaller plots.</p> <p>CODING All development proposals must therefore show they have understood the grain of the Character Area, especially in those locations that form the setting of the Conservation Area, in their building form and orientation, their layout and their relationship with the street, to the extent that is relevant to the nature and scape of the proposal.</p>
D12C	<p><i>“..... An understanding of key views is critical.”</i></p> <p>CONTEXT: The following are considered key views:</p> <ul style="list-style-type: none"> • View west from various points along Fosse Way, Monarchs Way and Lower Swell Road across agricultural fields and pasture to Lower Swell and to the surrounding and distant Wolds • Views of the church tower from Chapel Street

	<p>CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of a key view.</p>
<p>SCALE AND PROPORTION</p>	
D16C	<p><i>“New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context.”</i></p> <p>CONTEXT: The existing dwellings in the sub-area, whether historic or modern, are of human scale and do not dominate the experience of passing pedestrians or other buildings.</p> <p>CODING New buildings should be of a density which reflects the character of the immediate locality. Development proposals for new dwellings which demonstrate creativity in providing adaptive homes that can change with the needs of residents over time while not increasing the overall height, mass and scale, are encouraged.</p>
D18C	<p><i>The height of new buildings should respond to the local context, for example forming a gentle transition from open countryside to settlement edge.”</i></p> <p>CONTEXT: Buildings in this sub-area, whether historic or modern are generally of a modest two storey height and bulk, and no more than two and a half storeys, the exception being the fire station tower.</p> <p>CODING The height, mass and scale of any proposed development should not dominate buildings within or adjacent to the area and should be no more than two or, exceptionally, two and a half storeys.</p>

ARCHITECTURAL STYLE: COTSWOLD VERNACULAR	
D25C	<p><i>“Some key qualities of the Cotswold vernacular are....”</i></p> <p>CONTEXT: The use of the Cotswold vernacular is very common in the Character Area, which is found on all buildings pre-dating the 20th Century and the majority of those that are newer.</p> <p>CODING Buildings are mostly built of Cotswold Stone, particularly historic buildings, or of modern materials which replicate Cotswold Stone. For historic buildings, it is vital that all proposals for the extension or replacement of existing buildings or for infill schemes:</p> <ul style="list-style-type: none"> • Are of a simplicity of form and design of an understated appearance, with any ornamentation usually limited to architectural features • Have a plot width to the frontage that maintains the variety of rhythm of those widths • Have steep roof pitches of only open gable or cross gable, single ridge roof forms and not of hipped, half hipped or other roof forms, with the roof either unbroken or with dormers set well within the roof slope above the eaves • Have roof valleys formed by only stone slates swept to a curve with plain shallow eaves and verges and no overhangs, exposed rafter feet, fascias or bargeboards • Have chimneys set to the ridge line, with stacks integral and flush to gable end walls • Have window openings that are well spaced and fairly small, with sizeable areas of wall in between; openings usually centrally placed within gables, and end walls containing chimneys usually blank, or with sparse and offset fenestration. • Have two and three light windows, with a clear hierarchy to the openings of wider ground floor windows below smaller upper floor windows.

	<ul style="list-style-type: none"> • Have either stone mullion window surrounds, directly glazed or containing metal casements, and sometimes with stone hood moulds above or have simple flush timber casements, with slender glazing divisions, set below stone or timber lintels • Have doors that are solid timber boarded and, for commercial premises have up to 40% of the total door area as glass • Avoid front porches, which are not a feature of the Conservation Area • Garden areas enclosed by only dry stone walling <p>There are some excellent examples of modern houses built of Cotswold Stone or of modern materials which replicate Cotswold Stone.</p>
	ARCHITECTURAL STYLE: CONTEMPORARY
D34C	<p><i>“Modern design may also facilitate the incorporation of sustainable features more readily than when following a traditional design approach....”</i></p> <p>CONTEXT: A key objective of the Neighbourhood Plan is that development proposals should seek to mitigate the effects of climate change. The community recognises that many historic buildings are energy inefficient and that undertaking remedial work to incorporate sustainable technologies risks an unacceptable impact on the historic context. There has been some use of contemporary design and/or materials in new and altered buildings in the Character Area, in part to achieve higher standards of energy performance.</p>



CODING Proposals for a new building or for the modification to an existing building to deliver improved energy and other sustainability performance should not be located prominently in the streetscene and should not harm any historical character of the building.

MATERIALS AND CRAFTMANSHIP

D36C

“The colour of Cotswold Stone varies across the District..... and rich honey colours in the North.....”

CONTEXT: There is some variation in the colour of Cotswold stone used in historic buildings and from the same material source. This variation adds to the distinct and special character of the historic buildings. Cotswold stone should be used for external alterations and extensions to historic buildings, including new or replacement external walls and roofs. the colour should be consistent with that already used for the building concerned. Walls should be laid and mortared so as to remain coherent with the building concerned.

	<p>The use of reconstituted stone, and synthetic materials for external alterations and extensions to historic buildings should be avoided. There has over the last century or so been some use of blue slate as a substitute for stone roof tiles. Replacement of stone tiles with slate should be avoided.</p> <p>CODING For new buildings, the use of Cotswold stone is encouraged for walls and roofs. Where it is felt that an alternative is unavoidable or preferable, an explanation should support the application e.g. a garage or extension to a modern house not built of Cotswold Stone. Wooden or tile hanging on walls is not encouraged. However wooden dressing of walls is acceptable for buildings on the edge of the countryside, that emulate agricultural buildings. Blue slate is acceptable on outbuildings and extensions, where it is used for roofing of the main building.</p>
D37C D38C D39C	<p><i>“There are various styles of walling stone within the Cotswolds. Many higher status buildings are constructed in ashlar stonework. This consists of straight cut, finely tooled blocks of stone, laid to their natural bed, with very tight mortar joints. ”</i></p> <p><i>“More commonly walls are constructed of Cotswold Rubble stone....Many buildings are built up in rougher less worked rubble stone....”</i></p> <p><i>“Mortars are traditionally lime based....”</i></p> <p>CONTEXT: Both Ashlar dressed Cotswold Stone and rougher ‘rubble’ stone are seen.</p> <p>CODING Proposals for alterations or extensions should use the type of stone or other building materials relevant to the building being altered. Where Cotswold stone is used for new buildings rough or rubble stone is acceptable.</p>
D42C	<p><i>“Other traditional building materials also make an important contribution to local character. Some red brick is seen.....”</i></p> <p>CONTEXT: Red brick is rarely seen in the Character Area.</p> <p>CODING The use of red brick should be avoided.</p>

D45C	<p><i>From the nineteenth century onwards there is more use of blue-grey Welsh slate, for re-roofing”</i></p> <p>CONTEXT: Blue-grey Welsh slate is rarely used on historic buildings in the Character Area.</p> <p>CODING Existing Cotswold stone roofs should not be replaced or repaired with blue slate. Blue slate may be used for new buildings.</p>
D46C	<p><i>“Some use of thatch is also seen in the District.....Plain clay tile is seen in some locations and clay pantiles”</i></p> <p>CONTEXT: Thatch is not used as roofing material in any part of the Character Area.</p> <p>CODING Thatch should not be used as a roofing material.</p>
D55C	<p><i>“There are also examples of red brick walls and other boundary treatments....”</i></p> <p>CONTEXT: Boundaries of historic and many modern buildings are marked with Cotswold Stone walls in this sub-area.</p> <p>CODING New or replacement boundaries to historic properties within the sub-area should be of Cotswold stone construction. Existing traditional Cotswold stone walls, and native hedgerows should be preserved, and appropriately maintained and managed, both during and after construction. Some more recent buildings have modern boundary treatments. The use of Cotswold stone or native hedging for boundaries is encouraged.</p>

D57C	<p><i>“Paving is traditionally limestone or Yorkshire flags. Stone cobbles, blue engineering bricks and other traditional setts are commonly seen. And crushed limestone or bound gravel can also be sympathetic surface finishes.”</i></p> <p>CONTEXT: Parts of the sub-area have retained limestone flags as a paving material; the remainder comprises a mix of modern materials.</p> <p>CODING Any new or refurbished paving should use the same traditional material as that of any existing traditional paving of the building(s) concerned or adjacent to it. Where such paving is no longer manufactured, the materials should be as near as possible the same character.</p>
<p style="text-align: center;">GREEN INFRASTRUCTURE</p>	
D66C	<p><i>High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments....”</i></p> <p>CONTEXT: Many parts of the Character Area include gardens and shared spaces with trees, and hedges forming the front, side and rear boundaries to the plot.</p> <p>CODING Development proposals must protect the existing green infrastructure and include landscaping schemes that make provision for generous front and rear plot planting for boundary treatment. Planting of native trees of appropriate height is encouraged. Developments of twenty or more new houses are expected to provide a play area and allotments whose size and design should be agreed with Stow Town Council, unless such provision already exists within 500 metres. Plans for managing surface water run off should be provided and explain how they will be integrated with existing and new green infrastructure.</p>

CODE NO.	CHARACTER AREA D: STOW ON THE WOLD: NORTH AND WEST
LANDSCAPE, SETTLEMENTS AND STREETS	
D9D	<p><i>“Each site will have its own characteristics and a specific landscape setting.”</i></p> <p>CONTEXT: This Character Area lies along A429, Fosse Way from the southern to the northern parish boundary of Stow. To the west the sub area faces down the slope of the Wold to Lower Swell village - and contains the important, protected green space of the Queen Elizabeth II playing field. For most of its length within the Stow boundary, the east of Fosse Way lies within the Conservation Area, so that properties on the west side of Fosse Way in sub-area 3 face historic properties on the east side. Beyond the Conservation Area, the east side of Fosse Way has been developed to provide a car park, a supermarket, Edwardstow dementia home, and a McCarthy and Stone care village for older people. The west of Fosse Way has mostly been developed in the 20th and 21st centuries. Along this side of Fosse way, from the southern border of Stow to the B4068, Lower Swell Road are the Brethren Meeting Hall and car park, a number of detached houses with large gardens, two older terraced two storey cottages and a further detached single storey cottage. Adjacent to the Lower Swell Road are a petrol station and a retail wine store. There is thus no predominant character.</p> <p>On either side of the Lower Swell Road, modern development has taken place in Cotswold Stone, mostly of terraced or semi-detached dwellings. Beyond the Lower Swell Road lies a car park and a pair of recently built semi-detached houses in Cotswold Stone. Beyond that lie a number of large and detached dwellings looking out over the Queen Elizabeth II playing field to the Wolds beyond. The majority of these houses stand in large gardens but those under development at present on the Old Bowling Green are of a much higher density.</p>

	<p>Development has taken place along both the B4077, Tewkesbury Road and the A424, Evesham Road. These dwellings include both detached houses and bungalows and terraced houses. To the west of Fosse Way beyond the A4424 lies Fosse Folly, a small modern development of terraced dwellings. Fosse Lane is an unadopted lane running from Fosse Way to the A424. Dwellings here are detached, semi-detached and terraced. Further north on the west side of Fosse Way lie detached houses with large plot sizes. Again there is no predominant character.</p> <p>CODING New dwellings should not be built within the gardens of historic houses and cottages and proposals within or to extend must include in their landscape schemes provision for significant, mature trees and hedges at all rear plot boundaries.</p>
D10D	<p><i>“Settlements are distinctive in how they sit within the landscape..... they have their own unique layouts and patterns of streets.”</i></p> <p>CONTEXT: There are a large variety of building styles, finishes and sizes in this sub-area with no predominant character. Buildings to the west of Fosse Way are visible on the skyline from Lower Swell, although shielded to some extent by mature trees. Buildings to the east of Fosse Way are sheltered to the east by landscape planting. Most of the buildings sit off the original five roads.</p> <p>CODING As there is no single dominant building type, development proposals should be of a scale, mass and height commensurate with existing adjacent buildings or where there are none, sufficient detail should be supplied to demonstrate how the proposals are sensitive to the historic and rural context.</p>

D11D *“Cotswolds Towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or market places. Nearly all settlements incorporate important open spaces. Some Cotswold Villages are arranged around village greens. Others are set out in linear fashion or are more dispersed.”*

CONTEXT: The Character Area is not typical of a traditional Cotswold Town being more suburban in nature, although a degree of coherence is achieved through the use of Cotswold Stone in both historic and modern buildings or in the latter case of modern materials which replicate Cotswold Stone. Dwellings generally have front and rear gardens and off-street parking.



CODING Proposals for alterations or extensions to existing properties should retain existing off-street parking.

D12D	<p><i>“..... An understanding of key views is critical.”</i></p> <p>CONTEXT: The following are considered key views:</p> <ul style="list-style-type: none"> • View west from various points along Fosse Way (especially from its junction with Tewkesbury Road), Monarchs Way and Lower Swell Road across agricultural fields and pasture to Lower Swell and to the surrounding and distant Wolds • Views of the church tower and of the wider Cotswold landscape to the east from Fosse Way near the cemetery • View west and south west from the Queen Elizabeth II playing field and Evesham Road across agricultural fields and pasture to the Swells and the grounds of Abbotswood • View south east from Broadwell Lane near Fosse Way <p>The incidence of glimpse views between buildings on Fosse Way west towards Lower Swell and Slaughter Woods is of interest.</p> <p>CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of a key view or of a glimpse view.</p>
<p>SCALE AND PROPORTION</p>	
D16D	<p><i>“New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context.”</i></p> <p>CONTEXT: The existing dwellings in the sub-area, whether historic or modern, are of human scale and in general do not dominate the experience of passing pedestrians or other buildings.</p>



CODING The density of new buildings can be varied, reflecting the varied character of the area. There is no requirement to emulate buildings in any part of the area but development proposals for new residential accommodation which demonstrate creativity in providing adaptive homes that can change with the needs of residents over time while not increasing the overall height, mass and scale, are encouraged.

	ARCHITECTURAL STYLE: COTSWOLD VERNACULAR
D22D and 25D	<p><i>"Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition....."</i></p> <p><i>"Some key qualities of the Cotswold vernacular are...."</i></p> <p>CONTEXT The Character Area forms a very important part of the identity of the town in encompassing its main entrance points from the north, south and west. The Cotswolds vernacular has a strong presence in the area, although most often expressed in modern building forms.</p> <p>CODING For historic buildings it is vital that all proposals for the extension or replacement of existing buildings or for infill schemes:</p> <ul style="list-style-type: none"> • Are of a simplicity of form and design of an understated appearance, with any ornamentation usually limited to architectural features • Have a plot width to the frontage that maintains the variety of rhythm of those widths • Have steep roof pitches of only open gable or cross gable, single ridge roof forms and not of hipped, half hipped or other roof forms, with the roof either unbroken or with dormers set well within the roof slope above the eaves • Have roof valleys formed by only stone slates swept to a curve with plain shallow eaves and verges and no overhangs, exposed rafter feet, fascias or bargeboards • Have chimneys set to the ridge line, with stacks integral and flush to gable end walls • Have window openings that are well spaced and fairly small, with sizeable areas of wall in between; openings usually centrally placed within gables, and end walls containing chimneys usually blank, or with sparse and offset fenestration. • Have two and three light windows, with a clear hierarchy to the openings of wider ground floor windows below smaller upper floor windows.

- Have either stone mullion window surrounds, directly glazed or containing metal casements, and sometimes with stone hood moulds above or have simple flush timber casements, with slender glazing divisions, set below stone or timber lintels
- Have doors that are solid timber boarded and, for commercial premises have up to 40% of the total door area as glass
- Avoid front porches, which are not a feature of the Conservation Area
- Garden areas enclosed by only dry stone walling

For other buildings, there are some excellent examples of modern houses built of Cotswold Stone or of modern materials which replicate Cotswold Stone. Development proposals relating to modern or new buildings are expected to provide sufficient detail to demonstrate sensitivity to adjacent historic buildings on which they will have an impact.

ARCHITECTURAL STYLE: CONTEMPORARY

D30D *"On many listed buildings, in some prominent locations,.....a contemporary building may appear too starkly out of keeping....."*

CONTEXT Modern methods of construction and materials are common.





CODING Proposals for contemporary architectural styles may be appropriate in principle.

MATERIALS AND CRAFTMANSHIP	
D36D	<p><i>“ The colour of Cotswold Stone varies across the District..... and rich honey colours in the North.....”</i></p> <p>CONTEXT There is some variation in the colour of Cotswold stone used in historic buildings and from the same material source. This variation adds to the distinct and special character of the historic buildings. There has over the last century or so been some use of blue slate as a substitute for stone roof tiles.</p> <p>CODING Cotswold stone should be used for external alterations and extensions to historic buildings, including new or replacement external walls and roofs. The colour should be consistent with that already used for the building concerned. Walls should be laid and mortared so as to remain coherent with the building concerned. The use of reconstituted stone, and synthetic materials for external alterations and extensions to historic buildings should be avoided. Replacement of stone tiles with slate should be avoided.</p> <p>For new buildings, the use of Cotswold stone is encouraged for walls and roofs. Where it is felt that an alternative is unavoidable or preferable, an explanation should support the application e.g. a garage or extension to a modern house not built of Cotswold Stone. Wooden or tile hanging on walls is not encouraged. However wooden dressing of walls is acceptable for buildings on the edge of the countryside, that emulate agricultural buildings. Blue slate is acceptable on outbuildings and extensions, where it is used for roofing of the main building.</p>

D38D	<p><i>“More commonly walls are constructed of Cotswold Rubble stone....Many buildings are built up in rougher less worked rubble stone....”</i></p> <p>CONTEXT: Both Ashlar dressed Cotswold Stone and rougher ‘rubble’ stone are seen.</p> <p>CODING Proposals for alterations or extensions should use the type of stone or other building materials relevant to the building being altered. Where Cotswold stone is used for new buildings rough or rubble stone is acceptable.</p>
D42D	<p><i>“Other traditional building materials also make an important contribution to local character. Some red brick is seen.....”</i></p> <p>CONTEXT: Red brick is not seen in the Character Area.</p> <p>CODING The use of red brick as a facing material is not appropriate.</p>
D45D	<p><i>From the nineteenth century onwards there is more use of blue-grey Welsh slate, for re-roofing”</i></p> <p>CONTEXT: Blue-grey Welsh slate is not used on historic buildings.</p> <p>CODING Existing Cotswold stone roofs should not be replaced or repaired with blue slate. Blue slate may be used for new buildings.</p>
D46D	<p><i>“Some use of thatch is also seen in the District.....Plain clay tile is seen in some locations and clay pantiles”</i></p> <p>CONTEXT: Thatch is not used as roofing material in any part of the Character Area.</p> <p>CODING The use of thatch as a roofing material is not appropriate.</p>

D55D	<p><i>“There are also examples of red brick walls and other boundary treatments....”</i></p> <p>CONTEXT Boundaries of historic and many modern buildings are marked with Cotswold Stone walls. Some more recent buildings in the sub-area area have modern boundary treatments.</p> <p>CODING New or replacement boundaries to historic properties within the sub-area should be of Cotswold stone construction. Existing traditional Cotswold stone walls, and native hedgerows should be preserved, and appropriately maintained and managed, both during and after construction. The use of Cotswold stone or native hedging for boundaries is encouraged.</p>
<p style="text-align: center;">GREEN INFRASTRUCTURE</p>	
D66D	<p><i>High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments.....“</i></p> <p>CONTEXT Many parts of the Character Area include gardens and shared spaces with trees, and hedges forming the front, side and rear boundaries to the plot.</p> <p>CODING Development proposals must protect the existing green infrastructure and include landscaping schemes that make provision for generous front and rear plot planting for boundary treatment. Planting of native trees of appropriate height is encouraged.</p>

CODE NO.	CHARACTER AREA E: LOWER SWELL
<p style="text-align: center;">LANDSCAPE, SETTLEMENTS AND STREETS</p>	
D10E	<p><i>“Settlements are distinctive in how they sit within the landscape ... they have their own unique layouts and patterns of streets”.</i></p> <p>CONTEXT: Lower Swell lies in the valley of the River Dikler at the western foot of the hill on which sits Stow-on-the-Wold, and is linked to the smaller Upper Swell by the river, a tributary of the Windrush. It shows signs of having been occupied from at least Bronze and Iron Age times. The Parish is deeply rural in character and has depended economically on farming. Almost all the village lies within the designated Conservation Area.</p> <div style="display: flex; justify-content: space-around; align-items: flex-end;">   </div>

	<p>The village sits well within the landscape running along the foot of the gentle slopes of the Dikler Valley. School Lane and Church Lane rise up the slopes either side but the village is generally hidden and is only dramatically revealed at its entrances. Upper Swell sits low on steeper slope of the same valley to the north of Lower Swell. It too is generally hidden in the landscape with woodland to its east and by the higher ground to its west and north, only being revealed at its entrances.</p> <p>CODING: Any future infill, redevelopment or extension of the villages should likewise sit low within the landscape and should not compromise the sharp sense of arrival at their entrances.</p>
D11E	<p><i>“Cotswolds Towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or market places. Nearly all settlements incorporate important open spaces. Some Cotswold Villages are arranged around village greens. Others are set out in linear fashion, or are more dispersed.”</i></p> <p>CONTEXT: The village is clustered around village amenities and key assets, such as the 12th century St. Mary’s church, the small village green, the war memorial, Lower Swell primary school (1825), the village hall and the 17th century, Golden Ball public house. There is an ancient well in Lower Swell known as the Lady’s Well, thought to have been a sacred spring. It has grown slowly and organically. The centre of the village consists of many listed buildings and other buildings of historic group value in their settings. The oldest surviving houses in Lower Swell are 16th or 17th Century. There is a remarkable example of Hindu style in the building in Lower Swell now called Spa Cottages which was constructed in 1807 at the site of a mineral water spring (now long since dry).</p>



Its structure comprises a main road with two minor roads coming off a junction near one end of the village. On the main road, all the buildings front on to the main road, either at the back of pavement to narrow views through the village, notably at the Golden Ball Inn and Old Farmhouse Hotel, or further set back from the road in common alignments, e.g. Cotswolds Gables. These arrangements create variety in the street profile and the sequences of spaces along the road. The open fields to the south of the main road in the eastern half of the village allow for expansive views but the space is partially contained by the line of mature trees along the road. Similarly, the green space opposite the Old Farmhouse Hotel contrasts with the more tightly contained spaces either side of it, one of which is formed by the war memorial. It is enclosed by two terraces at Fox Close; although they are not historic buildings they adhere to the essence of the vernacular and therefore add value to the character of the space.

The war memorial (by Lutyens) is a notable feature of the village and of great historic importance; its space – a small village green – is tightly enclosed by the buildings at the back of pavement to the main road and the lane to the church as well as the very tall mature trees on the opposite side. That space leads almost immediately to another enclosed but different space – another smaller village green

	<p>– that is framed by the same trees, Barn Cottage and Whittlestone Close, but with the small vernacular village hall and a surrounding circle of tall trees in its centre. The terrace at Cranmer Cottage a little way up the lane is perpendicular to the lane on higher ground and also helps define the space. The school lane has a very different character to the rest of the village. Its tight street profile for most of its length is created by buildings on both sides located at the back of pavement, with only Rectory Farmhouse and the school opposite, which is of a lower height, sitting slightly back from the road. Its gentle curve and rise add further interest to the streetscape.</p> <p>CODING: The location and orientation of new buildings within the plot must work with the essential grain and character of the street space. Their patterns are strong and their relationship with the topography and landscape is harmonious – even where new buildings have been added in more recent years.</p>
D12E	<p><i>“..... An understanding of key views is critical.”</i></p> <p>CONTEXT: The distinct character of the village is formed by the long view along the main road through the village and from the views into the village from the roads main entrances, i.e. from Stow, Naunton and Upper Swell. There are many views from vantage points within the village of the countryside beyond, reinforcing its deep rural character.</p>



CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of the views into and through the village to its centre.

SCALE AND PROPORTION

- D16E *“New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context.”*
- D17E *“Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings but should complement the existing structures and landscape and sit comfortably within their setting.”*
- D18E *“The height of new buildings should respond to the local context, for example forming a gentle transition from open countryside to settlement edge.”*

	<p>CONTEXT: The Cotswold vernacular is light and subtle in building height and massing and in site prominence. In the Conservation Area all the buildings are two storey and of a domestic scale. The small number of grand houses on their edges are taller but are generally hidden from the public domain. There are some occasional low cottages of one and a half or two storeys.</p> <p>CODING: Any proposal for infill development must be no more than two storeys in building height with a massing that is subservient to that of the existing buildings.</p>
<p style="text-align: center;">ARCHITECTURAL STYLE: COTSWOLD VERNACULAR</p>	
D21E	<p><i>Many Cotswold Villages are quintessential English Villages. The distinctive traditional architecture of the area is famous worldwide. Buildings have, for many centuries, had a relatively uniform and consistent style, resulting from the use of the local stone and traditional construction techniques. This is known as the Cotswold vernacular."</i></p> <p>CONTEXT: The Conservation Area is among the strongest and most consistent examples of the Cotswold vernacular in the District. Its overriding feature is in the use of the honey and golden coloured oolitic Jurassic limestone as the primary building material. It has changed very little in decades, with new buildings adopting the same vernacular form and style. There are variations in design, for example of windows, architectural features, roof lines and entrances, with adjacent properties having very different styles, but with a pleasing coherence provided by the Cotswold vernacular. An example is the row of buildings from The Old Smithy to Leys View Cottage (including the listed Travellers Joy) at its eastern end, where each of the old cottages has its own character through original design and evolution of the dwellings.</p>



CODING: All development proposals should comprise the Cotswold vernacular as an essential element of their architectural style and should demonstrate an understanding of how such variations in design, emulating these historic variations, can be used to add to the architectural value of the proposed development, extension or alteration. The row of buildings from The Old Smithy to Leys View Cottage should form an inspiration.

D25E *"Some key qualities of the Cotswold vernacular are...."*

CONTEXT: There is a very strong and consistent use of the Cotswold vernacular in the Character Area, which is a fundamental element of its very special historic and architectural significance and the setting of its many Listed Buildings and other heritage assets.



CODING : With the very strong and consistent Cotswold vernacular a fundamental element of the very special historic and architectural significance of both Conservation Areas and the setting of their many Listed Buildings and other heritage assets, it is vital that all proposals for the extension or replacement of existing buildings or for infill schemes:

- Are of a simplicity of form and design of an understated appearance, with any ornamentation usually limited to architectural features
- Have a plot width to the frontage that maintains the variety of rhythm of those widths
- Have steep roof pitches of only open gable or cross gable, single ridge roof forms and not of hipped, half hipped or other roof forms, with the roof either unbroken or with dormers set well within the roof slope above the eaves
- Have roof valleys formed by only stone slates swept to a curve with plain shallow eaves and verges and no overhangs, exposed rafter feet, fascias or bargeboards
- Have chimneys set to the ridge line, with stacks integral and flush to gable end walls
- Have window openings that are well spaced and fairly small, with sizeable areas of wall in between; openings usually centrally placed within gables, and end walls containing chimneys usually blank, or with sparse and offset fenestration.

- Have two and three light windows, with a clear hierarchy to the openings of wider ground floor windows below smaller upper floor windows.
- Have either stone mullion window surrounds, directly glazed or containing metal casements, and sometimes with stone hood moulds above or have simple flush timber casements, with slender glazing divisions, set below stone or timber lintels
- Have doors that are solid timber boarded and, for commercial premises have up to 40% of the total door area as glass
- Avoid front porches, which are not a feature of either Conservation Area

ARCHITECTURAL STYLE: CONTEMPORARY

D22E *"Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition ... The decision*
D30E *whether to adopt a vernacular or more contemporary architectural style will depend upon the type of development, the site and its setting*
... *On many listed buildings, in some prominent locations,.....a contemporary building may appear too starkly out of keeping....."*

CONTEXT: The Conservation Area has a very strong adherence to the Cotswold vernacular and is of a compact size. There are no examples of contemporary buildings styles of note in the Conservation Area.



	<p>CODING: The village is not generally a suitable location for contemporary design solutions for replacement or infill buildings, structures, boundary treatments or external lighting. However, a contemporary solution may be in keeping with the dominant vernacular in locations that are not very prominent in the streetscene, i.e. the building will not lie at or close to the back of pavement nor will punctuate or terminate a view through the Conservation Area. Contemporary building styles are appropriate in those parts of the village outside the Conservation Area that are formed by generally modern style buildings. The modern requirements for refuse collection should be met within the fabric of the building.</p>
<p style="text-align: center;">MATERIALS AND CRAFTMANSHIP</p>	
D36E	<i>“ The colour of Cotswold Stone varies across the District..... and rich honey colours in the North.....”</i>
D37E	<i>“There are various styles of walling stone within the Cotswolds. Many higher status buildings are constructed in ashlar stonework. This</i>
D38E	<i>consists of straight cut, finely tooled blocks of stone, laid to their natural bed, with very tight mortar joints. ”</i>
D39E	<i>“More commonly walls are constructed of Cotswold Rubble stone....Many buildings are built up in rougher less worked rubble stone....”</i> <i>Mortars are traditionally lime based....”</i>
	<p>CONTEXT: In the Conservation Area there is the almost ubiquitous use of Ashlar dressed Cotswold stone or rubble stone dominate for listed buildings and non-listed buildings of a later date that have significant group value in the setting of those listed buildings. There is therefore a very strong uniformity of overall appearance, even though building forms and styles may differ within the vernacular.</p>



CODING: Any new infill buildings and proposals for external alterations and extensions, including new or replacement external walls and roofs, should normally be constructed using one or both these materials or those of a similar appearance. Given that all the buildings in the village outside the Conservation Area lie within its setting and have a close visual inter-relationship, this applies in those parts too, although there may be more scope of alternative material palettes.

D42E *"Many Cotswold vernacular buildings were rendered historically...."*

CONTEXT: Although there has been some rendering of walls in the Conservation Area, this does not sit well with the historic Cotswold vernacular.

CODING: Roughcast or other rendering and lime washing are not appropriate finishes in the Conservation Area but may be used elsewhere in the village.



D44E	<p><i>“Other traditional building materials also make an important contribution to local character. Some red brick is seen.....”</i></p> <p>CONTEXT: There is no use of red brick in the Conservation Area or elsewhere in the village. Its use would be incongruous with the dominant Cotswold vernacular of the Conservation Area and the small size of the village would make this material jar within its setting.</p> <p>CODING: Red brick should not be used as a material for any type of building or structure, including extensions or alterations anywhere in the village.</p>
D45E	<p><i>“From the nineteenth century onwards there is more use of blue-grey Welsh slate, for re-roofing”</i></p> <p>CONTEXT: Cotswold Stone is used as the roofing material for almost every building in the Conservation Area. The use of Welsh slate is rare.</p> <p>CODING: In the Conservation Area, all new or replacement roofs should use Cotswold stone tiles unless the original or main building already has Welsh slate. There should be no replacement of original stone tiles with artificial stone tiles (or blue slate where Welsh slate is in situ). Buildings outside the Conservation Area may use artificial stone tiles or blue slate (as relevant).</p>
D46E	<p><i>“Some use of thatch is also seen in the District.....Plain clay tile is seen in some locations and clay pantiles”</i></p> <p>CONTEXT: Thatch is not used as roofing material in any part of the Conservation Areas. There is no tradition of use of clay tiles or pantiles or wall hanging with tiles in the Conservation Area. The use of these materials would be incongruous with the dominant Cotswold vernacular of the Conservation Area and the small size of the village would make this material jar within its setting.</p> <p>CODING: The use of thatch, clay tiles, pantiles or wall hanging with tiles as a roofing materials is not appropriate anywhere in the village.</p>
D50E	<p><i>“Even the choice of finishes can make a vast difference to the character and appearance of buildings, such as window and door paint coloursColours should normally be selected from a fairly traditional palette....”</i></p> <p>CONTEXT: Almost all historic buildings share a palette of polite colours for the painting of their windows and doors in the Conservation Area which complement the subtle tones of the Cotswold Stone of buildings. Outside the Conservation Area there is a wider range of paint colours, although the majority of buildings have used the same palette.</p>

	<p>CODING: The use of primary and other, non-polite colours for painting timber is not appropriate in the Conservation Area. Outside the Conservation Area, any paint colour may be used although the dominant palette is encouraged.</p>
D55E	<p><i>“There are also examples of red brick walls and other boundary treatments....”</i></p> <p>CONTEXT: Boundaries are normally marked with Cotswold Stone walls or hedges often lying behind a mown grass verge in the Conservation Area and elsewhere in the village.</p> <p>CODING: New or replacement boundaries to properties anywhere in the village should be of either Cotswold stone construction or a new or replacement hedge of a type and height that matches others in the Conservation Area, preserving the grass verge, where extant. Existing Cotswold stone walls, and native hedgerows should be preserved, and appropriately maintained and managed, both during and after construction.</p>
<p style="text-align: center;">SUSTAINABLE DESIGN</p>	
D62E	<p><i>“ Sustainable design needs to be responsive to the character of the area and the sensitivities of the site.....”</i></p> <p>CONTEXT: The strength of the character of the Conservation Area is such that contemporary architectural features are likely to detract from that character, especially where very prominent in the streetscene.</p> <p>CODING: As future planning policy requirements are expected to require significant improvements to the carbon performance of all buildings, it is vital that the location and form of additions and alterations to buildings that require planning permission are handled very sensitively. All proposals of this type must demonstrate that their design and location on or around the building have avoided or minimised any harmful visual effects on the Conservation Area of the technical options available.</p>

GREEN INFRASTRUCTURE	
D66E	<p><i>High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments.....”</i></p> <p>CONTEXT: The combination of mature trees and hedges is a strong feature of the character of the main road and they help define key spaces along the main road, most notably those around the war memorial and the village hall. In contrast there is little greenery in the public domain along School Lane until towards its end with Mill Lane, although there are many mature trees in private gardens.</p> <p>CODING: It is essential that any necessary proposal for the removal of trees that occupy very prominent positions in the street scene makes provision of the immediate replanting of mature species of the same type at or as close to the existing position as possible. Landscape schemes should not propose new tree planting forward of any existing building line or elsewhere within the plot that may obstruct or disrupt a key view.</p>
SIGNAGE	
D67E	<p><i>“... Lighting of signage should be avoided.....”</i></p> <p>CONTEXT: The external sign at the Golden Ball PH in the heart of the village is prominent in views along the main road and is of a style that reflects the historic interest of this listed building.</p>



CODING: Proposals to replace and light the sign and bracket with equivalents in a modern style are not appropriate.

CODE NO.	CHARACTER AREA F: UPPER SWELL
<p style="text-align: center;">LANDSCAPE, SETTLEMENTS AND STREETS</p>	
<p>D10F</p>	<p><i>“Settlements are distinctive in how they sit within the landscape ... they have their own unique layouts and patterns of streets”.</i></p> <p>CONTEXT: The village of Upper Swell lies in the valley of the River Dikler at the western foot of the hill on which sits Stow-on-the-Wold, and is linked to Lower Swell by the river, a tributary of the Windrush. It shows signs of having been occupied from at least Bronze and Iron Age times. The Parish here is deeply rural in character and has depended economically on farming. Almost all the village lies within a designated Conservation Area. It is much smaller than its sister village and farming there was probably dependent upon the mediaeval manor of Swell. There was also a mill by the ancient bridge over the Dikler, which is thought by some to have Roman stonework, to which grain was brought from around the area for milling. A manor house was built in the 16th Century next to the church, probably to distinguish the village from Lower Swell.</p> <div style="display: flex; justify-content: space-around; align-items: center;">   </div>

	<p>CODING: Any future infill, redevelopment or extension of the village should sit low within the landscape and should not compromise the sharp sense of arrival at its entrances.</p>
D11F	<p><i>“Cotswolds Towns typically have many buildings tightly arranged at their core, with building lines set immediately on, or close to, the rear of the pavement. Many feature gently curving streets, and are centred on wide thoroughfares or market places. Nearly all settlements incorporate important open spaces. Some Cotswold Villages are arranged around village greens. Others are set out in linear fashion, or are more dispersed.”</i></p> <p>CONTEXT: Upper Swell is very much smaller than Lower Swell, comprising the farm vernacular buildings of Upper Swell House, Upper Swell Farm and the Manor House at its centre with a smaller cluster of buildings at the Old Mill and Bridge Cottage on the Dikler at the foot of the hill framing the eastern entrance to the village. The hill and the slight curve in the road create delight in a second point of arrival in the village revealed on its ascent, with the pair of stone cottages terminating the view before the tight corner is turned behind the Manor House barn at the road edge beyond the Old Rectory is prominent in setting up the reveal of the centre of the village. From the western entrance to the village – announced by the delightful group of buildings of Manor House – the long, low barn at the road edge is prominent and with the Manor House Barn opposite frames the view to Upper Swell Farm. Its main barn is especially dominant in the space created at the village centre and together these agricultural buildings very clearly show the rural nature of the village. St. Mary’s Church sits behind Manor House and Manor Farm Cottage and is only gradually revealed on ascending the slope from behind its gate and line of tall trees. The small verge and pathway form the only public space in the village.</p> <p>CODING: The location and orientation of new buildings within the plot must work with the essential grain and character of the street space. Their patterns are strong and their relationship with the topography and landscape is harmonious – even where new buildings have been added in more recent years.</p>
D12F	<p><i>“..... An understanding of key views is critical.”</i></p> <p>CONTEXT: The distinct character of the village is formed by two specific views along the main road into the village from its north and south.</p>



CODING: The location and orientation of new buildings in the plot should reinforce and not obstruct, disrupt or weaken the framing of the views into and through the village to its centre.

SCALE AND PROPORTION

- D16F *"New buildings should be carefully proportioned and relate to the human scale and to their landscape or townscape context."*
- D17F *"Excessive or uncharacteristic bulk should be avoided. New buildings should generally not dominate their surroundings but should complement the existing structures and landscape and sit comfortably within their setting."*
- D18F *"The height of new buildings should respond to the local context, for example forming a gentle transition from open countryside to settlement edge."*

CONTEXT: The Cotswold vernacular is light and subtle in building height and massing and in site prominence. In the Conservation Area only the church rises a little above the other buildings in the village, which are almost all two storey and of a domestic scale. The small number of grand houses on their edges are taller but are generally hidden from the public domain. The barn buildings in the village centre have a distinct form that contrasts well with their immediate neighbours. There are some occasional low cottages of one and a half or two storeys.



CODING: Any proposal for infill development must be no more than two storeys in building height with a massing that is subservient to that of the existing buildings.

ARCHITECTURAL STYLE: COTSWOLD VERNACULAR

D21F *Many Cotswold Villages are quintessential English Villages. The distinctive traditional architecture of the area is famous worldwide. Buildings have, for many centuries, had a relatively uniform and consistent style, resulting from the use of the local stone and traditional construction techniques. This is known as the Cotswold vernacular."*

CONTEXT: The Conservation Area is among the strongest and most consistent examples of the Cotswold vernacular in the District. Its over-riding feature is in the use of the honey and golden coloured oolitic Jurassic limestone as the primary building material. It has changed very little in decades, with new buildings adopting the same vernacular form and style. There are variations in design, for example of windows, architectural features, roof lines and entrances, with adjacent properties having very different styles, but with a pleasing coherence provided by the Cotswold vernacular.



	<p>CODING: All development proposals should comprise the Cotswold vernacular as an essential element of their architectural style and should demonstrate an understanding of how such variations in design, emulating these historic variations, can be used to add to the architectural value of the proposed development, extension or alteration.</p>
D25F	<p><i>“Some key qualities of the Cotswold vernacular are....”</i></p> <p>CONTEXT: There is a very strong and consistent use of the Cotswold vernacular in the Character Area, which is a fundamental element of its very special historic and architectural significance and the setting of its many Listed Buildings and other heritage assets.</p> <p>CODING: it is vital that all proposals for the extension or replacement of existing buildings or for infill schemes:</p> <ul style="list-style-type: none"> • Are of a simplicity of form and design of an understated appearance, with any ornamentation usually limited to architectural features • Have a plot width to the frontage that maintains the variety of rhythm of those widths • Have steep roof pitches of only open gable or cross gable, single ridge roof forms and not of hipped, half hipped or other roof forms, with the roof either unbroken or with dormers set well within the roof slope above the eaves • Have roof valleys formed by only stone slates swept to a curve with plain shallow eaves and verges and no overhangs, exposed rafter feet, fascias or bargeboards • Have chimneys set to the ridge line, with stacks integral and flush to gable end walls • Have window openings that are well spaced and fairly small, with sizeable areas of wall in between; openings usually centrally placed within gables, and end walls containing chimneys usually blank, or with sparse and offset fenestration. • Have two and three light windows, with a clear hierarchy to the openings of wider ground floor windows below smaller upper floor windows. • Have either stone mullion window surrounds, directly glazed or containing metal casements, and sometimes with stone hood moulds above or have simple flush timber casements, with slender glazing divisions, set below stone or timber lintels • Have doors that are solid timber boarded and, for commercial premises have up to 40% of the total door area as glass • Avoid front porches, which are not a feature of either Conservation Area



ARCHITECTURAL STYLE: CONTEMPORARY

D22F *"Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition ... The decision*
D30F *whether to adopt a vernacular or more contemporary architectural style will depend upon the type of development, the site and its*
setting ... On many listed buildings, in some prominent locations,.....a contemporary building may appear too starkly out of keeping....."

CONTEXT: The Conservation Area has a very strong adherence to the Cotswold vernacular and is of a compact size. There are no examples of contemporary buildings styles of note in the Conservation Area.

	<p>CODING: The village is not generally a suitable location for contemporary design solutions for replacement or infill buildings, structures, boundary treatments or external lighting. However, a contemporary solution may be in keeping with the dominant vernacular in locations that are not very prominent in the streetscene, i.e. the building will not lie at or close to the back of pavement nor will punctuate or terminate a view through the Conservation Area. Contemporary building styles are appropriate in those parts of the village outside the Conservation Area that are formed by generally modern style buildings. The modern requirements for refuse collection should be met within the fabric of the building.</p>
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D38F	<p><i>consists of straight cut, finely tooled blocks of stone, laid to their natural bed, with very tight mortar joints. ”</i></p>
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D42F	<p><i>“Many Cotswold vernacular buildings were rendered historically....”</i></p> <p>CONTEXT: Although there has been some rendering of walls in the Conservation Area, this does not sit well with the historic Cotswold vernacular.</p> <p>CODING: Roughcast or other rendering and lime washing are not appropriate finishes in the Conservation Area but may be used elsewhere in the village.</p>
D44F	<p><i>“Other traditional building materials also make an important contribution to local character. Some red brick is seen.....”</i></p> <p>CONTEXT: There is no use of red brick in the Conservation Area or elsewhere in the village. Its use would be incongruous with the dominant Cotswold vernacular of the Conservation Area and the small size of the village would make this material jar within its setting.</p> <p>CODING: Red brick should not be used as a material for any type of building or structure, including extensions or alterations anywhere in the village.</p>
D45F	<p><i>“From the nineteenth century onwards there is more use of blue-grey Welsh slate, for re-roofing”</i></p> <p>CONTEXT: Cotswold Stone is used as the roofing material for almost every building in the Conservation Area. The use of Welsh slate is rare.</p> <p>CODING: In the Conservation Area, all new or replacement roofs should use Cotswold stone tiles unless the original or main building already has Welsh slate. There should be no replacement of original stone tiles with artificial stone tiles (or blue slate where Welsh slate is in situ). Buildings outside the Conservation Area may use artificial stone tiles or blue slate (as relevant).</p>

D46F	<p><i>“Some use of thatch is also seen in the District.....Plain clay tile is seen in some locations and clay pantiles”</i></p> <p>CONTEXT: Thatch is not used as roofing material in any part of the Character Area. There is no tradition of use of clay tiles or pantiles or wall hanging with tiles. The use of these materials would be incongruous with the dominant Cotswold vernacular and the small size of the village would make this material jar within its setting.</p> <p>CODING: The use of thatch, clay tiles, pantiles or wall hanging with tiles as a roofing materials is not appropriate.</p>
D50F	<p><i>“Even the choice of finishes can make a vast difference to the character and appearance of buildings, such as window and door paint coloursColours should normally be selected from a fairly traditional palette....”</i></p> <p>CONTEXT: Almost all historic buildings share a palette of polite colours for the painting of their windows and doors in the Conservation Area which complement the subtle tones of the Cotswold Stone of buildings. Outside the Conservation Area there is a wider range of paint colours, although the majority of buildings have used the same palette.</p> <p>CODING: The use of primary and other, non-polite colours for painting timber is not appropriate in the Conservation Area. Outside the Conservation Area, any paint colour may be used although the dominant palette is encouraged.</p>
D55F	<p><i>“There are also examples of red brick walls and other boundary treatments....”</i></p> <p>CONTEXT: Boundaries are normally marked with Cotswold Stone walls or hedges often lying behind a mown grass verge in the Conservation Area and elsewhere in the village.</p>

	<p>CODING: New or replacement boundaries to properties anywhere in the village should be of either Cotswold stone construction or a new or replacement hedge of a type and height that matches others in the Conservation Area, preserving the grass verge, where extant. Existing Cotswold stone walls, and native hedgerows should be preserved, and appropriately maintained and managed, both during and after construction.</p>
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D62F	<p>” Sustainable design needs to be responsive to the character of the area and the sensitivities of the site.....”</p> <p>CONTEXT: The strength of the character of the Conservation Area is such that contemporary architectural features are likely to detract from that character, especially where very prominent in the streetscene.</p> <p>CODING: As future planning policy requirements are expected to require significant improvements to the carbon performance of all buildings, it is vital that the location and form of additions and alterations to buildings that require planning permission are handled very sensitively. All proposals of this type must demonstrate that their design and location on or around the building have avoided or minimised any harmful visual effects on the Conservation Area of the technical options available.</p>

GREEN INFRASTRUCTURE	
D66F	<p><i>High quality, well integrated and carefully designed green infrastructure (GI) and landscape provision is crucial to the long-term success of developments.....“</i></p> <p>CONTEXT: Tall mature trees line both sides of the road at both entrances to the village and occupy very prominent positions in the street scene throughout the village, especially at the junction of the main road with Upper Swell House.</p> <p>CODING: It is essential that any necessary proposal for the removal of trees that occupy very prominent positions in the street scene makes provision of the immediate replanting of mature species of the same type at or as close to the existing position as possible. Landscape schemes should not propose new tree planting forward of any existing building line or elsewhere within the plot that may obstruct or disrupt a key view.</p>

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STOW ON THE WOLD & THE SWELLS

Neighbourhood *Plan*

2023 – 2031



BASIC CONDITIONS STATEMENT

Published by Stow on the Wold Town Council
under the Neighbourhood Planning (General) Regulations 2012 (as amended)

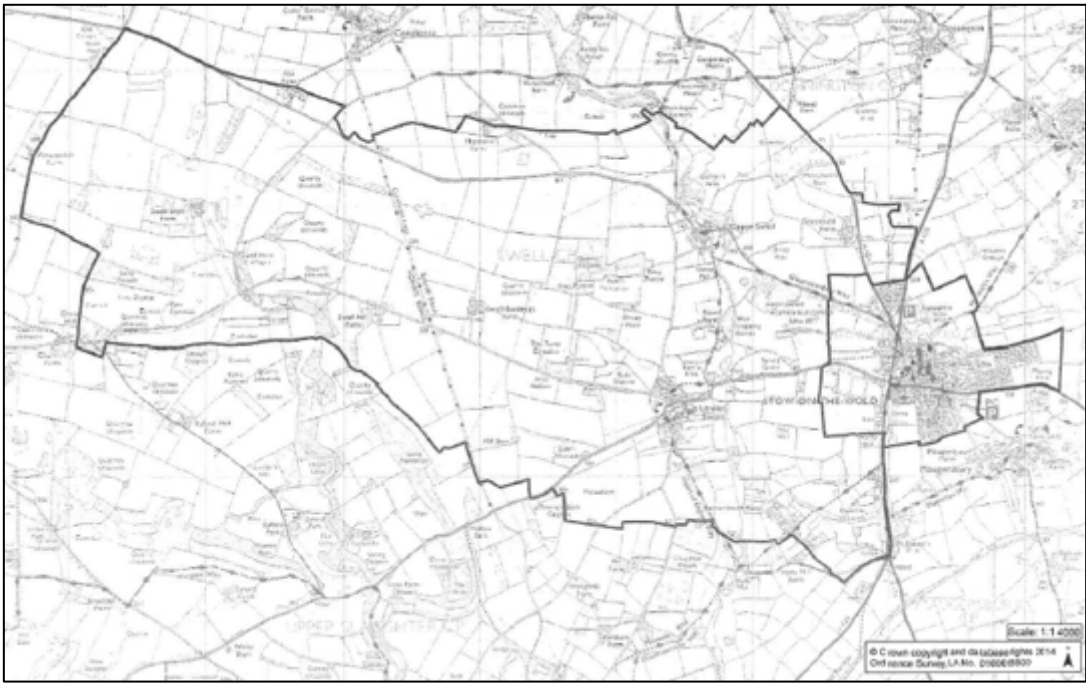
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1.INTRODUCTION

1.1 This statement has been prepared by The Stow on the Wold Town Council (“the Town Council”) to accompany its submission of the Stow on the Wold & The Swells Neighbourhood Plan (“the Neighbourhood Plan”) to the local planning authority, Cotswold District Council (“CDC”), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 (“the Regulations”).

1.2 The Neighbourhood Plan has been prepared by the Town Council defined as the ‘Qualifying Body’ as per the regulations, but the Neighbourhood Area (“the Area”), covers and coincides with the boundary of The Swells Parish, as well as that of Stow on the Wold (see Plan A below). The Area was designated by the CDC in April 2015.



Plan A: The designated Stow on the Wold and Swells Neighbourhood Area

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to ‘excluded development’, as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2023 to 2031, the end date of which corresponds with the plan period of the Cotswold Local Plan (“the Local Plan”), which currently is undergoing a partial update. This will enable the two plans to neatly operate alongside each other and to be monitored and reviewed on a similar timeframe.

1.4 The statement addresses each of the four ‘Basic Conditions’, which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the Conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),
- f) The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with EU obligations.

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner (Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.”

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made firstly by the Town Council in 2015. The key driver of this decision was a sense of wanting to plan positively for a more sustainable future of the town but recognising that its neighbours, Lower and Upper Swell, were close by, it invited Swells parish to form a multi-parish Neighbourhood Area, which it accepted. As the plan area is wholly located within the Cotswolds Area of Outstanding Natural Beauty (AONB), it was important to both Councils to present a vision which protects the special qualities of the AONB and encourages development that meets the needs identified by the community.

2.2 A committee was formed comprising representatives of the Councils and residents of the Parishes. The group has been delegated authority by the Councils to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Stow Town Council approved the publication of the Pre-Submission plan in February 2023 and the Submission Plan now.

2.3 The Town Council has consulted the local community extensively over the duration of the project as it became clear early on that a significant number of residents wanted the project to tackle longstanding problems and to innovate in finding workable solutions. With this in mind, the project has naturally focused on the town, accepting that the same early engagement in the Swells indicated a preference for the villages and their surrounding countryside to remain much as they are now. As the policy ideas evolved, especially in the period since the Covid lockdowns, which significantly hampered progress, so the Town Council sought to engage with other stakeholders, notably Broadwell and Mangersbury parish councils, the Cotswold Conservation Board (CCB), Gloucestershire County Council (GCC) and land interests. The nature and outcome of these various publicity and consultation exercises are set out in the separate Consultation Statement.

2.4 The Town Council has also sought to work closely with officers of the CDC to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted and emerging Local Plans. Once the vision, objectives and especially policies promoting a new spatial plan had been clarified it became very important that the Town Council explained and evidenced its proposals to CDC, acknowledging that they represented a (non-strategic) departure from some of the past trends in development plan policy for the town. Officers have been helpful in advising on how the case for change in an AONB setting should be made and evidenced, as has the advice of the CCB.

2.5 The Neighbourhood Plan contains 16 land use policies (coded SSNP1 – SSNP16), which are defined on the Policies Map where they apply to a specific part of the Area. The Plan has deliberately avoided containing policies that duplicate adopted development plan policies or national policies that are already used to determine planning applications in the Area. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Town Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Parish Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct, and help to deliver sustainable development by influencing local planning decisions as part of the statutory development plan. The Plan is underpinned by relevant and up-to-date evidence. This is considered to be adequate and proportionate, focused tightly on supporting and justifying the policies concerned (§31).

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary			
No.	Policy Title	NPPF Ref.	Commentary
SSNP1	The Stow on the Wold Development Boundary	16	The policy redefines the Development Boundary for Stow on the Wold as set out in the Local Plan, to include the completion of the surgery development on Maugersbury Road and the site allocation in Policy SSNP7. The policy repeats the Local Plan provisions in distinguishing the built-up area from the surrounding countryside so it is evident how a decision maker should react to development proposals as per §16, and so that the policy retains its full weight in §14 is engaged in decision making (i.e. to avoid a dependence on the Local Plan in this respect). It is therefore a necessary duplication per §16.
SSNP2	Development in The Swells and the Countryside	16, 78, 80, 174, 176	<p>The policy sets out principles for development in Lower and Upper Swell and the rest of the countryside of the neighbourhood area. The policy is consistent with §16 in clarifying the types of development that are suitable in each settlement based on their settlement character in accordance with strategic countryside policy, per §78 (rural development) on the one hand and §174 (natural environment) and §176 (protected landscapes) on the other.</p> <p>Due to the sensitive nature of the surrounding countryside, which is wholly located in the Cotswold AONB, proposals for isolated homes in the countryside that are argued solely on the grounds of §80(e) are ruled out by the policy as it is considered that there is no location in this Area where the AONB would be enhanced rather than harmed by such a proposal, which no level of architectural quality could redeem. It does not prevent proposals coming forward to seek benefit from other clauses in §80.</p>
SSNP3	Housing Mix	61, 72	This policy has two parts. Firstly, it sets out the requirements for the delivery of affordable homes in Stow. Planning Practice Guidance allows for the minimum discount of First Homes to be amended through local or neighbourhood plans. In essence the policy reflects the spirit and intention of §72 to deliver a wide choice of homes that reflects local demand by seeking to ensure that the First Homes product is affordable in the town. The Government's plans for the delivery of First Homes were set out in a Written Ministerial Statement in April 2021, but it is considered that First Homes in practice is the

			same sale product as entry-level homes. Secondly, it seeks to influence housing mix for housing developments to deliver a wide choice of homes that reflects local demand and to create a demographically balanced community (§61).
SSNP4	Principal Residence	31, 78	The policy is in accordance with §31 which states that ‘the preparation and review of all policies should be underpinned by relevant and up-to-date evidence’. The Stow on the Wold and the Swells Housing Needs Assessment (2022) concludes that the substantial proportion of second home ownership in the neighbourhood area is ‘having a significant impact on the availability of tenures in the area and consequently housing affordability’. The policy attempts to ensure new housing schemes – most especially that proposed in Policy SSNP7 – do not fall foul of the same trend and are as responsive to local needs as possible per §78.
SSNP5	Specialist Accommodation for Older People in Stow	63, 78	The policy is intended to slow down the supply of age-restricted housing in Stow on the Wold for the plan period as part of the plan’s affordable housing objective, in order to achieve a mixed and balanced community (§63). Stow has a significant supply of age restricted homes, with the only major housing developments of the last two decades in the town being of this type (serving a market that is very much larger than the town or district alone, given its attractions). Combined with an aging population demographic, and a declining population (5% since 2001), this trend is running counter to the ‘balanced community’ objective. Places like Stow simply cannot ‘predict and provide’ for older persons housing in a way encouraged by national policy without increasingly serious sustainability consequences.
SSNP6	Health and Well Being	92, 93	The policy intends to encourage sustainable and healthy communities per §92 with access to green infrastructure per §93.
SSNP7	Land of North East of Stow	60, 62, 73, 79, 82, 84, 86, 93, 104, 105, 106, 126, 129, 174, 175, 176, 177, 179	The policy allocates land for a low or zero carbon residential-led, mixed use development consisting of approximately 170 homes in total: approximately 100 open market homes and approximately 70 affordable homes. It will therefore make the most significant contribution to ‘boosting the supply of homes’ (§60) in the town for 30+ years. The ‘size, type and tenure of housing needed for different groups in the community’ has been assessed (§62), along with the objective of arresting population decline in this rural area per §79. The allocation acknowledges that ‘the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as significant extensions to existing towns, provided they are well located (it is) and designed (it will be, per the Design Code), and supported by the necessary infrastructure and facilities including a genuine choice of

			<p>transport modes (it will be, given its locational advantages), per §73. The boost to the size of the town's population should bolster the local economy – a larger local workforce that does not need to commute long distances from more affordable locations outside the Cotswolds, that will spend some of its money in the town's businesses, and that will use local schools and other services, per §82(c) and §84(a).</p> <p>Another economic benefit will be in enabling public realm improvements to the Market Square to boost its businesses and in driving greater footfall per §86. Its new business units will further boost the local economy and its new community hub will make a step change in the provision of this type of facility per §93(a). Its transport effects have been assessed in principle and show that a) the traffic it generates will not be significant in the context of the town and A429 Fosse Way and b) the scheme should reduce the need for other trips in and out of the town to access work and services per §104(a) and §105. The site is also well connected to the town centre and the rest of the town per §104(c) and §106(d). The scheme will be controlled by the Design Code, with the 1950s Park Estate in the town identified for its inspiration for working with the Cotswold vernacular, per §126 and §129. Great weight has been placed on the location of the town in the Cotswold AONB (§176) and the justification for the scheme is set out in full in Appendix F of the Plan per the tests of §177. The scheme will provide at least 20% onsite biodiversity net gain per §179(b) and the policy also requires that the mature tree and hedgerows within the site boundaries are retained. By demonstrating that the site can deliver a suitable scheme it is considered that on balance, this allocation, with its specific mitigation measures set out as requirements has had proper regard to the NPPF as a whole and will deliver sustainable development.</p>
SSNP8	Stow Town Centre & Market Square	86	The policy sets out the boundaries for the Stow on the Wold Town Centre and defines Market Square as a primary shopping area, as outlined on the Policies Map. The policy makes clear the range of uses which are appropriate for the Town Centre and the Market Square (§86b). The aim is to sustain a retail-led mix of commercial uses within the Town Centre to promote its long-term vitality and viability.
SSNP9	Playing Field Facilities	93, 98	The policy supports the enhancement of two important community facilities in the town (§93) that serve as vital sports and recreation assets (§98).
SSNP10	Local Green Spaces	101, 102, 103	The policy responds to the provisions of §101 to make designation proposals, informed by its evidence base in respect of meeting the tests of §102. Its wording then reflects the Green Belt equivalency of §103.

SSNP11	Stow and the Swells Design Code	127, 128, 129	'Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development' (§127). The policy seeks to bring 'clarity about design expectations' within the Parishes (§128). The specific matters included in the policy 'provide a framework for creating distinctive places' to deliver a 'consistent and high-quality standard of design' (§128). These goals are captured in the Design Code (§129) that has been formulated to refine and work alongside the adopted, districtwide, Cotswold Design Code.
SSNP12	Non Designated Heritage Assets	203	This policy identifies a number of non-designated heritage assets to engage the provisions of §203. They have been derived in accordance with the guidance published by Historic England.
SSNP13	Zero Carbon Buildings	152, 154	This policy is intended as an interim measure pending either the adoption in the Local Plan Review of a similar policy covering the whole district or an acceleration towards the same objective than is currently proposed by the Government in its Future Homes Standard. It is intended here to help shape future development in the neighbourhood area in a way that contributes to radical reductions in greenhouse gas emissions as encouraged by §152. This will be primarily through the use of a Post Occupancy Evaluation reporting process to ensure that energy performance standards are met once built and occupied per §154(b). It encourages the adoption of zero carbon standards like PassivHaus as they will deliver and certify better energy performance, hence such proposals being exempt from that reporting process. It is therefore vital to note that the policy does not make the PassivHaus (or equivalent certified standard) a requirement. Rather it is encouraging of such proposals even though such a provision is bound to be in place nationally within the next five years and many developers are already planning for delivering to this standard in their layouts and building specifications.
SSNP14	Walking & Cycling in the Town and Parish	104	The policy requires that transport issues are considered from the earliest stages of development proposals so that opportunities to promote walking and cycling are identified and pursued (104c).
SSNP15	Vehicle Parking	104, 107	This policy has two parts. Firstly, it seeks to ensure that proposals consider parking as integral to the design of schemes (104e) so that existing serious parking problems, which are particularly present in the town, are not exacerbated. Secondly, it encourages proposals which bring forward shared off-street vehicle parking in Lower Swell provided that it does not harm the appearance and special historic character of the Conservation Area or cause significant harm to the amenities of local residents. Such proposals should also include provision for EV charging (107e).

SSNP16	Digital infrastructure	114	This policy is in accordance with NPPF paragraph §114 in highlighting the importance of advanced, high quality and reliable communications networks.
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3.5 It is considered that all the policies have had full regard to national policy.

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 Given the intended scope of the Neighbourhood Plan, the Councils and CDC agreed that an SEA would be necessary as a matter of principle and the Councils proceeded to appoint AECOM to prepare first a scoping report for a Sustainability Appraisal (SA/SEA) in November 2020 for consultation with the statutory bodies and then draft and final SA/SEA reports at the Pre-Submission and Submission stages. CDC provided a formal screening opinion confirming the need for an SEA in October 2020.

4.2 The separate SA/SEA Report sets out the sustainability effects of the policies of the Neighbourhood Plan. The Report concludes:

“Overall, the appraisal has served to highlight a range of potential effects in implementing the SSNP. Significant negative effects are predicted in relation to the land, soil, and water resources theme, which reflects the permanent loss of greenfield and agricultural land at the proposed site allocation.

Significant positive effects are predicted in relation to the population and communities theme, which reflects the significant delivery of new housing targeted at meeting locally identified needs alongside a new community hub building and improved parking provisions which seek to improve the town centre experience. These efforts, alongside measures to connect development and improve active travel, are also considered likely to lead to minor long-term positive effects in relation to the health and wellbeing SEA theme.

With limited biodiversity constraints in the neighbourhood area and policy measures which seek a 20% biodiversity net gain in new development (higher than the national standard), minor positive effects are also predicted in relation to the biodiversity SEA theme.

The landscape and heritage setting reflect key constraints for development in Stow and the Swells and whilst the SSNP seeks a high-quality, landscape-led approach to development, residual minor landscape impacts are predicted, and uncertainty is noted in relation to historic environment impacts. Recommendations have been made which seek to reduce this uncertainty (see below).

Both minor negative and minor positive effects are concluded in relation to climate change. The SSNP places great emphasis on high-quality design and efficiency standards in development, adopted a ‘zero carbon ready’ approach. However, the lack of direct rail connectivity reduces the potential to improve per capita emissions in the short to medium term and may conflict with the district carbon neutral goals and declared climate emergency to some degree.

The potential for both positive and negative effects in relation to transport are identified. The relatively large-scale site allocation site is likely to impact upon traffic and congestion locally (the extent to which remains uncertain), but wider measures to improve car parking, the town centre public realm, and active travel networks are likely to be more beneficial.”

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the Local Plan, which covers the period 2011 – 2031. In doing so, the Councils has worked closely with the CDC with the aim of ensuring that both consider this basic condition has been fully met.

5.2 The Local Plan defines Stow on the Wold as a ‘Principal Settlement’ in the Mid Cotswold Sub-Area in its settlement hierarchy. Its policy DS1 (Development Strategy) identifies the Principal Settlement as the focus of the strategy for housing and employment allocations. Policies DS2 and DS4 operate a development boundary mechanism to focus development within the built-up area of the settlements.

5.3 The Neighbourhood Plan has sought to add value to the Local Plan by refining some of its policies to better fit with the Stow on the Wold and the Swells context and, to ensure that local housing needs continue to be met in the plan period. This will in turn ensure that the CDC is able to use the Neighbourhood Plan to engage NPPF §14 in relevant development management decisions for as long as the §14 (or successor) conditions are met.

5.4 During the creation of the Neighbourhood Plan in 2022, CDC consulted on Issues & Options for the partial review of the Plan. It proposes to maintain the current plan period to 2031 but to update policies in the light of it declaring a Climate Emergency and to encourage thinking about the District to 2040 and beyond. It is too early for this Neighbourhood Plan to take into account draft policy proposals but it is noted that the direction of travel on climate change policies is consistent with that taken by the Neighbourhood Plan.

5.5 An of the general conformity of each policy, and its relationship with emerging policy where relevant, is contained in Table B below.

Table B: Neighbourhood Plan & Development Conformity Summary		
No.	Policy Title & Refs	Commentary
SSNP1	The Stow on the Wold Development Boundary	The policy redefines the Development Boundary of Stow on the Wold as set out in Policy DS2 to accommodate the completion of the surgery development on Mangersbury Road and site allocation of SSNP7. The policy wording is repeated for completeness and so that SSNP1 can operate without dependence on DS2 should the Local Plan lose its weight.
SSNP2	Development in The Swells and the Countryside	The policy seeks to provide certainty for applicants and decisionmakers in clarifying the types of development that are suitable in Upper and Lower Swell respectively based on their settlement character. The policy is consistent with Local Policy DS3 in managing small scale development in villages defined as ‘non-principal settlements’, which do not have defined Development Boundaries. The policy does not alter the ‘non-principal’ status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of the Development Strategy set out in Local Plan policy DS1. Additionally, the policy is also consistent with Local Plan policies DS4, EN4 and EN5 in managing development outside settlements in the wider natural and historical landscape of the area, which all lies within the Cotswolds AONB.
SSNP3	Housing Mix	This policy has two parts. Firstly, it updates Local Plan policy H2 by setting out the requirement to deliver affordable homes in line with the evolution of national policy since 2018 (notably the launching of the ‘First Homes’ affordable housing as a sale product. Secondly, it defines the baseline proportions of housing types (by size) to meet local needs as a refinement of Local Plan policy H1.
SSNP4	Principal Residence	There is no policy in the Local Plan relating to Principal Residence. However, the evidence base clearly identifies a need to address the adverse effect that the high proportion of second homes in the neighbourhood area has on access to market and affordable homes. As such, the policy seeks to tackle the issue in ensuring that the occupancy of new open market housing is as Principal Residency.
SSNP5	Specialist Accommodation for Older People in Stow	The policy intends to tackle the over-supply of age-restricted housing following two major such developments in the last decade, which has led to a noticeable change in the town’s demographic. In doing so, the policy refines Local Plan policy H4 which states that proposals for specialist accommodation for older people will be permitted provided that the development: ‘a. meets a proven need for that type of accommodation’. It is considered that such need has already been met in full over recent years, including the Local Plan period. As noted in Table A, the ‘predict and provide’

		approach is not sustainable in Stow, however, the policy does allow for one or more small schemes for households with a local connection, with a cap of a total of 40 units and/or dwellings over the plan period.
SSNP6	Health and Well Being	The policy encourages proposals to consider health and wellbeing, the environment, and the future impact of climate change in accordance with EN1 and INF3.
SSNP7	Land of North East of Stow	Although the current Local Plan does not require new housing in Stow on the Wold for the plan period, the policy will make a contribution to meeting housing needs in the District. Stow is classified as a Principal settlement in Local Plan policy DS1, and the Local Plan states in that ‘the Development Strategy guides future growth towards 17 Principal Settlements across the District ... selected on the basis of their social and economic sustainability, including accessibility to services and facilities.’ The allocation of approx. 170 homes will represent an increase of approx. 17% in the existing housing stock and, given their type and tenure mix, an increase in the town’s population of more than 20% in an attempt to turn around the 5% decline since 2001. In doing so, the proposal does not undermine the Local Plan Development Strategy of DS1 or the strategy for the town of S13 but instead makes a positive contribution to both. Its proposal to deliver a new business centre is consistent with EC1 in seeking to ‘maintain and enhance the vitality of the rural economy’, to enable opportunities for more sustainable working practices, including home-working, to support and improve the vitality and viability of the town centre and to support sustainable tourism in ways that enables the District to attract higher numbers of longer-stay visitors. It also accords with EC3 in that it lies ‘within the redrawn Development Boundary, where proposals for employment-generating uses on sites that are not currently identified as an established employment site will be permitted in principle’. Any office use of the centre (for the Town Council) will not be of a scale that undermines the town centre and so the proposal generally accords with EC8 as it will be ‘consistent with the strategy for the settlement’ per EC8(4) and consist with the tests of EC8(7). Its enabling of major public realm improvements to the town centre will deliver part of the S13 strategy and the tourism goals of EC10. As addressed elsewhere in the statement, and as detailed in Appendix F of the plan, it is considered the proposal is consistent with AONB provisions of EN5. It has also taken care to establish key development and design principles to ensure the provisions of its design, landscape, heritage and infrastructure policies EN2, EN4, EN7, EN10, EN11, EN12, INF3 and INF7 can be met at the planning application stage. In respect of the new community hub, the proposal accords with INF2(1) as all of the tests of that clause can be met by the scheme in this location, and with the proposed policy wording.
SSNP8	Stow Town Centre & Market Square	The policy complements and partially updates Local Plan policy EC8 to bring it up to date with the NPPF and the 2020 update to the Use Classes Order. The policy is also consistent in its definition of the Stow on the Wold Town

		Centre boundaries as the same area is defined as a ‘Key Centre’ in the Local Plan. Additionally, the Local Plan states that ‘options should be explored for improving the physical environment of the town centre, including moving car parking provision from the Market Square to a suitable location within easy reach of the town centre’, which the policy supports (and Policy SSNP7 enables) providing that it does not hurt the viability of the town centre.
SSNP9	Playing Field Facilities	The policy encourages the improvement of two existing important community facilities in accordance with Local Plan policy INF2.
SSNP10	Local Green Spaces	The policy designates nine Spaces in addition to those designated by EN3 and its wording is consistent with that policy and with the NPPF.
SSNP11	Stow and The Swells Design Code	The policy refines Local Plan policy EN2 and refines and works alongside the Cotswold Design Code by identifying local context and specific design features of the town and two villages in greater detail.
SSNP12	Non Designated Heritage Assets	The policy is consistent with EN12 in seeking to conserve non-designated heritage assets in the Parishes, which are identified on the Policies Map and in Appendix B.
SSNP13	Zero Carbon Buildings	There is no adopted strategic policy on this matter, but this policy is consistent with the Local Plan objectives of ensuring new development is of a sustainable design and maximises energy efficiency and with the broader climate change ambitions of the District Council.
SSNP14	Walking & Cycling in the Town	This policy is consistent with Local Plan Policy INF3 in giving a renewed emphasis to sustainable travel routes in the Parishes.
SSNP15	Vehicle Parking	The policy is consistent with INF5 which sets out the conditions for bringing forward new vehicle parking. Additionally, the Local Plan states that ‘options should be explored for improving the physical environment of the town centre, including moving car parking provision from the Market Square to a suitable location within easy reach of the town centre’, which the policy supports providing that it does not hurt the viability of the town centre.
SSNP16	Digital Infrastructure	The policy is consistent with Local Plan policy INF9 in requiring proposals to not have an adverse impact on heritage assets, the special landscape, or the scenic beauty of the AONB.

5.20 It is considered that all the policies are in general conformity with the strategic policies of the adopted development plan. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6. CONDITION (F): COMPATIBILITY WITH EU LEGISLATION

6.1 The requirements in respect of Strategic Environmental Assessment (SEA) have been addressed in Section 4 of this Statement. Suffice to say that the process for preparing the Sustainability Appraisal (incorporated the SEA) and the content of the respective reports has followed the requirements set out in the EU Directive 2001/42 as translated in the UK's Environmental Assessment of Plans & Programmes Regulations 2004.

6.2 The Councils has also met its obligations in relation to the habitat provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Councils provided CDC with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The CDC's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

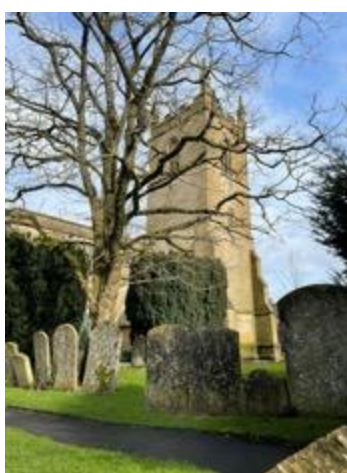
6.3 The Councils has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.

6.4 In respect of Directive 2008/98/EC – the Waste Framework Directive – the Neighbourhood Plan does not include any policies in relation to the management of waste, nor does the area include a waste management site. On that basis, this Directive is not considered relevant to the Neighbourhood Plan and therefore could not be breached.

STOW ON THE WOLD & THE SWELLS

Neighbourhood *Plan*

2023-2031



CONSULTATION STATEMENT

SEPTEMBER 2023

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Introduction

This consultation statement has been prepared to fulfil the legal obligations of the Neighbourhood Planning Regulations 2012 in respect of the Stow on the Wold and Swells Neighbourhood Plan 2023-2031.

The legal basis of this statement is provided by Section 15 (2) of part 5 of the 2012 Neighbourhood Planning Regulations, which requires that a consultation statement should:

- I. Contain details of the persons and bodies who were consulted about the proposed Neighbourhood Development Plan.
- II. Explain how they were consulted.
- III. Summarise the main issues and concerns raised by the persons consulted.
- IV. Describe how those issues and concerns have been considered and where relevant addressed in the proposed Neighbourhood Development Plan.

Neighbourhood Plan Consultation

Stow on the Wold Town Council, Swell Parish Council and the Neighbourhood Plan steering group have consulted with the local community during the course of the Plan preparation process, and the Neighbourhood Plan is based on the result of these consultations, which have included meetings, community barbecue, open days, newsletters and community surveys. Particular emphasis was placed on early community consultation to engage as wide a range of local people and interested parties as possible at the start, before any proposals were formulated. This raised the awareness of residents and businesses and ensured that their views and priorities could influence the plan from the outset.

Original Plan

During 2011, 2012 and the first half of 2013 a Neighbourhood Plan for Stow on the Wold was consulted upon and a draft was very close to publication, when, at the suggestion of Cotswold District Council, in August 2013 the plan was put on hold pending the outcome of a number of planning applications in the town. If all of the applications were to be approved the character of the town would be entirely changed and the Neighbourhood Plan rendered obsolete prior to its publication.

Current Plan

Community Consultation

A public meeting was held in March 2014 to inform the community of the pressing need to produce a new Neighbourhood Plan and establish a vision of what the community wanted for the future of Stow and the Swells.

After the meeting a steering group was formed. The group designed a comprehensive questionnaire for residents which was delivered to all households and businesses during August and September 2014 asking the community's views on a number of issues including planning, housing, sports facilities, traffic and on street car parking, education, health and wellbeing. In September 2014 a community barbecue with entertainment was held in the town square, free to residents in return for completion of the questionnaire. In November 2014 a public meeting was held at Stow Primary School seeking the views of parents, teachers and the children as to how Stow should look in the future and more questionnaires were distributed. Residents were able to respond about individual issues or all issues. The number of responses received was: Environment - 115, Health, welfare and community - 136, Traffic, parking and transport - 209, Planning and housing - 140, Education - 214, and general comments - 17.

The steering group analysed responses and in April 2015 community road shows were held at three locations in Stow and one in Swell parish to update residents with results from the questionnaire. The findings of the questionnaire and other surveys identified several development proposals and infrastructure projects within the town of Stow and the villages of Swell to improve their facilities. The steering group put together a list of proposals and preferred sites to address these improvements and during 2015 those land owners whose property could possibly be involved were approached and their permission sought to include the various pieces of land in the Neighbourhood Plan.

The following typifies feedback from within the community to a number of questionnaires and housing surveys: we must address 'the lack of affordable housing', we need to 'ensure that any new affordable housing is made available in perpetuity and then only to people who can demonstrate a local connection', 'any development should conserve and enhance the character of the parishes in a way that meets

townscape and AONB guidelines'. In response to these demands during 2015 and early 2016 discussions took place with interested parties within Stow and the Swells regarding the publication of a Design Statement or Code to regulate future developments and alterations and additions to existing properties within the Neighbourhood Plan area.

The views and opinions of many residents were sought as to the content of the Design Statement. Those consulted included local architects, members of the planning committees from both of the parishes, representatives of Stow and District Civic Society, local builders and residents of Stow and the Swells. The draft Community Design Statement was published in May 2016.

In parallel with the creation of a Design Statement, during 2015 and early 2016, at the instigation of Stow Town Council and the Neighbourhood Plan Steering Group and subsequent to a number of public meetings, a committee of volunteers was formed to set up a Community Land Trust with a view to facilitating the development of truly affordable housing and other developments within the Parishes to meet the identified needs of the community.

During The Stow Cotswold Festival, in July 2015, the Neighbourhood Plan Steering Group manned a stall in the Market Square informing the community and visitors to the festival of the progress of the Neighbourhood Plan and what lay ahead before the plan could be approved and adopted. In October and November 2015 at the behest of the Neighbourhood Plan Steering Group, Gloucester Rural Community Council carried out a further Housing Needs Survey in Stow. A questionnaire was delivered to every household in Stow and the results of the survey are available on the project website.

A survey was conducted with a questionnaire delivered to every household in October 2015 seeking the residents' views on "Play and Sports Facilities in Stow". Two further roadshows to discuss the results of the Housing Needs Survey and to announce the formation of the Community Land Trust were held in February 2016. Also in February a survey of every business within 250m of Stow Market Square was conducted to evaluate the daily on-street parking requirements for the managers and staff of all the businesses. In February and March 2016 a further survey was carried out to determine the on-street parking requirements of households within 250m of the Square. The results of each of these surveys are available on the website. At the same time a survey of the residents of The Swells was conducted via "The Swell Voice" to establish the support for a children's play area in the community. Support was so sporadic that the proposal has been temporarily shelved.

During 2017 a number of drafts of the Neighbourhood Plan were issued by the Steering Group with the final draft, version number 12, being adopted together with the Community Design Statement by both Stow Town Council and Swell Parish Council on 28th September 2017.

In 2019 a group of Neighbourhood Plan champions from across the community was established, whose members were briefed on the Neighbourhood Plan so they could support the steering group and help family, friends and neighbours to understand the issues. In March 2020 community consultations were held by means of a postal survey created by Gloucestershire Rural Community Council to identify residents' concerns and what they supported in the Neighbourhood Plan. 325 households returned the postal questionnaire, a response rate of 31.4%, or 37%, if the total number of households is discounted for second homes and holiday lets. In March 2020 public drop-in days were held to consult the community about possible development sites. 170 forms were completed.

During the summer of 2020 the Steering Group followed this up with detailed surveys and face to face interviews with residents and visitors to ensure the views of more young people and businesses were gathered about sport, leisure, community facilities, green spaces, access and parking.

In May 2022 a letter was sent to all households in Stow and Swell parishes to update the community on what they had asked for and what progress had been made. This was followed by public drop-in events to seek the community's views on potential development proposals. Responses received 214.

Main issues and concerns raised as a result of non statutory community consultations

- Concern that the unique townscape and environment of the town, parish and AONB should be conserved and enhanced and not spoilt by inappropriate development.
- The need for truly affordable housing for local people.
- Concern regarding the development of too many assisted living/care units.
- The need to maintain and develop the town's economy.
- The desire for a new leisure/community centre including a youth club.
- An identified need for additional sports and leisure facilities for young e.g. adventure playground, skate/BMX Park, etc.
- A desire for a town museum.
- The critical need for more parking close to the town centre, better access to public transport and a reduction in the impact of through traffic especially HGVs.
- A desire to reconfigure the market square re-establishing it as the focal point of the town and make visiting it a more enjoyable experience for residents and tourists alike.
- A desire to achieve a balance between social, environmental and economic sustainability.
- Support for the development needed to address current threats to sustainability.
- A desire to achieve a sustainable social and economic future for Stow and the Swells.

Statutory Consultation

The six-week Regulation 14 statutory consultation for Pre-Submission Draft Neighbourhood Plan took place from 6th February to 20th March 2023.

Some bodies must be consulted if a draft Neighbourhood Plan proposed development that could affect their interests. These are known as **statutory consultees** and include the county council, district council, Environment Agency, English Heritage and Natural England. These were consulted, together with neighbouring parish council, the Cotswold National Landscape Board and other agencies and authorities. Responses were received from the following statutory consultees and land interests:

- Gloucestershire County Council
- Cotswold District Council
- Swell Parish Council
- Broadwell Parish Council
- Mangersbury Parish Council
- Oddington Parish Council
- Newlands of Stow
- Cotswold National Landscape Board
- Natural England
- Ward District Councillor Dilys Neill

The wider public must also be consulted, and residents were encouraged to participate with a letter drop to all households in the Neighbourhood Area. The consultation was further publicised with banners placed on Stocks Green in the centre of Stow and on the Shrubbery on the A436 Sheep Street, as well as posters around the Neighbourhood Area, on Council's website and social media. Four drop-in sessions were held, two in Swell parish and two in Stow. Draft plan documents were made available at the drop in sessions and at various locations in the Neighbourhood Area.

The consultation generated significant interest in the town and the surrounding rural areas, most notably in respect of its main housing development proposal to the northeast of the town. The comments highlighted the differences of opinion on the future role and function of Stow, but a large number were submitted by residents of Broadwell village using a template letter. Most do not support the proposed vision, but this runs counter to the views expressed by Stow residents and businesses earlier in the project.

The exercise has served to make such views clearer, now neighbouring settlements have had the opportunity to engage with the project in a more formal way. But it has not led to new factors of technical substance coming to light that would warrant the deletion of that proposal from the submitted Plan.

More generally, the policies have been roundly supported by most or all parties, albeit with suggested improvements to some policies and their justification. Its green infrastructure, heritage, primary residence and zero carbon buildings policies have been especially well supported. It was therefore considered that the Plan could proceed to submission and examination with some modifications made to the text and maps to improve their meaning, to make corrections and to address omissions.

Analysis

Analysis of responses by location and number of points made

The table below provides information on the total number of responses received to the Regulation 14 Consultation. The responses are broken down into the area the respondent indicated they lived and how many comments they made in their response. It does not indicate whether the respondent replied in a positive or negative manner.

Number of respondents - Total	305	
Number of Statutory Consultee responses	10	3.20%
Number of respondents - Stow	108	35.40%
Number of respondents - Swell	18	5.90%
Number of respondents - Broadwell	67	22.00%
Number of respondents - Elsewhere/Unknown	102	33.40%

How many points were made by respondents	0 point	1 point	2 points	3 points	4 points	5 points	6 points	7 points	8 points	9 points	10 points	10+ points	
Number of respondents - Stow	3	19	13	18	16	7	13	8	6	1	0	4	108
Number of respondents - Swell	0	1	1	2	2	3	1	1	2	0	0	5	18
Number of respondents - Broadwell	0	1	4	7	7	11	6	12	14	0	3	2	67
Number of respondents - Elsewhere/Unknown	1	11	13	17	18	21	7	6	5	1	1	1	102

Percentage of respondents inside Neighbourhood Plan Area (Stow on the Wold and Swell Parish)

Stow on the Wold residents and Swell Parish Council residents = 41.3% of the total respondents

Broadwell residents and people from surrounding villages, as well as any anonymous respondents = 55.4% of the total respondents

Analysis of points made by respondents

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
Pro	Pro new car park as long as it is free. Pro new car park but needs to be adequate for all new uses in the development including residents. Car park must be available before the housing is occupied. (SsNP7)	23	19	1	1	3
Pro	Pro Square café culture	7	4		1	2
Pro	Pro Design Code	5	1	2	1	1
Pro	Pro co-working spaces etc (SSNP7)	5	2			3
Pro	Pro affordable housing element	25	18		2	7
Pro	Like principal residence requirement but question enforceability. Unproven elsewhere. New conveyancing document suggested.	25	15	6	1	5
Pro	Pro development (SSNP7)/Neighbourhood Plan.	28	24	1		3
Pro	Pro ban on more old-age housing.	12	6	4	2	

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
	Should be distinction between care homes and retirement homes.					
Pro	Pro zero carbon	1			1	
Size & location of development	General feeling development is too big. Will overwhelm the town. We don't need that many houses. Where are the people going to come from? Too many affordable houses, not needed. Only 37 needed. Small developments of say 6 homes. 70% social rented is too high – would mean importing poor people to Stow. Likely to increase older residents and second homes. Question affordability and lack of social housing. Affordable should be more than 50%. Should be no market housing. Reduce size of development if Bayhill application permitted. (SSNP7)	176	50	12	38	77
Size & location of development	New development should be integrated into the community	1	1			
Size & location of development	Use existing buildings, not build more, e.g. Brio.	12	7	2		3
Size & location of development	Consider Bayhill proposal or smaller brownfield sites. (SSNP7)	18	6		6	6
Traffic	Didn't like the fact it was using the Broadwell turnoff – concerns that Broadwell would become busier from local traffic, also Donnington and Oddington. Narrow and dangerous roads. Not safe for pedestrians. No public transport. Want discussions with Tesco re access. (SSNP7)	69	10	3	38	18
Traffic	Fosseway busy enough as it is, didn't like increase in traffic. Gridlock now. 109%	160	42	10	40	68

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/ Unknown
	capacity according to a report. Fumes and stationary traffic. (SSNP7)					
Traffic	Estate needs two vehicle entrances. (SSNP7)	2	1		1	
AONB & environment	Not appropriate in AONB. Impact on AONB and the setting and character of Stow. Will spoil Stow's historic charm and turn it into a suburban nightmare. Site considered not suitable in Local Plan. Effects on environment. (SSNP7)	127	25	4	32	66
AONB & environment	Concerned about light pollution and dark skies. (SSNP7)	6				6
AONB & environment	Urban sprawl between Stow and Broadwell not wanted. (SSNP7)	4	2		1	1
AONB & environment	Concerned about loss of green belt, agricultural land, historic hedgerows and trees. (SSNP7)	28	6		13	9
AONB & environment	STOW13 should include rainwater capture	1	1			
AONB & environment	Against Design Code regarding "Suburban".	1			1	
AONB & environment	Concerned about impact of development on the Wells – water supply and visual impact. (SSNP7)	5	3		1	1
AONB & environment	Concerned about impact of development on wildlife. There are badgers on the field. (SSNP7)	1	1			
Infrastructure, flooding	Concerns about overloading the infrastructure, e.g. school, doctors, broadband, water, electricity. (SSNP7)	114	25	4	32	53

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
Infrastructure, flooding	Concerns about overloading the sewage system and where it was going to go to, also rainwater. (SSNP7)	60	5	0	32	23
Infrastructure, flooding	Concerns the development would exacerbate flooding in Broadwell and elsewhere. (SSNP7)	25	0	0	19	6
Infrastructure, flooding	Against cycling provision requirements because cycling is too dangerous here and the requirements are overly burdensome.	5	1	3		1
Infrastructure, flooding	Wants disabled people at heart of plan.	1				1
Level of need	No need for affordable housing in Stow as there is plenty in Moreton, Bourton, Upper Rissington, etc.	16	2		8	5
Level of need	Community facilities including car park not needed. Wrong location for community facilities. Who will pay? Charge for town centre parking and make Mangersbury Road car park free. (SSNP7)	49	17	1	10	21
Level of need	Insufficient decent employment opportunities in Stow for residents of a large development. (SSNP7)	10	2		3	5
Level of need	Lack of employees	2	1			1
Level of need	Stow is too busy already and too focussed on tourism. Stow is not a dying town. (SSNP7)	6	4			2
Parking	Concern that pedestrianisation of the Square would remove too many parking spaces. Square serves residents and surrounding villages. Provision for local residents and short stay parking needed. Free parking essential.	50	12	4	12	24

Category	Comment	Number of responses	Stow	Swell	Broadwell	Other/Unknown
	Concerned about loss of town car park next to Tesco. Death knell for businesses. Local businesses should have a say.					
Parking	Overall parking strategy needed.	7	6			1
Parking	SSNP15 should apply to new business uses too (off street parking requirements).	1				1
Concern	Doubts about delivery of affordable housing and community facilities. Proposals could be altered to benefit developers. If in NP, CDC will have difficulty turning down an application for outline consent. (STOW7)	16	9	3	1	3
Concern	Anti over-zealous zero carbon and EV charging virtue signalling	3		3		
Concern	Concerned about holiday lets and second homes.	5	2	1		2
Concern	Question whether affordable housing will be locally affordable. (STOW7)	11	8			3
Other	Fosseway Farm site should be identified as a Non Designated Heritage Asset	3		3		
Other	Wants a public meeting	1	1			
Other	Object to no more homes for older people.	1	1			
Other	Views of surrounding villages have not been considered.	2			1	1
Other	Only 11% of residents responded to site consultation. (SSNP7)	6	1		5	

Commentary and Response

The representations fall into the following main categories:

- Concerns regarding the size and location of the proposed development, including questioning the need for so many affordable homes and market housing, and questioning the affordability.
- Concerns regarding additional traffic, both on the Fosseway, and through Broadwell village.

- Concerns regarding sewage and flooding from the proposed development.
- Concerns about the effects on the AONB, landscape, and setting and character of Stow.
- Concerns about overwhelming the infrastructure.
- Concerns about loss of parking in the Square and questioning the need for a new car park in the proposed location.

A significant number of representations recognised both positive and negative aspects of the Plan. The comments highlighted the differences of opinion on the future role and function of Stow, but a significant number were submitted by residents of Broadwell village using a template letter. Most do not support the proposed vision, but this runs counter to the views expressed by Stow residents and businesses earlier in the project.

The concerns about infrastructure, traffic, sewage and flooding are recognised but are outside the scope of a Neighbourhood Plan. These issues would be dealt with by the respective authorities as statutory consultees in any planning application process.

Below is a more detailed analysis of the comments received under each Plan policy and the response.

Please note the policy numbering format has been changed from STOW# to SSNP# as recommended by Cotswold District Council.

Policy SSNP1 The Stow on the Wold Development Boundary

Cotswold District Council (CDC) highlights that the policy duplicates Local Plan Policy DS2 and that the site allocation in policy SSNP7 should be drafted within the development boundary to meet the Basic Conditions.

It is considered that the settlement boundary includes the site allocation in policy SSNP7 but its wording remains unmodified. It is noted that many NPs that have deferred to Local Plan wording in the way suggested have been rendered out of date if the Local Plan to which they have deferred has been deemed out of date (as per NPPF §11). To avoid this it is vital that the policy wording of DS2 is replicated in the event that NPPF §14 is engaged in decision making.

Changes made in response:

Policy SSNP1, para 5.6 – The final sentence has been changed to, “The Boundary shown on the Policies Map has been modified to reflect ... the site allocation in Policy SSNP7 in accordance with Local Plan policy DS2”. Policies Map and Insets – The map showing the Development Boundary has been modified to encompass the site allocation in Policy SSNP7 in the Development Boundary.

Policy SSNP1, para 5.7 – The following new sentence has been added: “The wording of policy DS2 is repeated so that Policy SSNP1 can operate independently of DS2 if the weight attributed to that policy is undermined by an out of date Local Plan or a failure by CDC to maintain a sufficient supply of housing land.”

Policy SSNP2 Development in the Swells and the Countryside

Cotswold District Council considers the distinction made in the policy to be inconsistent with Policy DS1 of the Local Plan as “The Local Plan’s development strategy actively avoids listing non-principal settlements, such matters are considered on a case-by-case basis” (our emphasis).

It is considered that the policy should remain unmodified but that some additional explanation is provided in the supporting text. It is not considered there is an inconsistency in the policy stating an observable reality in the different settlement character of the Swells that will enable a clear application of the criteria of DS1 to

proposals in each settlement – in effect resolving any uncertainty of ‘a case-by-case basis’ for applicants and CDC alike. The policy makes no attempt to alter the status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of DS1.

Changes made in response:

Policy SSNP2, para 5.8 – The following has been added: “For clarity, the policy does not alter the ‘non-principal’ status of either settlement, nor sets any precedent for modifying or undermining the strategic intent or meaning of the Local Plan’s Development Strategy as set out in policy DS1. The purpose of the policy is to provide certainty for applicants and CDC in clarifying the types of development that are suitable in each settlement based on their settlement character.”

Policy SSNP2, para 5.9 – The following has been added (new text in bold): “...this policy rules out those proposed only under its clause (e) as being of exceptional quality, as it is considered there is no location in the countryside of the area where its immediate setting would be enhanced rather than harmed by such a proposal, **which no level of architectural quality could redeem. It does not prevent proposals coming forward seeking to benefit from other clauses in NPPF s80.**”

Policy SSNP3 Housing Mix

CDC, Newlands of Stow and Maugersbury Parish Council advises that the policy should be modified to correct the % provisions in respect of First Homes and offer more flexibility to account for housing allocations of varying housing numbers to which the percentages are not mathematically achievable, and to take into consideration viability, changing circumstances and evidence. The Cotswolds National Landscape Board recommends that the policy proposes 50% affordable housing for housing development of five units or fewer (ideally for two units or more).

It is considered that the supporting text should explain how the policy should be interpreted and applied to clarify that the percentages specified can vary slightly to accommodate housing allocations of varying sizes and to take account of changing circumstances. It is noted that the SSNP area will not likely see a significant scale of change beyond what is planned for now, so it is important these provisions are in place. In that regard there is no indication from land interests that this housing mix will be unviable. It is also considered that no modification should be made to the overall percentage of affordable homes, as the SSNP does not present evidence to support a departure from the 40% provision of strategic policy H2 of the Local Plan, but that the mix should be modified to show: 30% First Homes, 11% other affordable home ownership tenures, 14% affordable rent and 45% social rent.

Changes made in response:

Policy SSNP3: Housing Mix – Clause A is amended to read:

“Within the Stow on the Wold Development Boundary proposals for residential development schemes of 6 or more dwellings will be required to deliver at least 30% of the dwellings (rounded as necessary) as First Homes made available at a minimum 50% discount and at least 15% as other affordable home tenures to be evidenced in a housing need assessment and to be delivered within the scheme. Proposals that seek to maximise opportunities for new open market and affordable homes to be made available to persons with either a local connection to the Neighbourhood Area and its immediate surroundings or persons that are defined as key workers will be especially supported.”

Policy SSNP3, para 5.11 has the following additional text: “Applicants should take into account that report and any later such evidence as circumstances may change during the plan period. Proposals with a number of dwellings that does not break down in whole units against the percentages specified in Clause A and B

may need to adjust the percentages marginally. However, applicants should accommodate the percentages specified in Clause A and B to the furthest extent possible.

Policy SSNP3, para 5.12 has the following additional text: “The policy especially favours proposals that will make provision for key workers (as defined by CDC’s adopted Affordable Housing SPD) and that can show they will appeal to, and be marketed at, local households as part of CDC’s housing allocation process.”

Policy SSNP4 Principal Residence

CDC raises a number of issues with the policy, included that there is a lack of evidence supporting the policy, that Stow as a Principal Settlement should accommodate non-principal residency uses to meet the district housing needs if land were to be allocated for housing and that it would be difficult to enforce action to ensure that the policy is being adhered to. It also sets out other, non-policy approaches to address this issue and provides Council Tax data showing no increase in second homes over the last decade.

The evidence base has been reviewed and more recent Census data searched, with the SEA testing the adverse social effects of leaving the matter to the market. It is considered that this policy can be justified, and it noted that the representations received from the Cotswolds National Landscape Board and a significant number of residents of Stow were supportive of the policy and/or highlighted Second Home ownership as an issue in relation to housing availability and affordability in the town. It is known that the experience of some other LPA areas indicates that this type of policy is signalling sufficient intent to have the desired effect without enforcement action being necessary.

Changes made in response:

Policy SSNP4, para 5.17 has been amended to read:

“The Housing Needs Assessment cited 2011 Census data showing 17% of the housing stock was second homes. The 2021 Census data is not yet available but will only but is likely to show the same problem, combined with the increase in AirBnB-type listings (30-40 no. on average), in line with, or perhaps at an even greater rate, national rates in desirable rural areas like Stow and Swell. With the allocation proposal of SSNP7 creating a generational opportunity to change the town’s housing stock, and alongside the provisions of SSNP4 and SSNP5, its housing supply cannot be undermined by second home ownership.”

Policy SSNP5 Specialist Accommodation for Older People in Stow

CDC and Mangersbury Parish Council suggest that the policy is reworded or expanded to aid its clarity and to ensure its definitions match those of Local Plan policy. It is agreed that the policy and supporting text should be modified to this effect.

Newlands of Stow is promoting a proposal to extend its existing facility on Evesham Road to deliver 25 additional assisted and independent living homes with a rehabilitation suite and other communal and community facilities. It therefore objects to this policy on the basis that it is unnecessarily restricting the supply of specialist accommodation in the plan period and proposes that the SSNP allocates the land at Evesham Road for this purpose.

It is considered that the policy should not be deleted and the land should not be allocated in the SSNP. The objector asserts that the policy is inconsistent with national policy and will not contribute to achieving sustainable development. The rationale for the policy is explained in its supporting text and evidenced in the Housing Needs Assessment report. Whilst national policy does encourage plans to make provision for an aging population, plan makers must also consider how such provision has already been made, especially in

the recent past in a place like Stow. It is considered reasonable for the policy to work in combination with other SSNP policies to favour the correcting of this housing stock balance as a vital part of the town's vision of a wider demographic profile of the town. It is further noted that case law has made clear that the basic conditions must be considered in the light of the SSNP as a whole, and not policy by policy. Irrespective of any merits of the proposal, a new site cannot be allocated in the SSNP at this stage without requiring another Regulation 14 consultation period; it is noted that the scheme being promoted may in any event be consistent with the policy.

Changes made in response:

Policy SSNP5: Specialist Accommodation for Older People in Stow – The policy has been amended to read: "Proposals for specialist accommodation for older people falling within classes C2 or C3 of the Use Class Order, including sheltered and extra-care housing, care homes and other appropriate models of accommodation for the elderly and those with particular needs, will not be permitted unless:

- they are of a small scale and are delivered as affordable housing for households with a local connection; and
- they deliver no more than a total of 40 (C2) units and/or dwellings (C3) of this type over the plan period."

Policy SSNP5, para 5.18 has been amended to read:

"The policy is intended to slow down the supply of age-restricted housing in Stow for the plan period by confining such schemes to those of a small scale linked with the plan's affordable housing objectives and by placing a cap on their total number. Although national policy encourages planning for an increasing demand for such accommodation to meet the needs of an aging population, it does not take into account those places like Stow that already have an over-supply and where such an approach will only exacerbate the problem."

Policy SSNP5, para 5.22 has amended to read:

"However, the town has benefited from almshouse-type schemes in its past as a means of providing genuinely low cost housing for people who have a local connection, as defined by CDC. The policy therefore provides an exception for minor schemes – defined as 9 or fewer C2 units and/or C3 dwellings of this type (per the definition of minor development in national policy). However, it requires such proposals to be only almshouse-type schemes for elderly person households relocating from within the Town or Parish or from a Parish that immediately adjoins the Neighbourhood Area. And it caps the total number units and dwellings of this type that are provided to 40 over the plan period to avoid a higher number of incremental proposals whose cumulative effect may otherwise undermine the vision of the Neighbourhood Plan.

Policy SSNP6: Health and Wellbeing

CDC suggests that the policy is reworded or expanded to aid clarity. Additionally, CDC and Cotswolds National Landscape Board recommend that the policy should refer to Natural England's Green Infrastructure Framework. It is agreed that the policy and supporting text are modified to this effect.

Changes made in response:

Policy SSNP6 – the following has been added as a new item in the bulleted list:

"deliver on site Green Infrastructure that meets Building with Nature standards and the principles set out in Natural England's Green Infrastructure Framework as relevant to the nature, scale and location of the proposal"

Policy SSNP6 – new text (shown in bold) has been added to the fifth bullet point as follows:

“for major housing development schemes **as defined by NPPF §177**, include publicly shared outside green, play and allotment space and sympathetic landscaping including appropriate native trees which screen the development from distant views”

Policy SSNP7: Land North East of Stow

CDC has made a number of comments on this policy. They can be summarised:

- The SA/SEA should fully test meeting housing need elsewhere as a ‘reasonable alternative’
- More consideration should be given to a hybrid option of no scheme on this land and some affordable housing being delivered on smaller sites in the SSNP area as well as outside the SSNP area
- The evidence in support of demonstrating the scale of affordable need and the need for new homes, parking and community hub at Stow appears insufficient to support a proposal of this scale
- The hub specification in Appendix C refers to office and retail uses that are not appropriate on a non-town centre site and may generate many short trip car journeys
- The provision of the car park and community hub on the northern boundary of the site is peripheral and may undermine the goal of encouraging their use as a town centre substitute
- There is no evidence to support a scheme coming forward on the SSNP land alone, with no viability dependence on the land outside the SSNP area – the option of redesignating the SSNP area to include at least the land in Broadwell Parish should be explored as a future Local Plan is unlikely to allocate that land
- The landownership and delivery model for the public car park and community hub should be explained
- The requirement for a 20% biodiversity net gain should be evidenced
- Appendix E should incorporate the Cotswold National Landscape Board (CNLB) ‘major development checklist’ to show how the balancing of benefits and harm has been undertaken

The CNLB and a significant number of representations from residents of Stow and nearby parishes object to the policy on the basis of its location on the high wold plateau in the Cotswolds AONB. GCC recommends that the Battlefields Trust is consulted as the location of the Stow Battlefield is uncertain, and if it is located near the site, it could potentially be considered of high significance.

Swells Parish Council has significant reservations – it considers the need for the number of new homes has not been proven, it does not believe that the developer will deliver the proposed benefits and notes that the site has previously been dismissed for allocation by CDC. It supports the need for ‘genuinely’ affordable homes and suggests a smaller affordable housing only scheme on this land, with the other benefits being delivered on alternative sites.

A significant number of representations were received from residents of Broadwell Parish who expressed concern over the potential effects that the proposed development would have on the surrounding landscape and the views from Broadwell Parish. Oddington and Broadwell Parish Councils and a significant number of representations from residents of Stow and the nearby villages have expressed concern for the traffic impact that the site allocation may have on the local road network, and in particular on Fosseyway.

Oddington and Broadwell Parish Councils and a significant number of representations from residents of Stow and nearby villages raised concern that the infrastructure such as schools, health care facilities, drainage and sewerage would not be able to support the proposed additional residential housing. Mangersbury Parish

Council and a number of representations from residents of Stow and nearby villages raised concern that a new community facility is not needed as existing community facilities are underutilised.

The land promoter – Bloor Homes – has confirmed it supports the policy (and other related policies of the SSNP) and considers it will be viable to meet all of its provisions.

This policy was likely to draw most attention from the statutory bodies and the local community during the consultation period. The range and number of comments made have demonstrated this to be the case. Ultimately, however, none have identified issues that were not already known and taken into account in the decision to propose this policy. It was and remains a finely balanced decision, weighing the benefits of new homes (not just affordable), public parking/town centre public realm improvements and a new community hub on the one hand, with the adverse AONB landscape effects on the other.

Clearly, there are many local residents, including those in neighbouring villages, that are only perceiving landscape and traffic downsides of the proposal and are sceptical that any beneficial needs are real or that they will be delivered and have the desired outcome. A number – including CDC itself – have also seen the recent speculative housing proposal made recently by Bayhill on Oddington Road, which has been promoted by the developer as an antidote to the SSNP, as a better option. Some support the principles of improving public car parking capacity and/or the new hub but do not support the scale of housing development necessary for the cost of doing so to be met from private rather than public sources. But most state or imply that they would prefer the town to remain as it is. It is also noted that the vast majority of those objecting to the policy – and many of those using a template response – reside in neighbouring villages and not in Stow.

In respect of the Oddington Road proposal, it is considered this is an attempt to undermine the plan-led system by the land interest, having not secured an allocation in the draft SSNP. Had the location been considered suitable for housing and to deliver the other necessary community benefits then it may have been preferred. But it was not, precisely because of its remote location relative to the town, which ruled it out from being a practical option, and its greater exposed position within the AONB landscape and Conservation Area setting. It is considered the Town Council can make a robust case to CDC that the proposal should be refused as it does not benefit from the Local Plan Policy H3 criteria and would prejudice the making of the SSNP (as per §49/50 of the NPPF).

The position of Swells Parish Council is unfortunate as a partner in the SSNP project. Its reservations about delivery have been thought about and it is considered the need for, and value of, the benefits of the proposal have been well-evidenced by the Town Council over the last few years. Its alternative was explored during the site assessment process, as described in Appendix F of the SSNP. There appears to be no practical or viable alternative to delivering the town's vision across a range of smaller sites without significant public ownership, public funds and/or compulsory purchase, which the Parish Council recognises.

There are technical, process issues that CDC and CNLB have focused on. Essentially, they relate to the evidence base being proportionate but sufficiently robust to support this type of site allocation policy in a neighbourhood plan: are the intended upsides justified by the evidence and have the downsides being properly understood? Both bodies acknowledge the case that has been made and neither has objected to it, although they accept that they would not strike the planning balance in the same way as the Town Council. But both need greater convincing that it be successfully argued at examination, and it is agreed this effort should be made, by working with the land promoter, and with AECOM on the final SA/SEA, to provide as much as possible within the time available.

Inevitably, it remains a political judgement for the Town Council to decide if it wishes to retain this proposal in the SSNP. Its vision of a future sustainable town hinges on the proposal being retained, although a version of the plan without the proposal can proceed to examination, albeit with modifications to the vision,

objectives and some other policies. Its community engagement activities with town residents since 2018 have given it the confidence to pursue this vision and in this specific way, having preferred this site to the Oddington Road option in the 2022 survey. But such activities are rarely conclusive, and statutory consultations like that just completed tend to be used more by objectors than supporters. It remains for the Town Council to judge the likely outcome of a referendum of the SSNP with this policy retained.

In summary it is considered that the policy should be retained but modified as necessary.

Changes made in response:

Policy SSNP7, clause A – the words “residential-led” have been deleted from the first sentence.

Policy SSNP7, Clause A – additional text (shown in bold) has been inserted into the first bullet point as follows:

“A housing scheme of approx. 170 homes comprising approx. 100 open market homes **(of which at least 5 plots should be provided as serviced plots for self-build or custom build homes)** and approx. 70 affordable homes;”

and the bullet points have been re-ordered.

Policy SSNP7 – To correct a typographical error, clauses D to J have been renumbered C to I.

Policy SSNP7, clause C has been amended so that the first sentence reads: “The public car park scheme shall be located within the site in a way that minimises the walking distance to the town centre and that fits well with the layout of the adjoining housing and community hub schemes.”

Policy SSNP7, clause C – the following sentence has been deleted: “It shall be constructed and made available for operation prior to the first occupation of the housing scheme.”

Policy SSNP7, clause D – the following sentence has been deleted: “It shall be constructed and made available for operation prior to the first occupation of the housing scheme.”

Policy SSNP7, clause D – the following text has been added: “The building form, its noise attenuation measures and its hours of operation should be designed in a way that will protect the amenities of nearby residential properties but that will also enable the facility to be accessible and functional to meet a wider range of community needs during the daytime and evenings and on weekdays and weekends.”

Policy SSNP7, clause E – minor change referencing the Parks Estate Character Area in the Design Code.

Policy SSNP7, clause G – The first sentence has been amended to read:

“The transport strategy shall seek to discourage traffic generated by the housing, public car park and community hub schemes from travelling east on Broadwell Lane towards Broadwell village.”

Policy SSNP7, clause I – has been amended to read as follows:

“Proposals should be made in the form of a comprehensive planning application and must include:

- an illustrative masterplan that defines the land uses and sets out the key development principles for access, layout and design;
- a delivery plan setting out how the community hub and public car park schemes and supporting infrastructure will be secured and delivered, with the requirement that a planning obligation is agreed to require both schemes are delivered and available for operation before the final occupation of the housing scheme (excluding the self-build element) at the latest;

- design features that improve energy efficiency and reduce carbon dioxide emissions; and
- a proposal for how the scheme will manage any future identification of any part of the land as having heritage value as a battlefield site.”

Policy SSNP7, para 5.25 – has been amended to read as follows:

“5.25 This policy allocates land on the north-eastern edge of Stow to deliver a new building to support community and business uses and additional public car parking, together with a housing scheme that will enable the delivery of both of those benefits. It is an essential component of delivering the vision for the future success of the town as a package of measures with policies SSNP3 and SSNP4 and a concept masterplan is shown in Plan D below.”

Plan D – Land East of Fosse Way, Draft Indicative Layout (Bloor Homes) has been added on the following page.

Policy SSNP7, para 5.26 – The following sentence has been deleted: “The developer has brought forward the outline proposals to date on the basis that a planning application would be made for all the land should the Neighbourhood Plan be made with this allocation policy.”

SSNP7, para 5.27 – The following additional text has been added (new text in bold): “A small part of the site – its south-western corner – lies within the Conservation Area and **part may also lie within land defined as having heritage interest on the periphery of the site of the Battle of Stow. New evidence to determine the full extent of the battlefield came to light during the consultation on the Plan but the matter remains uncertain (see the Heritage Assessment technical report in the evidence base for more information). This may be resolved by the time a planning application is made to deliver the allocation, for which purpose clause I(4) has been added to the policy.**”

SSNP7, para 5.28 – The following additional text has been added:

“The concept plan shown in Plan D is for illustrative purposes only at this stage; there are a number of different ways in which the scheme components and on-site mitigation measures can be planned and this will be done at the planning application stage.”

SSNP7, para 5.30 – paragraph deleted and the text has been incorporated into para 5.32, see below.
SSNP7, paras 5.31 and 5.32 have been renumbered 5.30 and 5.31.

SSNP7, para 5.30 – the following text has been added before the last sentence: “The Town Council is seeking to relocate from its current inadequate facility in the town centre to the building, hence its provision for some office accommodation, and at this scale it is not considered to undermine the ‘town centre first’ principle. Similarly, it is possible that the hub may include a café facility, but this would be ancillary to the main uses of the building and not a separate, standalone facility.

SSNP7, para 5.31 has been deleted and replaced with the following:

“The provision of a new public car park is another essential public benefit justifying the allocation of the land. It will enable the relocation of spaces out of the Market Square (see Policy SSNP8) to allow for public realm improvements, as well as to increase capacity for those that work in the town as well as visitors. Although utilisation data is dated, it indicated that parking capacity in the town was negligible at most times – new research has been commissioned but it is not considered that it will conclude anything other than capacity being an even greater problem. Once completed, the Town Council will endeavour to work with the District and County Councils in agreeing a parking strategy across the whole town to ensure the new capacity is operated as efficiently as possible. Its precise location will be proposed in the planning application but the policy requires that it balances securing the most convenient location to encourage walking to the town

centre with accommodating its access from Broadwell Lane in a way that fits with the grain of the final scheme layout.

Policy SSNP7, para 5.32 – new paragraph inserted to read as follows (new text shown in bold, rest of text moved from original para 5.30):

“5.32 The housing scheme serves two purposes. Firstly, it makes the land available from its private owner for the community and car park schemes and the developer will fund the delivery of both schemes. There is no suitable public or other private land available for these purposes and no public funds to deliver them. Secondly, although the current Local Plan requires no new housing supply from the town for the plan period, it will make an important contribution to enabling the ever-aging demographic character of the town to be arrested with a scale of new, genuine affordable housing not seen in the town for many years. The policy proposes a tenure mix that differs from the mix proposed in Policy SSNP3 in order to deliver on the community’s desire to see a significant uplift in the number of socially rented homes built in the town on this the largest scheme.”

Policy SSNP7, para 34 – new paragraph inserted to read as follows:

“5.34 The policy requires that any planning application that wishes to benefit from its support must be comprehensive in covering all of its elements and must set out precisely how and when the community and parking schemes will be delivered. This reflects the fact that the housing scheme must enable their timely delivery, leaving no prospect that it will be built out and occupied before they are secured and able to operate. This will be done through a planning obligation, which will also secure other elements of the policy, for example its affordable housing. The land interest has confirmed that this approach is reasonable and acceptable and that the project is small enough to be completed in one phase comprising all its elements. In which case, it is not considered neither necessary nor reasonable for the policy to require the delivery of those schemes any earlier than before the housing scheme is completed and occupied.”

Policy SSNP8: Stow Town Centre & Market Square

CDC is supportive of the policy but suggests the Policy Map is made clearer in defining the Town Centre and Market Square. Oddington and Broadwell Parish Councils expressed concern that a reduction of space in the Market Square dedicated to vehicle parking could deter residents of nearby villages to use Stow for services which could damage the commercial viability of those services.

It is agreed that the Policy Map Town Centre Inset should be modified as it does not identify the Market Square area within the Town Centre and is mislabelled. No other modifications are considered necessary. The policy (clause g) requires that the number of vehicle parking spaces lost cannot undermine the commercial viability of the Market Square (though some additional wording to §5.39 could add further explanation). It is noted that a new public car park will be provided by policy SSNP7 which will reduce the need for town centre employees and long stay visitors to rely on parking spaces in the Market Square during the daytime.

Changes made in response:

SSNP8, para 5.39 has been amended as follows. New text is shown in bold.

“5.39 The policy also encourages the use of upper floors by refining Local Plan Policy EC8 to acknowledge the challenges of doing so in an historic environment and makes provision for the relocation of some parking spaces to the new public car park to be delivered by the allocation in Policy SSNP7. This responds to the steer of Local Plan Policy S13 to improve the public realm of the Market Square. Detailed proposals have not yet been drawn up, but the principle has been a feature of the community engagement activities. Many spaces are occupied by those working in the Town Centre (and having to drive from well beyond the town to

access affordable housing) and the opportunity to relocate some spaces will enable public realm improvements to reduce the effect of vehicles in this special space. **The policy requires that number of spaces to be relocated strikes the balance between securing this benefit and maintaining sufficient spaces for visitors/customers of the Market Square shops and services.”**

Policy Map and Insets – The Stow on the Wold Town Centre Inset Map has been amended to show the outline of the Market Square separately within the Town Centre outline.

Policy SSNP9: Playing Field Facilities

Cotswold National Landscape Board supports the policy but recommends that the policy takes into account relevant guidance and standard relating to dark skies and artificial light. It is agreed that the policy and supporting text are modified to this effect.

Changes made in response:

Policy SSNP9, clause A – has been amended to read as follows in order to avoid ambiguity:

“A. Proposals to upgrade, extend or replace the pavilion facilities at Queen Elizabeth II Field, as shown on the Policies Map, will be supported provided that the resulting building is no larger than 150% of existing floorspace and, if a replacement, it is located on or immediately adjoining the existing building footprint and its massing and height will not undermine the open character of the Local Green Space.”

Policy SSNP, para 5.40 has been amended as follows to avoid ambiguity:

“5.40 This policy responds to a desire to improve these important community facilities on the western and eastern edges of the town respectively. The playing fields are proposed as Local Green Spaces in Policy SSNP10 but in each case it is considered possible to extend the existing building (at QEII if kept to no more than half the size again, i.e. 150% of the existing pavilion) or to erect a new building (at King Georges) without harming the open appearance or function of those spaces.

Policy SSNP9, a new paragraph, para 5.41 has been inserted as follows:

“5.41 Proposals need to comply with recognised standards on dark skies including ‘The Reduction of Obtrusive Light’ guidance note published by the Institution of Lighting Professionals and the Dark Skies Technical Advice Note published by the South Downs National Park Authority.”

Subsequent paragraphs have been renumbered.

Policy SSNP10: Local Green Spaces

CDC supports the identification of Local Green Spaces in the Neighbourhood Plan but suggests providing additional, larger scale maps to clarify their boundaries and some additional policy wording. It is agreed that new plans be provided in the main body of the document and the policy is modified as suggested. It is noted that each Space appears clearly defined on the Policy Maps and that the current policy wording matches that of other made NPs, but both can easily be accommodated to resolve these issues.

Changes made in response:

Policy SSNP10 – the last sentence of the policy has been amended to read:

“Inappropriate development within a Local Green Space will only be supported in very special circumstances as defined by national policy.”

Policy SSNP10, para 5.42 (previously 5.41) – the following new sentence has been added at the end:
“They are all owned by one or other public body.”

SSNP10 – Nine maps have been added showing each Local Green Space.

Policy SSNP11: Stow and the Swells Design Code

CDC supports the Code and has suggested some modifications to its content and layout. It is agreed that the Code is modified as suggested, as well as to take account of modifications in relation to Policy SSNP13 (see below).

Changes made in response:

Stow and the Swells Design Code, Introduction – para 1.1 has been amended to read as follows (new text shown in bold):

“1.1 The Stow on the Wold and the Swells Design Code (“the Code”) integrates with the Cotswold Design Code (“the District Code”) that covers the whole of Cotswold District. It is intended that applicants for planning permission located in **the defined Character Areas in Stow-on-the-Wold, Lower Swell and Upper Swell** must acknowledge, understand and respond to the provisions of Code as relevant to the location, nature and scale of their proposals to comply with Policy SSNP11 of the Neighbourhood Plan and Local Plan Policy EN2 of the adopted Cotswold District Local Plan. **The District Code alone applies to proposals located elsewhere in the Neighbourhood Plan Area.**”

Stow and the Swells Design Code, Understanding, Responding to and Applying the Code – para 2.3 has been amended to read as follows (new text shown in bold):

“2.3 To aid the understanding and application of the Code, it uses the same design code numbers as the District Code but with a suffix to denote in which part of the Neighbourhood Plan Area the proposal is located. Code D9A therefore relates to Character Area A (the Stow on the Wold Conservation Area) and Code D16E to Character Area E (Lower Swell). The Code quotes, in italics, the relevant District Code text for each principle for ease of reference. It then sets the CONTEXT and CODING for each part of the Code. **The Code has not covered every part of the District Code for every Character Area and where this is the case, the District Code alone forms the guidance for development proposals. For example, the District Code sets out the principles for delivering green infrastructure (D66); the Code refines these principles in some Character Areas where this is considered helpful, but not in others.** The term “historic buildings” is used throughout to denote buildings completed before the beginning of the 20th century.”

Stow and the Swells Design Code, Character Area A, Code No D22A – The following text has been deleted:
“Many new buildings are designed in the Cotswold vernacular style and, if done correctly, this follows a great tradition...”

Stow and the Swells Design Code, Character Area A, Code No D41A – The text has been amended to read as follows (new text shown in bold):

“CONTEXT: Although there has been some rendering of walls in the Conservation Area, this does not sit well with the historic Cotswold vernacular unless it is surviving or repaired limewash.
CODING Roughcast or other rendering (other than limewash) are therefore not appropriate finishes for the Conservation Area.”

Stow and the Swells Design Code, Character Area A, Code No D45A – The text has been amended to read as follows (new text shown in bold):

“CODING Roofs of Listed Buildings should be repaired and replaced with local Cotswold stone tiles, where that is the material used in the original building. There should be no replacement of original stone tiles with

artificial stone tiles or blue slate. Blue slate is only acceptable on outbuildings and extensions to Listed Buildings on which it is already present. Roofs of **non-Listed Buildings** should be repaired or replaced **either** with Cotswold Stone tiles **(especially where it is located in the immediate setting of a Listed Building with this same material)** or modern equivalent tiles that are of a similar quality of appearance.”

Stow and the Swells Design Code, Character Area A, Code No D46A – The text has been amended to read as follows (new text shown in bold):

“CODING The use of thatch, clay tiles, **or pantiles or wall hanging with tiles** is not appropriate in the Conservation Area.”

Stow and the Swells Design Code, Character Area A, Code No D50A – The text has been amended to read as follows (new text shown in bold):

“CONTEXT: Almost all historic buildings, including shopfronts, share a palette of **muted** colours for the painting of their windows and doors in the Conservation Area, which complement the subtle tones of the Cotswold Stone of buildings. **Stronger primary colours were more common for shopfronts in Victorian times.**

CODING The use of primary and other, non-polite colours for painting timber is not appropriate in the Conservation Area, **unless for a shopfront.**”

Stow and the Swells Design Code, Character Area A, Code No D67A – The text has been amended to read as follows (new text shown in bold):

“CODING External lighting, including of shop signs within the Conservation Area should be appropriate for the historic and AONB environment. Development proposals relating to shop fronts, even if relatively minor, should consider the Market Square and the adjacent streets and seek to emulate shop fronts which blend well with the building of which they are part and attached buildings. **“Excessive lighting of signs (such as internally illuminated signs or the use of neon) should be avoided.”**

Stow and the Swells Design Code, Character Area B, Code No D9B & D10B – The second paragraph of the CONTEXT text has been replaced with the following:

“Both parts comprise strong and common suburban characteristics of their respective ages, making them very distinct from their neighbouring areas, most notably the Conservation Area, with which they share very few characteristics. However, the Park Estate adopted a material palette and building form as a modern (1950s) interpretation of the Cotswold vernacular and so there is more that binds it visually with the Conservation Area than contrasts with it, which is not true of the St Edwards Road area.”

Stow and the Swells Design Code, Character Area B, Code No D22B & D25B – CONTEXT – The first paragraph has been deleted and a new sentence has been added at the end as follows:

“The St. Edwards area does not have this same character.”

Stow and the Swells Design Code, Character Area B, Code No D22B & D25B – CODING – The text has been amended to read as follows:

“Proposals in the Park Estate should adopt the Cotswold vernacular style. Those in the St. Edwards area should follow the vernacular in their domestic scale and form, but may use other materials common to the area.”

Stow and the Swells Design Code, Character Area C – The section title has been changed to “Character Area C: Stow on the Wold: N Edge of Town Centre”

Stow and the Swells Design Code, Character Area C – Code No D34C – the following text has been added to the end of the CONTEXT section:

“There has been some use of contemporary design and/or materials in new and altered buildings in the Character Area, in part to achieve higher standards of energy performance”

Stow and the Swells Design Code, Character Area C – Code No D34C – the CODING section text has been deleted and replaced with the following:

“Proposals for a new building or for the modification to an existing building to deliver improved energy and other sustainability performance should not be located prominently in the streetscene and should not harm any historical character of the building.”

Policy SSNP12: Buildings of Local Importance

3.32 CDC advises that the policy may not have sufficient regard of the NPPF as it makes no balance with the public benefit of any proposal. It is considered that the policy wording should be modified to precisely match the wording of the NPPF as it is agreed there is some inconsistency.

Changes made in response:

SSNP12 – The term “Buildings of Local Importance” has been replaced by “Non-designated Heritage Assets”.

SSNP12 – The policy has been amended to read as follows:

“Proposals that may affect a non-designated heritage asset (listed in Appendix B) should take into account the significance of its heritage value and must demonstrate how any harm to, or loss of, that significance is outweighed by its benefits.”

Policy SSNP13: Zero Carbon Buildings

CDC considers the policy is unreasonable in that it applies to all development and that there are conflicts with the policy and policy SSNP11 ‘Stow and the Swells Design Code’, and that the policy could be in conflict with the Conservation Areas. CDC also raises questions regarding the definition of ‘zero carbon ready’ and if there are any examples of policy clause B working in practice.

It is considered that the policy should remain unmodified. CDC is one of many LPAs that have declared a ‘climate emergency’. The development planned for in the NP will likely be the most significant for very many years to come in Stow. As Appendix D to the NP explains, requiring new homes to meet at least the highest standard of energy performance the planning system presently allows, and to show that they have actually been built to meet that standard by using a Post Occupancy Evaluation Report, is arguably the most important direct contribution the NP can make to tackling that ‘emergency’. Measuring any performance gap in a meaningful way can only be done once buildings are occupied, not just constructed. Home occupiers will be notified of this obligation at the time of purchase or rent so they will know that they must allow access to the property for an assessment to be carried out.

There is no rationale for applying the policy to only certain types of building in certain locations. There is no inherent design conflict between achieving required energy efficiency standards and the historic environment, nor even in a proposal adopting a PassivHaus or equivalent zero carbon standard. As it is, clause C does not, and for now at least, cannot require that such a standard is met, no matter how important it will be to the UK meeting its carbon reduction obligations.

Instead it seeks to encourage its use and some modifications could be made to the Design Code to reflect how and where design compromises may be possible without harming the significance of heritage assets. This accords with NPPF §206, which specifies that opportunities for new development should be sought within Conservation Areas if they enhance or better reveal their significance. Any development proposals

would need to take that into account, alongside Local Plan policy EN11 which offers further protection to the Conservation Area and its setting.

It is noted that an almost identical version of this policy has been successfully examined in three other neighbourhood plans recently in Buckinghamshire and West Oxfordshire.

Changes made in response:

Policy SSNP13, Clause A – has been amended to read as follows:

“A. All development proposals should be ‘zero carbon ready’ by design as relevant to their nature, scale and location by design so that they will minimise the amount of energy needed to heat and cool buildings by way of their through landform, layout, building orientation, massing and landscaping.”

Policy SSNP13, paras 5.49 and 5.50 (previously 5.48 and 5.49) have been amended and combined to read as follows:

“5.49 This policy is in five parts, the combination of which is intended to deliver the type of step change required by §152-154 of the NPPF in making ‘radical reductions’ in carbon emissions. Much of its focus is on delivering on the energy performance standards required of all new developments in the area to encourage and thereby incentivise the use of the Passivhaus or equivalent standard of building design. Achieving this level of performance will make a significant contribution to mitigating climate change that the Neighbourhood Plan can deliver.”

Policy SSNP13, para 5.51 has been amended and a new para 5.52 has been inserted as follows:

“5.51 Clauses B and C are intended to operate together in a way that incentivises the use of the Passivhaus Planning Package (PHPP) or equivalent design methodology. Firstly, clause B seeks to tackle a longstanding problem of constructed buildings not meeting the energy performance standard proposed by the builder, which only becomes obvious once the building is occupied. Without a check and balance in the approval system there is currently no means of correcting these failures that are resulting in higher energy bills for occupants and under-performance on meeting carbon reduction targets.

5.52 It therefore requires the developer of a consented housing development scheme of any size to ensure that they have made provision with future occupants to be able to enter properties after the first year of occupation, or thereabouts, to carry out a Post-Occupancy Evaluation (POE), including actual metered energy use, and to submit a report to the local planning authority. It will be implemented by attaching a planning condition to this effect, which will only be discharged once the report has been submitted and any recommended actions to rectify any performance gap with the design stage assessment are carried out by the developer. Although it is accepted that this will increase the post-application resource of CDC, it has declared a climate emergency and this will be one of the most effective ways of this ambition being acted upon. Further guidance on the purpose and operation of clause B is contained in Appendix D of this document.”

Policy SSNP13, clause 5.53 (previously 5.52) has been amended to read as follows:

“5.53 Secondly, clause C encourages all new buildings, no matter what their intended use or size, to adopt the Passivhaus Planning Package (PHPP) or equivalent design methodology where it is feasible to do so. It is accepted that there may be some factors that make its use unfeasible, for example, the topography and orientation of the site. The policy will also ensure that expensive and unnecessary retrofit costs are not passed down to building occupiers in the future, particularly in an area which has relatively high property values. Passivhaus certified schemes will not fail in this way and they are therefore exempted from the POE provision of clause B as they cannot fail in that way. Until such standards can be required by planning policy it is hoped that this exemption will be an effective incentive, especially as the build costs of doing so are now only just above those of conventional buildings.”

Policy SSNP14: Walking & Cycling in the Town and Parish

GCC highlights that new proposed development sites, particularly in the Policy SSNP7 proposal, must have suitable safe and appropriate access from the site to the minor highway network to the south for active travel users. The GCC also suggests that it may be beneficial for the Neighbourhood Plan to consider strategic multi-modal connections, such as e-bikes and cycle access to Kingham Rail Station and the National Cycle Network. It is agreed that the policy be modified to include GCC's suggestions.

Changes made in response:

SSNP14 – the following words have been added to the policy: “to the extent the route lies within the Neighbourhood Area”

SSNP14, para 5.60 (previously 5.59) – The following text has been added:

“The policy offers encouragement to realising that goal to the extent that the route lies within the Neighbourhood Area. Strategic multi-modal connections would also be supported, such as provisions for cycle access to Kingham Rail Station and the National Cycle Network.”

Policy SSNP15: Vehicle Parking

No comments of substance were made on this policy.

Policy SSNP16: Digital Infrastructure

CDC's representation sets out that the policy is inconsistent with national policy and Local Plan policy EN5. The Parish Councils obtained clarification from CDC as to how the policy is inconsistent with national policy and Local Plan policy EN5 and agreed the policy should be modified in line with that, and also in accordance with CNLB's recommendations.

The policy is in accordance with NPPF § 114 which states that ‘Advanced high quality and reliable communications infrastructure is essential for economic growth and well-being’ and sets out that proposals should not cause substantial harm to the Cotswolds AONB. As per NPPF paragraph 202 if a proposal will lead to less than substantial harm, this harm should be weighed against the public benefits of the proposal which the policy is in support of, and it is considered the policy should be modified to make that clear.

Additionally, proposals will need to take Local Plan policy EN5 into account which states that ‘the conservation and enhancement of the natural beauty of the landscape, its character and special qualities will be given great weight’. The representation from the CNLB supports the policy in principle but suggested that the policy required new digital infrastructure to be sensitively located and designed to avoid and minimise potential adverse effects on the natural beauty of the Cotswolds.

Changes made in response:

Policy SSNP16 has been reworded to read as follows:

“The public benefit of improving access to digital communication infrastructure in the area will be significant weight in the planning balance of proposals that may cause harm to designated heritage assets or to the special landscape and scenic beauty of the Area of Outstanding Natural Beauty. Proposals are required to be sensitively located and designed in order to avoid or minimise potential adverse effects on the natural beauty of the Cotswolds National Landscape, including its landscape and scenic beauty.”

SSNP16, para 5.663 (previously 5.62) has been reworded to read as follows:

“This policy seeks to encourage the provision of new digital communications infrastructure that will drive technological advancements necessary to support new businesses and homes. This infrastructure includes the installation of new transmitters, antennas, junction boxes and satellite dishes. Creative industries, office space and commerce rely on high speed, reliable connectivity but this is difficult in much of this rural area. It is acknowledged that many such works may be permitted development but where they are not then the policy requires that significant weight is attached to the public benefit of having access to this infrastructure when weighed against any harm to heritage and landscape in the planning balance of each proposal.”

Appendix 1:
Poster and banner used for Regulation 14 consultation publicity



HAVE YOUR SAY

NEIGHBOURHOOD PLAN
REGULATION 14
PUBLIC CONSULTATION

6 FEBRUARY – 20 MARCH 2023

DON'T MISS YOUR OPPORTUNITY TO COMMENT
CLOSING DATE 20TH MARCH

VIEW DRAFT PLAN AT
stowonthewold-tc.gov.uk/neighbourhoodplan

Printed copies available to view:
Stow Town Council office | Stow Library | Swell Village Hall

Drop-in sessions
Tues 21 st February – St Edward's Hall, 2.00pm-8.00pm
Wed 22 nd February – Swell Village Hall, 11.30am-1.00pm
Sat 25 th February – Swell Village Hall, 2.00pm-5.00pm
Sat 4 th March – Stow Social Club, 10.30am-5.00pm



PUBLIC CONSULTATION

Have your say on the draft Neighbourhood Plan
www.stowonthewold-tc.gov.uk/neighbourhood-plan/
Drop-in sessions available – see posters and website

Consultation open from 6th February to 20th March 2023

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Strategic Environmental Assessment (SEA) for the Stow on the Wold & The Swells Neighbourhood Plan

Environmental Report Update

June 2023

Quality information

Prepared by	Checked by	Verified by	Approved by
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Revision History

Revision	Revision date	Details	Name	Position
V1	20 June 2023	First draft for QB review	EC	ONeill Homer (planning consultant on behalf of the QB).
V2	20 June 2023	Final draft for submission	CB	Principal Environmental Planner

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Non-Technical Summary (NTS)

Introduction

AECOM is commissioned to lead on Strategic Environmental Assessment (SEA) in support of the emerging Stow on the Wold & The Swells Neighbourhood Plan (SSNP).

SEA is a mechanism for considering and communicating the likely effects of an emerging plan, and alternatives, with a view to avoiding and mitigating negative effects and maximising positive effects. SEA of the SSNP is a legal requirement¹. This is a Non-Technical Summary (NTS) of the SEA Environmental Report Update.

The SSNP is being prepared by the Parish Council in the context of the adopted Cotswold District Local Plan and emerging Local Plan Partial Update. Once 'made' the SSNP will have material weight when deciding on planning applications, alongside the Local Plan.

This Environmental Report Update accompanies the submission version of the SSNP, is the latest document to be produced as part of the SEA process. It has been updated to reflect the minor changes made to the SSNP following consultation on the Regulation 14 'pre-submission' version of the Plan undertaken in February 2023 and seeks to respond to the consultation responses relevant to the SEA.

Structure of the Environmental Report/ this NTS

SEA is undertaken in-line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004 ('the SEA Regulations'). In creating a structured approach, SEA reporting essentially involves answering the following questions in turn:

1. What has plan-making / SEA involved up to this point?
 - i.e., in relation to exploring and appraising 'reasonable alternatives' (as prescribed by the SEA Regulations²).
2. What are the SEA findings at this stage?
 - i.e., in relation to the draft plan that is being consulted on.
3. What happens next?

Each of these questions is answered in turn within a discrete 'part' of the Environmental Report and summarised within this NTS. However, firstly there is a need to set the scene further by answering the questions 'What is the Plan seeking to achieve?' and 'What's the scope of the SEA?'

¹ Regulation 15 of the Neighbourhood Planning Regulations (2012, as amended) requires that each Neighbourhood Plan is submitted to the Local Authority alongside either: a) an environmental report; or, b) a statement of reasons why SEA is not required, prepared following a 'screening' process completed in accordance with Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations ('the SEA Regulations'). The SSNP was subject to screening in 2019 where Cotswold District Council determined SEA is required.

² The SEA Regulations are not prescriptive as to what constitutes reasonable alternatives but identifies that a report (known as the Environmental Report) must be published for consultation alongside the draft plan that "identifies, describes, and evaluates" the likely significant effects of implementing "the plan, and reasonable alternatives" considering the plan objectives and geographical scope.

What is the Plan seeking to achieve?

The SSNP has established the following vision for the neighbourhood area in 2031:

“The unique townscape and environment of Stow and Swell parishes and the AONB have been conserved and enhanced. The community now has a better supply of market and affordable housing of a variety of types to meet its needs, which has led to a higher proportion of young people living in the town. Preventing new homes being used for second homes has also made a difference.

The town’s economy has diversified with new small businesses and home workers, although its tourism appeal remains vital. The Market Square is now less dominated by parking with its public realm being significantly improved. Its public car parks are well used and have encouraged visitors to walk to the Market Square. The town has also benefited from its new community hub building, which has complemented its longstanding community facilities.

The Swells have retained their special rural Cotswolds character. Little has changed but Lower Swell has benefited from improved car parking arrangements for local residents.”

The following four key objectives of the Neighbourhood Plan have been identified to support this vision:

4. To ensure that the unique townscape and environment of the town and the surrounding parish is conserved and enhanced.
5. To ensure that the community has an adequate supply of affordable housing to meet its needs.
6. To secure and develop the town’s economy.
7. To ensure that the community has appropriate infrastructure in terms of health services, community facilities, traffic and parking, public transport, and its green infrastructure.

What is the scope of the SEA?

The scope of the SEA is reflected in a list of themes and objectives, which, taken together indicate the parameters of the SEA and provide a methodological ‘framework’ for assessment. The SEA framework is presented below.

SEA theme	SEA objective
<i>Biodiversity</i>	<ul style="list-style-type: none"> • Protect and enhance all biodiversity and ecological connections within and surrounding the Neighbourhood Plan area.
<i>Climate change</i>	<ul style="list-style-type: none"> • Support the resilience of the Neighbourhood Plan area to the potential effects of climate change, including flooding. • Reduce the level of contribution to climate change made by activities within the Neighbourhood Plan area.
<i>Landscape</i>	<ul style="list-style-type: none"> • Protect and enhance the character and quality of landscapes and townscapes within and surrounding the Neighbourhood Plan area.

SEA theme	SEA objective
<i>Historic environment</i>	<ul style="list-style-type: none"> • Protect and enhance the significance of the historic environment, heritage assets (both designated and non-designated) and their settings.
<i>Land, soil, and water resources</i>	<ul style="list-style-type: none"> • Ensure the efficient and effective use of land. • Use and manage water resources in a sustainable manner.
<i>Health and wellbeing</i>	<ul style="list-style-type: none"> • Improve the health and wellbeing of residents within the Neighbourhood Plan area.
<i>Population and communities</i>	<ul style="list-style-type: none"> • Cater for existing and future residents' needs as well as the needs of different groups in the community, and improve access to local, high-quality community services and facilities. • Provide everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types, and tenures.
<i>Transportation</i>	<ul style="list-style-type: none"> • Promote sustainable transport use and reduce the need to travel

Plan-making/ SEA up to this point

An important element of the required SEA process involves assessing 'reasonable alternatives' in time to inform development of the draft proposals, and then publishing information on reasonable alternatives for consultation alongside the draft proposals.

As such, **Part 1** of the Environmental Report explains how work was undertaken to develop and assess a 'reasonable' range of alternative approaches to the allocation of land for housing, or alternative sites/ growth options.

Specifically, **Part 1** of the report -

1. Explains the process of establishing the reasonable alternatives.
2. Presents the outcomes of assessing the reasonable alternatives.
3. Explains reasons for establishing the preferred option, in light of the assessment.

The decision was taken to develop and assess reasonable alternatives in relation to the matter of allocating land for housing, given the following considerations:

- SSNP vision and objectives, particularly the housing objective to ensure that the community has an adequate supply of affordable housing to meet its needs.
- Housing growth is known to be a matter of key interest amongst residents and other stakeholders, as demonstrated through the recent Regulation 14 consultation; and
- The delivery of new homes is most likely to have a significant effect compared to the other proposals within the Plan. National Planning Practice Guidance is clear that SEA should focus on matters likely to give rise to significant effects.

Establishing the reasonable alternatives

The Environmental Report (Chapter 5) explains how reasonable alternatives were established after the process of considering the strategic policy context ('top down' factors) and the site options in contention for allocation ('bottom-up' factors).

This work identified the following four options:

- **Option 1:** Allocate one or more small sites from the choices of Sites 1, 2, 3, and 4. This option could potentially deliver a proportion of affordable housing needs within the neighbourhood area (except at Site 1) and would rely on unmet needs being met outside of the neighbourhood area.
- **Option 2:** Allocate one or more medium sites from the choices of Sites 5, 8, and 11. This option could deliver a proportion of affordable housing needs at individual sites or could cumulatively deliver against most of the identified affordable housing needs. There will likely be unmet affordable housing needs that would need to be met outside of the neighbourhood area (though likely to a lesser extent than Option 1).
- **Option 3:** Allocate the strategic site at northeast Stow to deliver 100 market homes, 70 affordable homes, a new carpark, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.
- **Option 4:** Allocate the strategic site at Oddington Road to deliver circa 70 affordable new homes and 76 market homes, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.

Assessing the reasonable alternatives

The main report (Chapter 6) assesses these options and presents detailed findings for the SEA themes. For each of the options, the assessment examines the likely significant effects on the baseline, drawing on the sustainability themes and objectives established through scoping. Green is used to indicate significant positive effects, whilst red is used to indicate significant negative effects. Where appropriate, uncertainty will also be noted (in grey).

Where it is not possible to predict likely significant effects based on reasonable assumptions, efforts are made to comment on the relative merits of the alternatives in more general terms and to indicate a rank of preference. Numbers are used to highlight the option or options that are preferred from an SEA perspective, with 1 performing the best.

The following conclusions are reached in the assessment of these options:

SEA theme	Rank and likely significant effects			
	Option 1: Sites 1, 2, 3, & 4	Option 2: Sites 5, 8, & 11	Option 3: Sites 6 & 7	Option 4: Sites 9 & 10
Biodiversity	2	1	1	1
Climate change	=	=	=	=
Landscape	1	2	3	3
Historic environment	=	=	=	=
Land, soil, and water resources	1	1	2	2
Health and wellbeing	2	2	1	1
Population and communities	4	3	1	2
Transportation	1	3	2	2

Developing the preferred approach

The Parish Council's reasons for developing the preferred approach are:

“Following community consultation and development of the evidence base, including the SEA, the Steering Group identify the preferred option for development at the land northeast of Stow (Option 2), as this option will best meet the vision and objectives to plot a course to a different, more sustainable future and deliver against plan aims for a new community hub and additional carparking. The scheme would secure both market and affordable housing for which there is a need in Stow to shift its demographic profile, economic base and self-sustainability.

Such benefits have not been identified as viable through Option 1, and a community preference for Option 2 over Option 3 has been identified.”

Assessment findings at this stage

Part 2 of the Environmental Report presents an assessment of the Submission version of the SSNP. Assessment findings are presented as a series of narratives under the ‘SEA framework’ topic headings. The following conclusions are reached:

Conclusions

Overall, the appraisal has served to highlight a range of potential effects in implementing the SSNP. **Significant negative effects** are predicted in relation to the land, soil, and water resources theme, which reflects the permanent loss of greenfield and agricultural land at the proposed site allocation.

Significant positive effects are predicted in relation to the population and communities theme, which reflects the significant delivery of new housing targeted at meeting locally identified needs alongside a new community hub building and improved parking provisions which seek to improve the town centre experience. These efforts, alongside measures to connect development and improve active travel, are also considered likely to lead to minor long-term positive effects in relation to the health and wellbeing SEA theme.

With limited biodiversity constraints in the neighbourhood area and policy measures which seek a 20% biodiversity net gain in new development (higher than the national standard), minor positive effects are also predicted in relation to the biodiversity SEA theme.

The landscape and heritage setting reflect key constraints for development in Stow and the Swells and whilst the SSNP seeks a high-quality, landscape-led approach to development, residual minor landscape impacts are predicted, and uncertainty is noted in relation to historic environment impacts. Recommendations have been made which seek to reduce this uncertainty (see below).

Both minor negative and minor positive effects are concluded in relation to climate change. The SSNP places great emphasis on high-quality design and efficiency standards in development, adopted a 'zero carbon ready' approach. However, the lack of direct rail connectivity reduces the potential to improve per capita emissions in the short to medium term and may conflict with the district carbon neutral goals and declared climate emergency to some degree.

The potential for both positive and negative effects in relation to transport are identified. The relatively large-scale site allocation site is likely to impact upon traffic and congestion locally (the extent to which remains uncertain), but wider measures to improve car parking, the town centre public realm, and active travel networks are likely to be more beneficial.

Recommendations

The following recommendations have been made:

- The large-scale development proposed ultimately has the potential to impact upon the historic environment and the SSNP seeks to mitigate these impacts with a strong focus on high-quality design that is landscape-led and integrates with the historic AONB setting. Whilst this is likely to reduce the significance of effects (supported by wider local and national planning policy) the residual effects **remain uncertain** at this stage. To reduce uncertainty, the SSNP should consult with the Battlefields Trust and could seek to strengthen the mitigation provided by Policy SSNP7 by acknowledging the identified heritage constraints as key design considerations, and by directing development to the northern extent of the site where heritage sensitivities are reduced. Directing development to the northern extent of the site will also reduce the potential for impacts in relation to water quality, given that waterbodies intersect the southern extent of the site.
- The site allocation policy provisions could be enhanced with extended requirements for design features that also improve water efficiency (alongside energy efficiency).

Next steps

Part 3 of the report explains the next steps that will be taken as part of plan-making and SEA.

Plan finalisation

Following consultation, responses received have been considered and the SSNP and SEA Environmental Report have been updated and finalised for submission.

Following submission, the plan and supporting evidence will be published for further consultation, and then subjected to Independent Examination. At Independent Examination, the plan will be considered in terms of whether it meets the Basic Conditions for Neighbourhood Plans and is in general conformity with the Local Plan.

If the examination leads to a favourable outcome, the plan will then be subject to a referendum, organised by Cotswold District Council. If more than 50% of those who vote agree with the Neighbourhood Plan, then it will be 'made'. Once 'made', the plan will become part of the Development Plan for Cotswold, covering the defined neighbourhood area.

Monitoring

The SEA regulations require 'measures envisaged concerning monitoring' to be outlined in this report. This refers to the monitoring of likely significant effects of the Neighbourhood Plan to identify any unforeseen effects early and take remedial action as appropriate.

It is anticipated that monitoring of effects of the Neighbourhood Plan will be undertaken by Cotswold District Council as part of the process of preparing its Annual Monitoring Report (AMR). Predicted significant effects in implementing the SSNP relate to the loss of greenfield and likely high-quality agricultural land, this loss will be recorded by Cotswold District Council and is not expected to increase or change over the plan period. No additional monitoring is therefore proposed.

1. Introduction

Background

- 1.1 AECOM is commissioned to lead on Strategic Environmental Assessment (SEA) in support of the emerging Stow on the Wold & The Swells Neighbourhood Plan (SSNP).
- 1.2 The SSNP is being prepared under the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and in the context of the adopted Cotswold District Local Plan and emerging Local Plan Partial Update. Once 'made' the SSNP will have material weight when deciding on planning applications, alongside the Local Plan.
- 1.3 SEA is a mechanism for considering and communicating the likely effects of an emerging plan, and alternatives, with a view to avoiding and mitigating negative effects and maximising positive effects. SEA of the SSNP is a legal requirement.³

SEA explained

- 1.4 It is a requirement that SEA is undertaken in-line with the procedures prescribed by the Environmental Assessment of Plans and Programmes Regulations 2004, which transposed into national law EU Directive 2001/42/EC on SEA.
- 1.5 In-line with the Regulations, a report (known as the Environmental Report) must be published for consultation alongside the draft plan that *"identifies, describes and evaluates"* the likely significant effects of implementing *"the plan, and reasonable alternatives"*.⁴ The report must then be considered, alongside consultation responses, when finalising the plan.
- 1.6 More specifically, the Report must answer the following three questions:
 4. What has plan-making/ SEA involved up to this point?
 - including in relation to 'reasonable alternatives'.
 5. What are the SEA findings at this stage?
 - i.e., in relation to the draft plan.
 6. What happens next?

³ Regulation 15 of the Neighbourhood Planning Regulations (2012, as amended) requires that each Neighbourhood Plan is submitted to the Local Authority alongside either: a) an environmental report; or, b) a statement of reasons why SEA is not required, prepared following a 'screening' process completed in accordance with Regulation 9(1) of the Environmental Assessment of Plans and Programmes Regulations ('the SEA Regulations'). The SSNP was subject to screening in 2019 where Cotswold District Council determined SEA is required.

⁴ Regulation 12(2) of the Environmental Assessment of Plans and Programmes Regulations 2004.

This Environmental Report

- 1.7 This report is the Environmental Report for the SSNP. It accompanies the submission version of the Neighbourhood Plan. The Environmental Report has been updated to reflect changes made to the SSNP following Regulation 14 consultation (undertaken in February 2023) and seeks to respond to the consultation responses relevant to the SEA.
- 1.8 This report essentially answers questions 1, 2 and 3 in turn, to provide the required information.⁵ Each question is answered within a discrete 'part' of the report. However, before answering Q1, two initial questions are answered to further set the scene; what is the plan seeking to achieve? And what is the scope of the SEA?

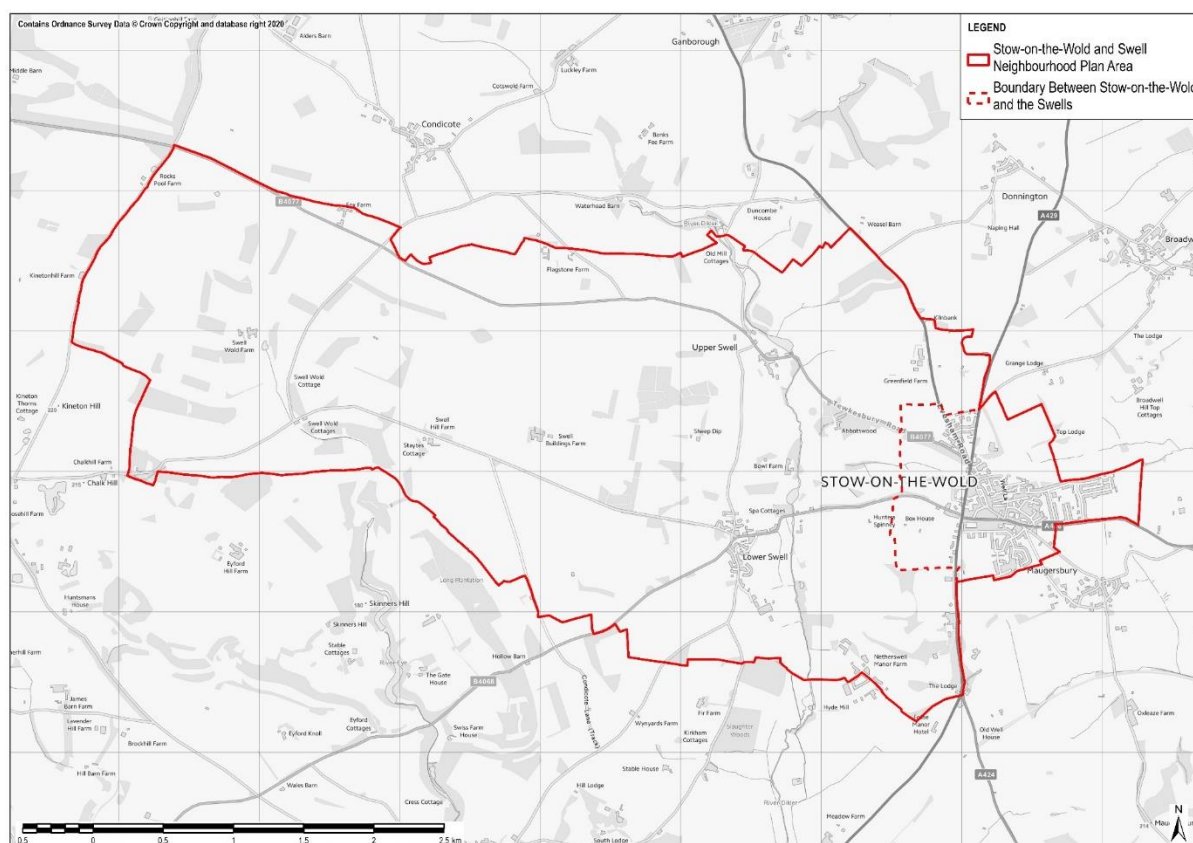
⁵ See **Appendix A** for further explanation of the regulatory basis for answering certain questions within the Environmental Report, and a 'checklist' explaining more precisely the regulatory basis for presenting certain information.

2. What is the plan seeking to achieve?

Introduction

- 2.1 This section considers the strategic planning policy context provided by the adopted Cotswold District Local Plan and the emerging Local Plan Partial Review, before then presenting the vision and objectives of the SSNP. **Figure 2.1** below presents the neighbourhood area.

Figure 2.1: Stow on the Wold & The Swells neighbourhood area



Strategic planning policy context

- 2.2 The adopted Cotswold District Local Plan identifies Stow on the Wold as a Principal Settlement forming part of the Mid Cotswolds sub-area.
- 2.3 Policy S13 is specific to the town and encourages improvements to community and tourism facilities, particularly supporting the development of a town museum and the provision of a new community facility. The Local Plan further seeks to enhance the town centre, particularly by addressing car parking and congestion problems in the town. Policy SA2 specifically seeks improvements at Unicorn junction (A436/ B4068) in Stow.
- 2.4 The Local Plan does not propose any housing or employment sites for development within the neighbourhood area. Beyond the Principal Settlements, the rest of Cotswold District is essentially considered to comprise open countryside containing rural settlements which are largely not considered to be sustainable locations for further development, though Policy DS3 does

allow for small-scale development within these areas based on certain criteria being met.

- 2.5 The emerging Local Plan Partial Review is at early stages of development, with consultation on ‘issues and options’ concluding most recently back in March 2022. At this stage, there are no specific proposals in relation to the neighbourhood area in terms of a housing needs figure or development locations.

SSNP vision and objectives

- 2.6 The SSNP has established the following vision for the neighbourhood area in 2031:

“The unique townscape and environment of Stow and Swell parishes and the AONB have been conserved and enhanced. The community now has a better supply of market and affordable housing of a variety of types to meet its needs, which has led to a higher proportion of young people living in the town. Preventing new homes being used for second homes has also made a difference.

The town’s economy has diversified with new small businesses and home workers, although its tourism appeal remains vital. The Market Square is now less dominated by parking with its public realm being significantly improved. Its public car parks are well used and have encouraged visitors to walk to the Market Square. The town has also benefited from its new community hub building, which has complemented its longstanding community facilities.

The Swells have retained their special rural Cotswolds character. Little has changed but Lower Swell has benefited from improved car parking arrangements for local residents.”

- 2.7 The following four key objectives of the Neighbourhood Plan have been identified to support this vision:
1. To ensure that the unique townscape and environment of the town and the surrounding parish is conserved and enhanced.
 2. To ensure that the community has an adequate supply of affordable housing to meet its needs.
 3. To secure and develop the town’s economy.
 4. To ensure that the community has appropriate infrastructure in terms of health services, community facilities, traffic and parking, public transport, and its green infrastructure.

3. What is the scope of the SEA?

Introduction

- 3.1 The aim here is to introduce the reader to the scope of the SEA, i.e., the sustainability themes and objectives that should be a focus of the assessment of the plan and reasonable alternatives.

Consultation

- 3.2 The SEA Regulations require that “*when deciding on the scope and level of detail of the information that must be included in the report, the responsible authority shall consult the consultation bodies*”. In England, the consultation bodies are the Environment Agency, Historic England, and Natural England.⁶ As such, these authorities were consulted between December 2020 and January 2021. Responses were received from Historic England and Natural England, neither of whom had any specific comments to make. No response was received from the Environment Agency.

The SEA framework

- 3.3 The SEA scope is summarised in a list of themes and objectives, known as the SEA framework. **Table 3.1** presents the SEA framework as consulted upon in early 2021.

⁶ These consultation bodies were selected “*by reason of their specific environmental responsibilities, [they] are likely to be concerned by the environmental effects of implementing plans and programmes*” (SEA Directive, Article 6(3)).

Table 3.1: SEA framework

SEA theme	SEA objective
<i>Biodiversity</i>	<ul style="list-style-type: none"> • Protect and enhance all biodiversity and ecological connections within and surrounding the Neighbourhood Plan area.
<i>Climate change</i>	<ul style="list-style-type: none"> • Support the resilience of the Neighbourhood Plan area to the potential effects of climate change, including flooding. • Reduce the level of contribution to climate change made by activities within the Neighbourhood Plan area.
<i>Landscape</i>	<ul style="list-style-type: none"> • Protect and enhance the character and quality of landscapes and townscapes within and surrounding the Neighbourhood Plan area.
<i>Historic environment</i>	<ul style="list-style-type: none"> • Protect and enhance the significance of the historic environment, heritage assets (both designated and non-designated) and their settings.
<i>Land, soil, and water resources</i>	<ul style="list-style-type: none"> • Ensure the efficient and effective use of land. • Use and manage water resources in a sustainable manner.
<i>Health and wellbeing</i>	<ul style="list-style-type: none"> • Improve the health and wellbeing of residents within the Neighbourhood Plan area.
<i>Population and communities</i>	<ul style="list-style-type: none"> • Cater for existing and future residents' needs as well as the needs of different groups in the community, and improve access to local, high-quality community services and facilities. • Provide everyone with the opportunity to live in good quality, affordable housing, and ensure an appropriate mix of dwelling sizes, types, and tenures.
<i>Transportation</i>	<ul style="list-style-type: none"> • Promote sustainable transport use and reduce the need to travel

Part 1: What has plan-making/ SEA involved to this point?

4. Introduction (to Part 1)

Overview

- 4.1 Whilst work on the SSNP has been underway for some time, the aim here is not to provide a comprehensive explanation of all the work carried out to date, but rather to explain work undertaken to develop and appraise reasonable alternatives at this, submission stage. This section has been updated following Regulation 14 consultation, specifically to address concerns raised through consultation in relation to the SEA.
- 4.2 More specifically, this part of the report presents information on the consideration given to reasonable alternative approaches to addressing a particular issue that is of central importance to the Plan, namely the allocation of land for housing, or alternative sites. Land is currently being identified to meet locally identified housing needs, particularly affordable housing needs, and a range of considerations for the SSNP and SEA have been raised in consultation in relation to the preferred allocation site at the Land northeast of Stow.

Why focus on development sites?

- 4.3 The decision was taken to develop and assess reasonable alternatives in relation to the matter of allocating land for housing, given the following considerations:
- SSNP vision and objectives, particularly the housing objective to ensure that the community has an adequate supply of affordable housing to meet its needs.
 - Housing growth is known to be a matter of key interest amongst residents and other stakeholders, as demonstrated through the recent Regulation 14 consultation: and
 - The delivery of new homes is most likely to have a significant effect compared to the other proposals within the Plan. National Planning Practice Guidance is clear that SEA should focus on matters likely to give rise to significant effects.
- 4.4 Wider thematic policy, including policies relating to housing tenures and principal ownership are explored in Part 2 (What are the SEA findings at this stage) of the Environmental Report, as part of the proposed policy framework.

Structure of this part of the report

- 4.5 This part of the report is structured as follows:
- **Chapter 5** - explains the process of establishing reasonable alternatives.
 - **Chapter 6** - presents the outcomes of appraising reasonable alternatives; and
 - **Chapter 7** - explains reasons for selecting the preferred option, considering the appraisal.

5. Establishing reasonable alternatives

Introduction

- 5.1 The aim here is to explain the process that led to the establishment of alternative sites and thereby present “*an outline of the reasons for selecting the alternatives dealt with*”.⁷
- 5.2 Specifically, there is a need to explain the strategic parameters that have a bearing on the establishment of options (in relation to the level and distribution of growth) and the work that has been undertaken to date to examine site options (i.e., sites potentially in contention for allocation in the SSNP). These parameters are then drawn together in order to arrive at ‘reasonable alternatives’.

Strategic parameters

- 5.3 The adopted Local Plan provides the main strategic framework for the development of the SSNP at this stage, recognising that the emerging Partial Review is still in early stages of development. The Local Plan does not identify any strategic development needs within the neighbourhood area that require meeting over the plan period. Despite this, it does recognise a series of measures that will be supported in Stow, including:
- The development of a museum
 - The development of a new community facility
 - The relocation of car parking from the town centre
 - Improvement to Unicorn junction (A436/ B4068)
 - Small-scale retail/ service development within the town centre
- 5.4 In developing the SSNP, a Housing Needs Assessment (HNA) has also been produced (2022), which identifies that whilst the town has an above average number of affordable homes in its current stock, this still falls short of meeting local affordable housing needs. The HNA estimates a minimum of 37 affordable homes are required over the plan period to 2031.

⁷ Schedule 2(8) of the SEA Regulations

Site options

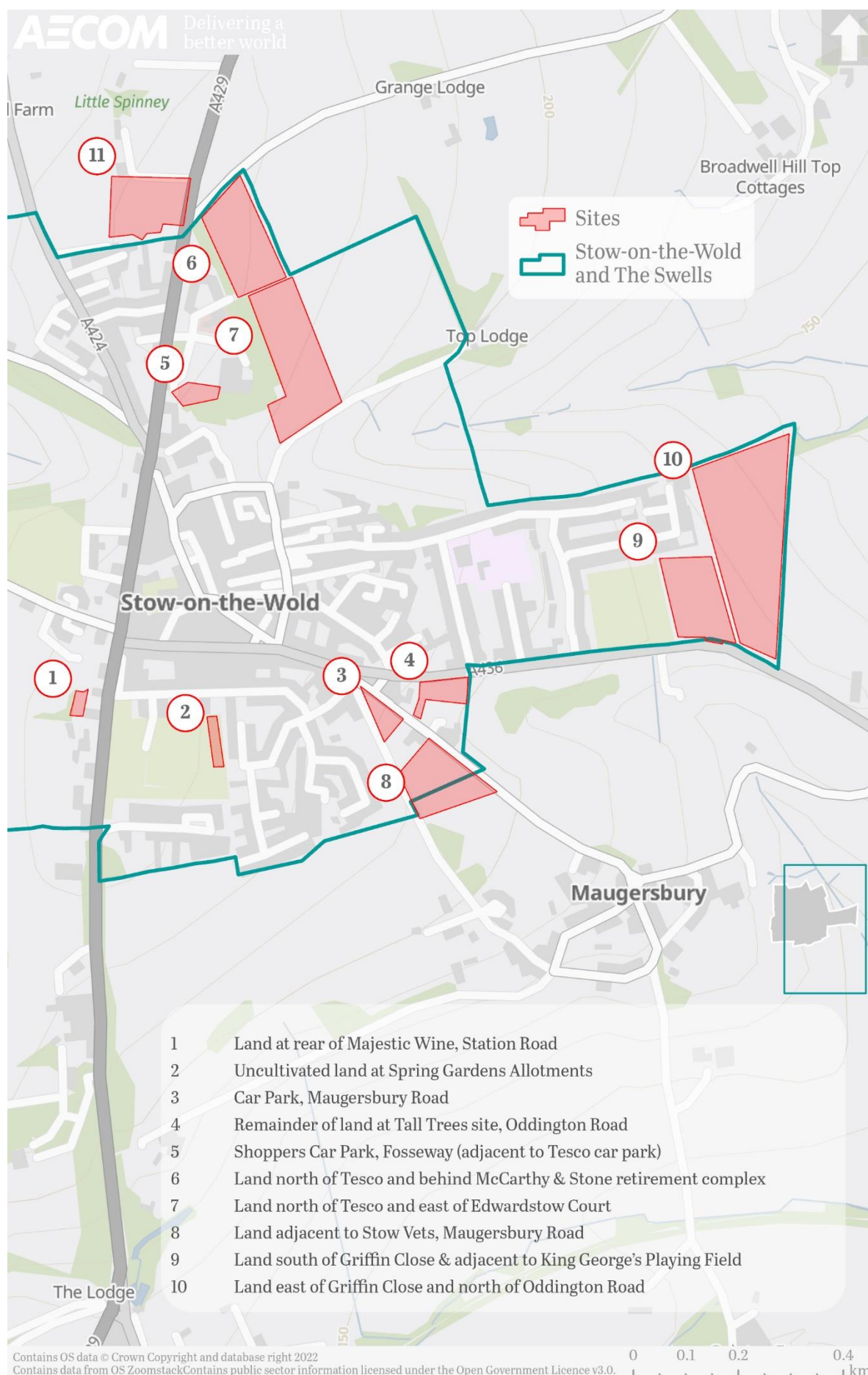
5.5 A total of eleven potential development sites have been identified through the plan-making process, ten of which are in Stow (but outside of the development boundary) and one is within The Swells; see **Figure 5.1**. The eleven sites were investigated through supporting site assessments⁸, which provided a view as to whether the sites were potentially suitable as allocations in the SSNP. This work found the following two sites as 'unsuitable for allocation':

- Site 6 (Land north of Tesco store and behind McCarthy & Stone retirement complex – Hawkesbury Place, Fosseway): this site was considered unsuitable as an allocation due to environmental factors such as impact on AONB landscape and ecology.
- Site 8 (Adjacent to Stow Vets, Mangersbury Road): this site was considered unsuitable as an allocation given the environmental sensitivity of the site and the importance of trees protected by TPOs (Tree Preservation Orders) on-site.

5.6 Of the remaining nine sites, two were found to be 'suitable for allocation' (Site 5 and Site 7) and seven were found to be 'potentially suitable for allocation' subject to mitigation (Sites 1, 2, 3, 4, 9, 10, and 11).

5.7 All sites were consulted upon with the community in March 2020 and were reconsidered to incorporate considerations of the potential to include new community infrastructure (not just housing). Site 6 emerged as the preferred site for development locally, closely followed by Site 7, Site 1, and Site 4. However, it is recognised that the consultation had a relatively low response rate.

⁸ Undertaken by the NP Steering Group and a standalone assessment of housing potential only.

Figure 5.1: SSNP site options

Arriving at reasonable alternatives

- 5.8 It is recognised that there is the option for the SSNP to not allocate any sites for development. Whilst this option is available to the group, it represents a continuation of the baseline, where no significant deviations from the baseline (i.e., significant effects) would be considered likely. The option has also been assessed by the Local Plan Sustainability Appraisal (SA), as it represents the current adopted approach laid out in the Local Plan. On this basis, the option is not considered to form a reasonable alternative for assessment, given it will add little in terms of considerations for the plan-maker, particularly within this scenario where the plan is seeking to allocate sites for housing development to address a locally identified need for affordable homes.
- 5.9 None of the eleven identified sites are being discounted at this stage, reflecting the community preferences emerging from consultation juxtaposed with the site assessment findings. Clear choices do emerge however, in terms of whether development is directed to small-scale or larger-scale sites. With the aim of delivering affordable housing, it is recognised that sites will need to be of a sufficient scale to deliver a proportion of affordable housing on-site, alongside enabling market housing.
- 5.10 Sites 1-4 are small-scale development sites of less than one hectare. Whilst development could contribute to affordable housing needs on-site, estimating circa. 20 dwellings per hectare, it is unlikely that the outlined affordable housing needs for circa. 40 affordable homes would be met through a package of small sites alone. A package of small sites was not deemed a reasonable option to assess on this basis in the Regulation 14 SEA consultation document, however, consultation responses, particularly from CDC (Cotswold District Council), propose the alternative to partially deliver against housing needs within the plan area, and leave unmet needs to be met outside of the plan area (for example in Moreton-in-Marsh) should be tested. The option of allocating small sites only, would also avoid major development in the AONB.
- 5.11 Sites 5, 8, and 11 are between 1ha and 1.5ha (medium scale) and would also need to be considered in combination to deliver against the affordable housing needs (recognising the need for enabling market housing alongside). The scale of development across these three sites could cumulatively contribute to meeting the objective to deliver against affordable housing needs, or any individual site could contribute in part to meeting needs within the plan area and there could be a proportion of unmet needs to be delivered elsewhere. Either of these options would again avoid major development in the AONB.
- 5.12 Sites 6 and 7, and Sites 9 and 10, lie adjacent to each other, both with a single landowner. The sites can be combined to form large-scale (strategic) development sites, that would deliver a significant contribution of affordable housing (likely meeting the identified needs in full and potentially exceeding them). However, these sites would constitute major development within the AONB. Notably, early indicative plans for these large sites were put to the community; see **Figures 5.2 and 5.3**.

Figure 5.2: Early Indicative plan for Sites 6 and 7⁹

Figure 5.3: Indicative plan for Sites 9 and 10

⁹ Plans have since been updated.

5.13 Whilst recognising that there could be multiple feasible combinations of small and medium-sized sites, for assessment purposes four options are identified. The options have been expanded since previous consultation to include consideration of a proportion of affordable housing needs being met outside of the neighbourhood area. The four options are:

- **Option 1:** Allocate one or more small sites from the choices of Sites 1, 2, 3, and 4. This option could potentially deliver a proportion of affordable housing needs within the neighbourhood area (except at Site 1) and would rely on unmet needs being met outside of the neighbourhood area.
- **Option 2:** Allocate one or more medium sites from the choices of Sites 5, 8, and 11. This option could deliver a proportion of affordable housing needs at individual sites or could cumulatively deliver against most of the identified affordable housing needs. There will likely be unmet affordable housing needs that would need to be met outside of the neighbourhood area (though likely to a lesser extent than Option 1).
- **Option 3:** Allocate the strategic site at northeast Stow to deliver 100 market homes, 70 affordable homes, a new carpark, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.
- **Option 4:** Allocate the strategic site at Oddington Road to deliver circa 70 affordable new homes and 76 market homes, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.

5.14 Table 5.1 seeks to add clarity.

Table 5.1: SSNP reasonable alternatives

Site reference	Size (ha)	Estimated number of homes	Option 1	Option 2	Option 3	Option 4
Site 1	0.11	2	Allocate	-	-	-
Site 2	0.5	10	Allocate	-	-	-
Site 3	0.25	5	Allocate	-	-	-
Site 4	0.7	7	Allocate	-	-	-
Site 5	1.2	25	-	Allocate	-	-
Sites 6 & 7 (combined)	24.33/6.76*	170	-	-	Allocate	-
Site 8	1.41	30	-	Allocate	-	-
Sites 9 & 10 (combined)	7.41	146	-	-	-	Allocate
Site 11	1.49	30	-	Allocate	-	-
Total Homes			24	85	170	146

**Residential area of the site*

6. Assessing reasonable alternatives

6.1 As outlined in the previous section, the following options are established as alternative options for the purposes of the SEA:

- **Option 1:** Allocate one or more small sites from the choices of Sites 1, 2, 3, and 4. This option could potentially deliver a proportion of affordable housing needs within the neighbourhood area (except at Site 1) and would rely on unmet needs being met outside of the neighbourhood area.
- **Option 2:** Allocate one or more medium sites from the choices of Sites 5, 8, and 11. This option could deliver a proportion of affordable housing needs at individual sites or could cumulatively deliver against most of the identified affordable housing needs. There will likely be unmet affordable housing needs that would need to be met outside of the neighbourhood area (though likely to a lesser extent than Option 1).
- **Option 3:** Allocate the strategic site at northeast Stow to deliver 100 market homes, 70 affordable homes, a new carpark, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.
- **Option 4:** Allocate the strategic site at Oddington Road to deliver circa 70 affordable new homes and 76 market homes, and a new community centre. This option would likely meet and deliver affordable housing needs within the neighbourhood area.

Methodology

- 6.2 For each of the options, the assessment examines likely significant effects on the baseline, drawing on the sustainability themes and objectives identified through scoping (see Table 3.1) as a methodological framework. Significant effects are indicated in red (negative) or green (positive). Where appropriate uncertainty will also be noted with grey shading.
- 6.3 Every effort is made to predict effects accurately; however, where there is a need to rely on assumptions to reach a conclusion on a significant effect, this is made explicit in the appraisal text.
- 6.4 Efforts are also made to comment on the relative merits of the alternatives in more general terms and to indicate **a rank of preference**. This is helpful, as it enables a distinction to be made between the alternatives even where it is not possible to distinguish between them in terms of significant effects. Numbers are used to highlight the option or options that are preferred from an SEA perspective with 1 performing the best. An 'equals' sign ("=") indicates options are ranked on par with each other and occurs when no significant/ meaningful differences can be drawn between options.
- 6.5 Finally, it is important to note that effects are predicted pre-mitigation (policy-off approach) and considering the criteria presented within Regulations.¹⁰ So, for example, account is taken of the duration, frequency, and reversibility of effects.

¹⁰ Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 20004.

Assessment findings

Table 6.1: Summary findings

SEA theme	Rank and likely significant effects			
	Option 1: Sites 1, 2, 3, & 4	Option 2: Sites 5, 8, & 11	Option 3: Sites 6 & 7	Option 4: Sites 9 & 10
Biodiversity	2	1	1	1
Climate change	=	=	=	=
Landscape	1	2	3	3
Historic environment	=	=	=	=
Land, soil, and water resources	1	1	2	2
Health and wellbeing	2	2	1	1
Population and communities	4	3	1	2
Transportation	1	3	2	2

Biodiversity

- 6.6 None of the options are constrained by internationally designated sites or captured as a potential risk for nearby nationally designated Sites of Special Scientific Interest (SSSIs). There is a network of deciduous woodland Priority Habitats across the neighbourhood area which intersects/ borders Options 2 (Site 5) and 3 around Tesco and south of Shoppers Carpark. The habitat is likely to be retained in development under either option. Option 2 (Site 5) falls within a National Habitat Network Enhancement Zone 2, whilst Option 1 (Sites 2 and 4), Option 2 (Sites 8 and 11) and Option 3 fall within a National Habitat Network Expansion Zone. Development under any option has good potential to support network enhancement/ expansion objectives at the sites. Most notably, Option 1 (Site 2) currently comprises allotment land which is likely to hold biodiversity values. Development at this site could also lead to disturbance effects in relation to the remaining adjacent allotment land. For these reasons, Options 2, 3, and 4 are considered to rank marginally more favourably to Option 1 overall. However, no significant effects are anticipated under any option.

Climate change

- 6.7 With regards to climate change, none of the options lie within an area of high fluvial flood risk and none of the options are constrained by areas of high surface water flood risk on-site. Option 1 (Sites 3 and 4) intersects, and Option 2 (Sites 5 and 8) lies near to, areas of low and medium surface water flood risk and would benefit from sustainable drainage systems that provide resilience and consider potential future flood risk.

- 6.8 Option 1 promotes sites mostly within the settlement area, maximising connectivity in this respect. Options 2, 3, and 4 are settlement edge options that connect well with the town and its offer with opportunities to promote active travel. Notably, Options 1 (Sites 3 and 4) and 2 (Site 8) connect well with Stow Surgery, Options 2 (Site 5) and 3 connect well with the supermarket, and Option 4 lies adjacent to King Georges Playing Field and close to Stow's primary school.
- 6.9 Whilst strategic development sites (Options 3 and 4) offer greater potential to deliver climate efficiency measures (through economies of scale) there is no evidence to indicate any particular or significant opportunities at any of the sites or locations under consideration.
- 6.10 Overall, no significant effects are considered likely and there are no significant differences between the options which are judged to perform broadly on par.

Landscape

- 6.11 With regards to landscape impacts all options would deliver development within the AONB. However, Options 1 and 2 avoid major development within the AONB, with the largest schemes under Option 2 delivering up to 30 homes. Option 3 and 4 constitute major development within the AONB.
- 6.12 Option 1 would allocate small sites mostly within the settlement area. Under this option, Sites 2, 3, and 4 largely avoid impacts in relation to the surrounding countryside, being mostly surrounding by existing development. Site 1 is adjacent to the settlement boundary in the west and whilst views to the countryside between Stow-on-the-Wold and Lower Swell are screened by existing hedgerow, the site is considered slightly more sensitive in this respect.
- 6.13 Option 2 includes a brownfield site (Site 5 The Shoppers Carpark) where regeneration of the site could be beneficial for the immediate townscape and the site falls within the settlement boundary. Option 2 (Sites 8 and 11) are settlement expansion sites, where most notably Site 8 lies in the southeast approach to the town from Mangersbury and Site 11 lies on the Fosse Way approach from the north. Development at these sites has the potential to affect entryways/ approaches to the town.
- 6.14 Options 3 and 4 are large-scale (strategic) development sites within the AONB. Option 3 is set back from the main Fosse Road but may affect views into the town from the north. Option 4 lies on the A436 approach into the town from the east.
- 6.15 Options 2, 3, and 4 have the potential to affect gateway locations and views into/ out of the town, as settlement edge locations, and the potential for negative effects of significance is therefore identified. Significant negative effects are considered less likely under Option 1. For this reason, Option 1 is ranked most favourably in relation to this SEA theme. As Options 3 and 4 constitute major development in the AONB, these options are ranked least favourably.

Historic environment

- 6.16 The historic environment is a key sensitivity for any development in the neighbourhood area. Of note, Option 1 (Site 3) lies within the Conservation Area, and Option 1 (Sites 1 and 4) adjoin/ lie close to the Conservation Area, with Site 1 lying opposite the listed buildings at Wraggs Row. Option 2 (Site 5), and Option 3 adjoin the Conservation Area at Well Lane and lie close to Abbotswood Grade II* Registered Park and Garden. Option 2 (Site 11) lies entirely within the Conservation Area in the south. Option 3 further intersects a Scheduled Monument in the southwest (the prehistoric enclosure known as Stow Camp) and a Grade II Listed Building in the south (St Edward's (Stow) Well), though it is noted that no housing development is being proposed within this area of the site. Option 4 lies further east of the settlement area and is not immediately constrained by designated assets. It is set back from the Conservation Area but visible from the southern extent of the Conservation Area at Mangersbury Park.
- 6.17 Under all options, the potential for negative effects of significance is recognised at this stage (pre-mitigation) given the sensitivity and significance of the assets surrounding (or within) the sites and their settings. None of the options are ranked more favourably than another at this stage, recognising the sensitivity of each option, and detailed mitigation plans would assist in assessing potential residual effects.

Land, soil, and water resources

- 6.18 All options would result in the loss of greenfield land; however, Option 1 (Site 3) and Option 2 (Site 5) utilise an element of brownfield regeneration making them both rank most favourably in relation to this SEA theme. Also of note, Option 1 (Site 1 and Site 4 in part) are identified as current wasteland. Options 3 and 4 are pasture/ arable land in agricultural use and Option 2 (Sites 8 and 11) includes equine grazing land. The options do not intersect waterbodies. No significant effects in relation to soil resources are anticipated under Options 1 and 2, however, the extent of the loss of productive agricultural land under Options 3 and 4 is considered for potential negative effects of significance.

Health and wellbeing

- 6.19 All options have the potential to support residents with active travel opportunities as inner settlement or settlement edge development sites that connect with existing infrastructure. Option 1 (Sites 3 and 4) provide excellent connections with Stow surgery, and Option 4 performs notably well by providing future residents with excellent access to the King George Play Park adjacent and the nearby primary school (with good potential to promote walking/ cycling in daily trips) as well as Stow Surgery.
- 6.20 Whilst recognising that existing footpath connections within and surrounding Stow are limited, all sites under all options could also provide good access to the surrounding countryside.
- 6.21 As strategic development sites, Options 3 and 4 provide good opportunities to support infrastructure development (e.g., new footpaths) and wellbeing features (such as new green spaces) through economies of scale. Notably, these two options have greater potential than Options 1 and 2 to deliver against wider plan

aims for a new community hub. Significant positive effects are associated with such development benefits. The site under Option 3 also lies adjacent to the supermarket with good potential to promote walking/ cycling in frequent trips.

- 6.22 Option 2 disperses development more widely across the settlement, with sites in the north (Sites 5 and 11) also connecting well with the supermarket, and the site in the south (Site 8) connecting relatively well with the primary school, open spaces, and Stow Surgery.
- 6.23 Overall, significant positive effects are considered more likely under Options 3 and 4 which have good potential to deliver positive health outcomes like new footpaths and open space. For this reason, these options rank more favourably than Options 1 and 2 (where no significant effects are anticipated).

Population and communities

- 6.24 All options contribute new housing that will ultimately be targeted at redressing housing stock imbalances and positive effects for local communities are anticipated in this respect. The greater the housing contribution, the greater these positive effects are likely to be, and the strategic (large-scale) sites under Options 3 and 4 are considered more likely to contribute significantly in terms of on-site affordable housing provisions. With a reliance on meeting unmet affordable housing needs outside of the plan area under Option 1, the positive effects are considered less likely to be of significance (i.e., minor). This similarly applies to Option 2, though notably, the option could cumulatively deliver positive effects of significance.
- 6.25 All sites under all options connect relatively well with the existing settlement area; with sites in the north (Option 2 – Sites 5 and 11, and Option 3) connecting well with the town centre and supermarket, and sites in the south (Option 1, Option 2 – Site 8, and Option 4) connecting well with open space, the primary school, and Stow Surgery.
- 6.26 Further of note, the scale of the development sites under Options 3 and 4 provide significantly greater potential to deliver against wider plan aims for additional carparking space and a new community hub. This potential notably increases the significance of the anticipated positive effects and makes these options rank more favourably than Options 1 and 2. Option 3 is ranked most favourably due to its potential to deliver both a new community hub and a new carpark centrally. Option 1 is ranked least favourably as only minor positive effects are anticipated as a result of a smaller contribution to meeting affordable housing needs within the neighbourhood area.

Transportation

- 6.27 With regards to road traffic impacts there is the argument that the higher the level of development, the greater the road traffic impacts would be. However, this is compared with the argument that strategic development (larger-scale development) has greater potential, through economies of scale, to deliver mitigation and new infrastructure that supports alternatives to the private car.
- 6.28 Options 1 and 2 disperse development across small or medium-scale development sites. Development under Option 2 (Sites 5 and 11) in the north of the settlement provide good access to the supermarket and connect well with the main road through the settlement (the Fosse Way). Bus connections are

provided at Tesco and along High Street. Development under Option 1 and Option 2 (Site 8) in the south connects relatively well with the primary school, GP, and open spaces, as well as the A436/ Chapel Street approach into town. Bus stops are nearby at Park Street/ Sheep Street.

- 6.29 Option 3 performs broadly like other sites in the north of the settlement providing excellent access to the supermarket and bus connections here. Option 4 is further east of the settlement area connecting well with the primary school and GP. Bus connections are provided at the adjacent King George Play Park and further along at Park Street.
- 6.30 Overall, whilst all sites under consideration connect well with the settlement area, negative effects are still considered likely through increased vehicle usage and associated traffic and congestion impacts (exacerbated by through travel and tourism). At small sites (Option 1) this is less likely to be of significance and Option 1 is ranked most favourably accordingly. At medium or large sites (Option 2, 3, and 4), it is not certain at this stage whether such effects would be significant (thus overall uncertainty is noted), however, it is considered likely that significant effects could be avoided once mitigation measures are factored in. As strategic development sites with greater potential to provide such mitigation (including new carparking connecting with the central area and a new community hub delivering local workspace), Options 3 and 4 are ranked more favourably than Option 2.

7. Developing the preferred approach

- 7.1 The Parish Council's reasons for developing the preferred approach considering the alternatives assessment are identified below:

“Following community consultation and development of the evidence base, including the SEA, the Steering Group identify the preferred option for development at the land northeast of Stow (Option 3), as this option will best meet the vision and objectives to plot a course to a different, more sustainable future and deliver against plan aims for a new community hub and additional carparking. The scheme would secure both market and affordable housing for which there is a need in Stow to shift its demographic profile, economic base, and self-sustainability.

Such benefits have not been identified as viable through Options 1 and 2, and a community preference for Option 3 over Option 4 has been identified.”

Part 2: What are the SEA findings at this stage?

8. Introduction (to Part 2)

8.1 The aim of this chapter is to present appraisal findings and recommendations in relation to the submission version of the SSNP. This chapter presents:

- An appraisal of the submission version of the SSNP under the eight SEA topic headings.
- Consideration of potential cumulative effects; and
- The overall conclusions at this current stage.

Plan policies

8.2 The SSNP puts forward 16 policies to guide development in the neighbourhood area, as identified in **Table 8.1**.

Table 8.1: SSNP policies

Policy reference	Policy name
SSNP1	The Stow on the Wold Development Boundary
SSNP2	Development in The Swells and the Countryside
SSNP3	Housing Mix
SSNP4	Principal Residence
SSNP5	Specialist Accommodation for Older People in Stow
SSNP6	Health and Well Being
SSNP7	Land North East of Stow
SSNP8	Stow Town Centre & Market Square
SSNP9	Playing Field Facilities
SSNP10	Local Green Spaces
SSNP11	Stow and the Swells Design Code
SSNP12	Non Designated Heritage Assets
SSNP13	Zero Carbon Buildings
SSNP14	Walking & Cycling in the Town and Parish
SSNP15	Vehicle Parking
SSNP16	Digital Infrastructure

Methodology

- 8.3 The assessment identifies and evaluates 'likely significant effects' on the baseline, drawing on the sustainability objectives identified through scoping (see **Table 3.1**) as a methodological framework.
- 8.4 Every effort is made to predict effects accurately; however, this is inherently challenging given the strategic nature of the policies under consideration and understanding of the baseline (now and in the future under a 'no plan' scenario) that is inevitably limited. Given uncertainties there is a need to make assumptions, e.g., in relation to plan implementation and aspects of the baseline that might be impacted. Assumptions are made cautiously and explained within the text (with the aim of striking a balance between comprehensiveness and conciseness). In many instances, given reasonable assumptions, it is not possible to predict 'significant effects', but it is possible to comment on merits (or otherwise) of the draft plan in more general terms.
- 8.5 Finally, it is important to note that effects are predicted taking account of the criteria presented within Schedule 1 of the SEA Regulations. So, for example, account is taken of the probability, duration, frequency, and reversibility of effects as far as possible. Cumulative effects are also considered, i.e., the potential for the Neighbourhood Plan to impact an aspect of the baseline when implemented alongside other plans, programmes, and projects. These effect 'characteristics' are described within the assessment as appropriate.

9. Assessment of the draft plan

Introduction

- 9.1 The draft plan contents, aims, and objectives are summarised, and the assessment is presented under the eight SEA themes established through scoping (see **Table 3.1**). Consideration is also given to cumulative effects. A final section (**Chapter 10**) then presents overall conclusions and any recommendations.

Plan contents, aims, and objectives

- 9.2 Stow on the Wold is an ancient Cotswold market town positioned at the convergence of eight historic trackways (now busy roads). Swell Parish was formed in 1935 by the amalgamation of Upper and Lower Swell, both small villages lying just west of Stow. The neighbourhood area covering both Stow and Swell lies entirely within the Cotswold Area of Outstanding Natural Beauty (AONB), a nationally valued landscape. The River Dikler runs through Upper and Lower Swell (to join the River Windrush) and is prone to flooding. Landscape impacts and flood risk present key environmental challenges for future development in the neighbourhood area.
- 9.3 Many of the buildings in Stow are typified by Cotswold limestone from local quarries, and the historic core of the town is a Conservation Area within which many of the buildings are listed. Stow's architecture and range of independent shops and services continue to attract tourism. There is a recognised local desire to make the historic town square more pedestrian friendly, and the SSNP seeks to address this through additional off-street parking that will reduce the current impact of on-street parking.
- 9.4 With regards to the communities that form the neighbourhood area, the SSNP recognises the proportion of young people (particularly those aged 18 and under) has been declining in recent years, whilst the proportion of older people (aged 65 and over) is significantly increasing. This presents challenges in terms of social and physical infrastructure and achieving a balanced housing mix. This has also been exacerbated by recent developments outside the Stow development boundary, all of which have been restricted to retirement living and have significantly increased the proportion of elderly residents forming the community.
- 9.5 Whilst residents enjoy the countryside setting, this also presents challenges for the community with high levels of second home ownership and/ or holiday rentals that have increased parking pressures and continue to drive up both property and rental values. High property and rental values juxtaposed with low incomes is a key driver behind younger people leaving the area and drives up emissions as many of those who work in Stow commute from the wider area. A key thread to the SSNP is therefore addressing an under-provision of affordable housing (particularly social rented housing) over the plan period.
- 9.6 The SSNP proposes 16 policies focused largely on housing provisions and the location of development (SSNP1 – 7), but also supporting the role and function of the town centre and Market Square (SSNP8), addressing parking issues and enhancing active travel opportunities (SSNP14 – 15), retaining local green

spaces and recreational facilities (SSNP9 – 10), and guiding high-quality design in development (SSNP11 – 16). Policy SSNP7 proposes one key strategic development site at the 'Land North East of Stow' that will deliver 100 market homes and 70 affordable homes.

Biodiversity

- 9.7 Whilst the SSNP proposes a significant development site delivering 170 new homes (Policy SSNP7), the neighbourhood area is not constrained by proximity to internationally designated sites, hence why the SSNP was screened out of requiring Habitats Regulations Assessment (HRA) Appropriate Assessment (AA).
- 9.8 With regards to nationally designated biodiversity, again the plan area is not significantly constrained. New Park Quarry SSSI (Site of Special Scientific Interest) lies north of Upper Swell, but residential development is not captured as a potential risk indicator in the identified SSSI Impact Risk Zone intersecting the neighbourhood area.
- 9.9 Grassland and woodland habitats are dispersed across the neighbourhood area, and most notably, woodland habitats intersect the border of the proposed development site in the west and the south. It will be important that these be retained and enhanced. The Living England Habitat Map¹¹ identifies the site is predominantly formed of arable and horticultural land, and the National Habitat Network identifies the whole site as a 'Network Expansion Zone' where the land is considered likely to be suitable for habitat creation and/ or opportunities for connecting and linking up locations across a landscape.
- 9.10 Whilst biodiversity constraints are not considered to be significant, it is recognised that the proposed development provides an opportunity to enhance and expand habitats on-site, linked to existing habitats as part of a Network Expansion Zone and deliver positive effects in this respect. The SSNP captures this opportunity in the policy framework, with Policy SSNP7 identifying requirements for 20% demonstrable biodiversity net gain onsite (higher than the emerging national requirement for 10%) and to avoid any loss of existing mature trees and hedgerow on-site (alongside reinstating historic hedgerows). Furthermore, the policy seeks development which replaces non-native tree species with native species. This is in the context of the wider policy framework which seeks high-quality development with integrated health and wellbeing considerations, including access to nature and allotments, native tree planting, and landscaping schemes.
- 9.11 Considering the above, **minor positive effects** are considered most likely in the long-term because of an enhanced effort to deliver biodiversity net gains at the strategic development site and integrate biodiversity considerations into future growth.

Climate change

- 9.12 With regards to climate change, a key consideration for plan-making is accessible development that provides travel choices, including active travel options as a key means to reducing per capita emissions. Whilst it is

¹¹ Available through DEFRA's [Magic Map Application](#)

recognised that the SSNP is delivering more homes than planned for through the adopted Local Plan, the effects on absolute emissions are minimised to some degree through the recognition that Stow has a relatively generous town centre offer which is supported by bus transport connections (with the closest train station outside of the neighbourhood area in Moreton-in-Marsh to the north).

- 9.13 The proposed development site is considered relatively accessible, with excellent connections to the town's supermarket. Bus connections are provided at the supermarket and slightly further afield along the High Street. Policy SSNP7 requires an active travel strategy in development proposals at the site that creates new pedestrian routes. Furthermore, a transport strategy is sought that implements road schemes and access improvements specific to the constraints of the location. The site is not located within a fluvial floodplain but does intersect small areas/ a channel of medium and high surface water flood risk in the southern extent of the site. The provisions of national and local planning policy should ensure appropriate onsite drainage systems are delivered that mitigate any potential negative effects and there is not considered a need to repeat this policy in the SSNP.
- 9.14 Wider policy provisions in the SSNP will also support more sustainable transport options. Notably, Policy SSNP7, working alongside Policies SSNP8 and SSNP15, seek to reduce the impact of parking, particularly within the town centre. Coinciding with measures to improve the public realm there is good potential to improve the attractiveness of active travel within and around the central area.
- 9.15 Also of note are the benefits of the provisions of Policy SSNP13 which seek 'zero carbon ready' development (echoed in Policy SSNP7) where buildings are designed to reduce energy consumption, increase efficiency, and support long-term resilience.
- 9.16 Considering the above, no significant deviations from the baseline are anticipated, however, it is recognised that Stow lacks direct rail access limiting its sustainable transport connections/ offer. Development at the proposed scale may conflict to some degree with Cotswold District Council's climate emergency objectives to become a carbon neutral county by 2045 (with an 80% reduction against a 1990 baseline by 2030) and **minor negative effects** are considered likely in this respect. **Minor positive effects** are also concluded in relation to the policy directions for 'zero carbon ready' development, which will help facilitate future changes.

Landscape

- 9.17 With regards to landscape, it is recognised that any future development in the neighbourhood area is constrained by its location within the Cotswold Area of Outstanding Natural Beauty (AONB). The SSNP works towards a vision that sees the special rural Cotswold character retained and the unique townscape conserved and enhanced, whilst accommodating growth that will support community needs.
- 9.18 The SSNP proposes a large-scale development site in the northeast of the settlement area (Policy SSNP7) delivering around 170 new homes across a large stretch of open greenfield land adjoining the settlement edge.

Development at the site is likely to affect views into/ from Stow and potentially views across the wider AONB landscape too. Policy SSNP7 requires a design strategy informed by a clear understanding of both the Cotswold and Stow Design Codes (as echoed through the dedicated Policy SSNP11) and a layout and landscaping scheme that successfully mitigates the effects of development on the AONB countryside to the east. Specifically, development on-site is also expected to acknowledge the views across the site south-eastwards from Broadwell Lane. Design principles are also laid out for the new carpark and community hub as part of landscape-led design.

- 9.19 Wider plan policies also support an improved townscape with provisions to maintain/ increase active ground floor frontages at Market Square (Policy SSNP8), ensure commercial and retail development enhances the special architectural and historic character of the town centre (and Conservation Area) (Policy SSNP8), support replacement pavilion facilities at Queen Elizabeth II Field and King George's Playing Field (Policy SSNP9), protect Local Green Spaces (Policy SSNP10), protect the significance of non-designated heritage assets (Policy SSNP12), and retain the transition to open countryside by identifying development boundaries (Policy SSNP1).
- 9.20 Overall, the large-scale greenfield development proposed will ultimately impact upon the existing landscape. However, the provisions of the SSNP seek to minimise this impact, particularly through a landscape-led approach to development underpinned by defined design codes specific to the local area and informed by the AONB Management Plan. As a result, **residual minor long-term negative effects** are concluded as most likely in relation to landscape.

Historic environment

- 9.21 With a wealth of heritage assets in the neighbourhood area, any growth strategy is considered constrained by the special setting of Stow and The Swells, including the land between the settlement areas which forms Abbotswood Registered Park and Garden. Furthermore, there are a wealth of archaeological finds across the neighbourhood area, as reflected by the number and broad spread of designated Scheduled Monuments. Additionally, the neighbourhood area lies adjacent to the Battle of Stow Registered Battlefield in the northeast.
- 9.22 The strategic development site proposed under Policy SSNP7 lies northeast of Stow, east of the Hawkesbury Place retirement homes and Tesco supermarket. The southwest border of the site adjoins the Stow-on-the-Wold and Mangersbury Conservation Area and lies near to Abbotswood Registered Park and Garden. The site further intersects a Scheduled Monument in the southwest (the prehistoric enclosure known as Stow Camp) and a Grade II Listed Building in the south (St Edward's (Stow) Well). Furthermore, Gloucestershire County Council highlight in recent consultation that advice from the Battlefields Trust should be sought as the precise location of the Stow Battlefield is uncertain.
- 9.23 Whilst the proposed policy framework does not outline these constraints to the site, it is recognised that the designated assets and their settings are afforded protection through the Local Plan and NPPF and there is no need to duplicate such policy intentions within the SSNP. Despite this, it is recommended that the

site allocation policy (Policy SSNP7) is updated to acknowledge these constraints as key design considerations for proposals and advice is sought from the Battlefields Trust as recommended by Gloucestershire County Council. The main way in which the SSNP mitigates the effects of development on the historic environment is through the proposed local design codes linked through Policy SSNP11, where landscape-led design proposals are sought which minimise impacts on the historic character and the designated Conservation Area.

- 9.24 Also of note, the SSNP proposes Policy SSNP12 which provides protections for non-designated heritage assets that contribute to the historic character of the settlement area.
- 9.25 Overall, the large-scale development proposed ultimately has the potential to impact upon the historic environment and the SSNP seeks to mitigate these impacts with a strong focus on high-quality design that is landscape-led and integrates with the historic AONB setting. Whilst this is likely to reduce the significance of effects (supported by wider local and national planning policy) the residual effects **remain uncertain** at this stage. To reduce uncertainty, the SSNP could seek to strengthen the mitigation provided by Policy SSNP7 by acknowledging the identified heritage constraints as key design considerations, and by directing development to the northern extent of the site where heritage sensitivities are reduced. The SSNP should also consult the Battlefields Trust in relation to the precise location of the Stow Battlefield.

Land, soil, and water resources

- 9.26 A key issue in relation to land and soil resources is the conflicting nature of additional growth and the need to protect greenfield land resources and high-quality soils. Productive agricultural land is a key resource, alongside mineral safeguarded areas, recognising that the settlement overlies key sandstone and limestone mineral resources.
- 9.27 The SSNP proposes one large-scale development site in the northeast of the settlement area formed of arable agricultural land (likely to be of high-quality), the loss of which has the potential for negative effects in relation to soil resources. The mineral safeguarded area is extensive, covering the settlement area, and whilst the site allocation falls within this, it is considered that negative effects are minimised by edge of settlement development (where mineral extraction is unlikely to take place).
- 9.28 In relation to water resources, whilst the development proposed through the SSNP is relatively large-scale, it is likely that effects on water resources will be marginal, recognising that water resources are managed at a catchment scale with management plans in place to deal with a growing population. Efforts to ensure high levels of water efficiency in new development will support water resource management and planning in the long-term, and Policy SSNP7 could be enhanced by requiring design features that improve both energy and water efficiency (recognising that the policy currently only refers to energy efficiency).
- 9.29 With regards to water quality, waterbodies associated with Caudwell Brook intersect the southern extent of the site, where measures will need to be included in development to avoid impacts arising. Whilst the provisions of the NPPF and Local Plan provide some protections for water quality (particularly in

terms of meeting the Water Framework Directive objectives), it is recognised that Policy SSNP7 could be enhanced with appropriate policy wording that protects the quality and function of the waterbodies intersecting the site. Noting that the current developer masterplan for the site includes recreational space in this area of the site, it would be beneficial for the policy to reiterate the need to direct development to the north of the site.

- 9.30 Overall, given the likely impacts to soil resources and agricultural land, **permanent significant negative effects** are considered likely. It will be for plan-makers to weight these impacts with competing SEA and plan objectives (such as the benefits of affordable housing delivery). It is further recognised that these impacts could be reduced by policy wording that specifically restricts development to a smaller proportion of the site (as indicated in the current masterplan).

Health and wellbeing

- 9.31 A key issue for the neighbourhood area is a recent significant increase in the proportion of elderly residents, with more people relying on high levels of accessibility and inclusivity which reduces isolation.
- 9.32 The SSNP dedicates Policy SSNP6 to health and wellbeing factors, recognising that development proposals need to demonstrate their support for positive health outcomes, including by encouraging active lifestyles and travel choices, reducing the impacts of vehicular traffic, incorporating high-quality design principles, and providing connectivity to green infrastructure networks.
- 9.33 The proposed allocation site under Policy SSNP7 is targeted at redressing housing imbalances, that will indirectly support demographic imbalances that are a key issue for the neighbourhood area now. Furthermore, the site is located close to key amenities and the policy provisions seek opportunities to encourage active travel and healthy lifestyles, with tenures targeting local needs. Proposals are further required to demonstrate design features that improve energy efficiency and reduce emissions as part of zero/ low carbon development, which can support community wellbeing in the long-term through reduced fuel poverty and increased resilience.
- 9.34 Access to nature is actively sought in development, including at the proposed allocation site, with policies reiterating a need to deliver biodiversity net gains in development and integrate with the wider network of green infrastructure. Additional measures seek to protect and enhance Local Green Space and recreational areas (Policies SSNP9 and SSNP10) and develop active travel networks (Policy SSNP14).
- 9.35 The policy provisions which seek positive health outcomes in future development are considered likely to lead to **minor long-term positive effects** overall.

Population and communities

- 9.36 There are key housing issues facing the communities of Stow and The Swells. There are two recognised issues associated with the housing mix in the neighbourhood area: being, a high level of second homes/ holiday rental homes, and recent developments delivering a significant number of retirement

homes. These factors have driven up both property and rental values such that many locals cannot afford to remain in the area. As a result, the proportion of younger residents is continually decreasing, and people who work in Stow generally commute in. Both young people and the local workforce are largely priced out of the local housing market or excluded from recent developments.

- 9.37 The SSNP seeks to address these issues, recognising that the delivery of new affordable homes provides a significant opportunity to redress the housing imbalance. First and foremost, the SSNP seeks a substantial housing development at the 'Land North East of Stow' (Policy SSNP7), with 100 open market homes enabling the delivery of an additional 70 affordable homes. Policy SSNP3 further seeks a 40% affordable housing proportion onsite in new developments of 6 or more homes on other sites. Policies SSNP3 and SSNP7 guide the tenure split and size mix of future housing, with an emphasis on social rented housing and 3/ 4-bed homes. The substantial provisions and high percentage requirement in future development is considered likely to support significant positive effects for communities in Stow and The Swells.
- 9.38 Policy SSNP5 seeks to limit the delivery of new specialist accommodation for older people over the plan period and align any further delivery of this housing type with local needs for affordability and locally connected residents. Policy SSNP4 further supports these efforts by seeking to place restrictions on new housing development to ensure their occupancy as a 'Principal Residence'; thus, restricting further growth in level of second home ownership in the neighbourhood area. CDC highlight through recent consultation, national measures that are emerging to support communities impacted by second home ownership and holiday lets, and the SSNP policy could be considered an additional measure to support such aims. Furthermore, the policy framework, particularly Policies SSNP7, SSNP11 and SSNP13, seek to embed high-quality design principles which will support inclusivity and community cohesion, supported further by policy provisions relating to health and wellbeing (Policy SSNP6) and access to local green spaces (SSNP10).
- 9.39 The development site 'Land North East of Stow' is also expected to deliver a new public car park and a new community hub building. The hub building will provide access to community shared space and small workspaces, which alongside Policy SSNP16 (seeking to improve digital infrastructure) should support communities, SMEs (Small and Medium Enterprises), and homeworking in the neighbourhood area. The additional car parking should also help reduce the impacts of on-street parking in the town centre, which alongside additional measures to improve the town centre public realm (Policy SSNP8) and enhance pedestrian and cycle networks (Policy SSNP14) should support communities with an enhanced service provision and town centre experience.
- 9.40 Considering these points, in particular the direct efforts to redress housing stock imbalances, **significant long-term positive effects** are predicted.

Transportation

- 9.41 The proposed development through the SSNP (Policy SSNP7) connects well with the main A-Road connections through the settlement, but will deliver an additional 170 homes, inevitably increasing traffic and congestion issues to some degree and negative impacts are considered likely as a result. The site is

relatively well connected to the town centre however, which will encourage the use of sustainable modes of transport to access key facilities and amenities.

- 9.42 The public car park scheme proposed at the development site 'Land North East of Stow' will provide significant benefits by way of reducing on-street parking and congestion in the town centre. At Market Square it is intended that freed up parking spaces be given over to public realm improvements (Policy SSNP8). Additional measures seek appropriate parking provisions elsewhere across the neighbourhood area (Policy SSNP15) and improvements to active travel networks (Policy SSNP14). Positive effects are likely to emerge as a result.
- 9.43 Overall, whilst **negative effects** are considered likely because of the large-scale development scheme and associated traffic increases, the extent of these effects remain **uncertain** at this stage (in the absence of appropriate traffic modelling evidence) but it is recognised that traffic and congestion issues within the settlement are exacerbated by through traffic and tourism which are a greater cause for concern than traffic generated by residents. **Minor positive effects** are also considered likely because of efforts to improve parking (and reduce congestion) within the town centre and Market Square.

Cumulative effects

- 9.44 The additional housing provisions of the SSNP will support the district's housing land supply over the plan period and positive cumulative effects are considered likely in this regard.
- 9.45 However, the SSNP will also contribute to the incremental loss of greenfield and agricultural land resources within the district, and this also has wider implications for its AONB setting.

10. Conclusions and recommendations

Conclusions

- 10.1 Overall, the appraisal has served to highlight a range of potential effects in implementing the SSNP. Significant negative effects are predicted in relation to the land, soil, and water resources theme, which reflects the permanent loss of greenfield and agricultural land at the proposed site allocation.
- 10.2 Significant positive effects are predicted in relation to the population and communities theme, which reflects the significant delivery of new housing targeted at meeting locally identified needs alongside a new community hub building and improved parking provisions which seek to improve the town centre experience. These efforts, alongside measures to connect development and improve active travel, are also considered likely to lead to minor long-term positive effects in relation to the health and wellbeing SEA theme.
- 10.3 With limited biodiversity constraints in the neighbourhood area and policy measures which seek a 20% biodiversity net gain in new development (higher than the national standard), minor positive effects are also predicted in relation to the biodiversity SEA theme.
- 10.4 The landscape and heritage setting reflect key constraints for development in Stow and the Swells and whilst the SSNP seeks a high-quality, landscape-led approach to development, residual minor landscape impacts are predicted, and uncertainty is noted in relation to historic environment impacts. Recommendations have been made which seek to reduce this uncertainty (see below).
- 10.5 Both minor negative and minor positive effects are concluded in relation to climate change. The SSNP places great emphasis on high-quality design and efficiency standards in development, adopted a 'zero carbon ready' approach. However, the lack of direct rail connectivity reduces the potential to improve per capita emissions in the short to medium term and may conflict with the district carbon neutral goals and declared climate emergency to some degree.
- 10.6 The potential for both positive and negative effects in relation to transport are identified. The relatively large-scale site allocation site is likely to impact upon traffic and congestion locally (the extent to which remains uncertain), but wider measures to improve car parking, the town centre public realm, and active travel networks are likely to be more beneficial.

Recommendations

- 10.7 The following recommendations have been made:

- The large-scale development proposed ultimately has the potential to impact upon the historic environment and the SSNP seeks to mitigate these impacts with a strong focus on high-quality design that is landscape-led and integrates with the historic AONB setting. Whilst this is likely to reduce the significance of effects (supported by wider local and national planning policy) the residual effects **remain uncertain** at this stage. To reduce uncertainty, the SSNP should consult with the Battlefields Trust and could

seek to strengthen the mitigation provided by Policy SSNP7 by acknowledging the identified heritage constraints as key design considerations, and by directing development to the northern extent of the site where heritage sensitivities are reduced. Directing development to the northern extent of the site will also reduce the potential for impacts in relation to water quality, given that waterbodies intersect the southern extent of the site.

- The site allocation policy provisions could be enhanced with extended requirements for design features that also improve water efficiency (alongside energy efficiency).

Part 3: What are the next steps?

11. Next steps

11.1 This part of the report explains the next steps that will be taken as part of plan-making and SEA.

Plan finalisation

11.2 This Environmental Report accompanies the SSNP for submission to the Local Planning Authority, Cotswold District Council, for subsequent Independent Examination.

11.3 At Independent Examination, the SSNP will be considered in terms of whether it meets the Basic Conditions for Neighbourhood Plans and is in general conformity with the Local Plan.

11.4 Assuming the examination leads to a favourable outcome, the SSNP will then be subject to a referendum, organised by Cotswold District Council. If more than 50% of those who vote agree with the Neighbourhood Plan, then it will be 'made'. Once 'made', the plan will become part of the Development Plan for Cotswold, covering the defined neighbourhood area.

Monitoring

11.5 The SEA regulations require 'measures envisaged concerning monitoring' to be outlined in this report. This refers to the monitoring of likely significant effects of the Neighbourhood Plan to identify any unforeseen effects early and take remedial action as appropriate.

11.6 It is anticipated that monitoring of effects of the Neighbourhood Plan will be undertaken by Cotswold District Council as part of the process of preparing its Annual Monitoring Report (AMR). Predicted significant effects in implementing the SSNP relate to the loss of greenfield and likely high-quality agricultural land, this loss will be recorded by Cotswold District Council and is not expected to increase or change over the plan period. No additional monitoring is therefore proposed in this respect. It is recommended that any work to identify the precise location of the Stow Battlefield is recorded and monitored and shared appropriately.

Appendices

Appendix A Regulatory requirements

As discussed in **Chapter 1**, Schedule 2 of the Environmental Assessment of Plans Regulations 2004 (the Regulations) explains the information that must be contained in the Environmental Report; however, interpretation of Schedule 2 is not straightforward. **Table AA-1** overleaf links the structure of this report to an interpretation of Schedule 2 requirements, whilst **Table AA-2** explains this interpretation. **Table AA-3** identifies how and where within the Environmental Report the regulatory requirements have/ will be met.

Table AA-1 Questions answered by this Environmental Report, in-line with an interpretation of regulatory requirements

	Questions answered		As per regulations... the Environmental Report must include...
Introduction	What's the plan seeking to achieve?		<ul style="list-style-type: none"> An outline of the contents, main objectives of the plan and relationship with other relevant plans and programmes
	What's the SEA scope?	What's the sustainability 'context'?	<ul style="list-style-type: none"> Relevant environmental protection objectives, established at international or national level Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance
		What's the sustainability 'baseline'?	<ul style="list-style-type: none"> Relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan The environmental characteristics of areas likely to be significantly affected Any existing environmental problems which are relevant to the plan including those relating to any areas of a particular environmental importance
		What are the key issues and objectives that should be a focus?	<ul style="list-style-type: none"> Key environmental problems / issues and objectives that should be a focus of (i.e., provide a 'framework' for) assessment
Part 1	What has plan-making / SEA involved up to this point?		<ul style="list-style-type: none"> Outline reasons for selecting the alternatives dealt with (and thus an explanation of the 'reasonableness' of the approach) The likely significant effects associated with alternatives Outline reasons for selecting the preferred approach in-light of alternatives assessment / a description of how environmental objectives and considerations are reflected in the draft plan
Part 2	What are the SEA findings at this current stage?		<ul style="list-style-type: none"> The likely significant effects associated with the draft plan The measures envisaged to prevent, reduce, and offset any significant adverse effects of implementing the draft plan
Part 3	What happens next?		<ul style="list-style-type: none"> A description of the monitoring measures envisaged

Table AA-2: Questions answered by this Environmental Report, in-line with regulatory requirements

<u>Schedule 2</u>	<u>Interpretation of Schedule 2</u>		
<i>The report must include...</i>	<i>The report must include...</i>		
(a) an outline of the contents, main objectives of the plan and relationship with other relevant plans and programmes;	An outline of the contents, main objectives of the plan and relationship with other relevant plans and programmes	i.e. answer - <i>What's the plan seeking to achieve?</i>	
(b) the relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan	Any existing environmental problems which are relevant to the plan including, in particular, those relating to any areas of a particular environmental importance	i.e. answer - <i>What's the 'context'?</i>	i.e. answer - <i>What's the scope of the SA?</i>
(c) the environmental characteristics of areas likely to be significantly affected;	The relevant environmental protection objectives, established at international or national level		
(d) any existing environmental problems which are relevant to the plan or programme including, in particular, those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC;	The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan'	i.e. answer - <i>What's the 'baseline'?</i>	
(e) the environmental protection objectives, established at international, Community or Member State level, which are relevant to the plan and the way those objectives and any environmental considerations have been taken into account during its preparation;	The environmental characteristics of areas likely to be significantly affected		
(f) the likely significant effects on the environment including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;	Any existing environmental problems which are relevant to the plan including, in particular, those relating to any areas of a particular environmental importance	i.e. answer - <i>What are the key issues & objectives?</i>	
(g) the measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan;	Key environmental problems / issues and objectives that should be a focus of appraisal		
(h) an outline of the reasons for selecting the alternatives dealt with and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information	An outline of the reasons for selecting the alternatives dealt with (i.e. an explanation of the 'reasonableness of the approach')	i.e. answer - <i>What has Plan-making / SA involved up to this point?</i> [Part 1 of the Report]	
(i) a description of the measures envisaged concerning monitoring.	The likely significant effects associated with alternatives, including on issues such as... ... and an outline of the reasons for selecting the preferred approach in light of the alternatives considered / a description of how environmental objectives and considerations are reflected in the draft plan.		
	The likely significant effects associated with the draft plan	i.e. answer - <i>What are the assessment findings at this current stage?</i> [Part 2 of the Report]	
	The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects of implementing the draft plan		
	A description of the measures envisaged concerning monitoring	i.e. answer - <i>What happens next?</i> [Part 3 of the Report]	

Table AA-3: 'Checklist' of how (throughout the SEA process) and where (within this report) regulatory requirements have been, are, and/ or will be met.

Regulatory requirement	Discussion of how requirement is met
Schedule 2 of the regulations lists the information to be provided within the SA Report	
1. An outline of the contents, main objectives of the plan or programme, and relationship with other relevant plans and programmes;	Chapter 2 ('What is the plan seeking to achieve') presents this information.
2. The relevant aspects of the current state of the environment and the likely evolution thereof without implementation of the plan or programme;	These matters have been considered in detail through scoping work, which has involved dedicated consultation on a Scoping Report. The 'SEA framework' – the outcome of scoping – is presented within Chapter 3 ('What is the scope of the SEA?'). More detailed messages, established through a context and baseline review are also presented in Appendix B of this Environmental Report.
3. The environmental characteristics of areas likely to be significantly affected;	
4. Any existing environmental problems which are relevant to the plan or programme including those relating to any areas of a particular environmental importance, such as areas designated pursuant to Directives 79/409/EEC and 92/43/EEC.;	
5. The environmental protection, objectives, established at international, Community or national level, which are relevant to the plan or programme and the way those objectives and any environmental, considerations have been taken into account during its preparation;	The SEA framework is presented within Chapter 3 ('What is the scope of the SEA'). Also, Appendix B presents key messages from the context review. With regards to explaining " <i>how...considerations have been taken into account</i> ", Chapter 7 explains the Steering Group's 'reasons for supporting the preferred approach', i.e., explains how/ why the preferred approach is justified in light of alternatives appraisal.
6. The likely significant effects on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape, and the interrelationship between the above factors. (Footnote: These effects should include secondary, cumulative, synergistic, short, medium and long-term permanent and temporary, positive and negative effects);	Chapter 6 presents alternatives appraisal findings (in relation to housing growth, which is a 'stand-out' plan policy area). Chapters 9 presents an appraisal of the plan. With regards to assessment methodology, Chapter 8 explains the role of the SEA framework/scope, and the need to consider the potential for various effect characteristics/ dimensions, e.g., timescale.
7. The measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment of implementing the plan or programme;	The assessment highlights certain tensions between competing objectives, which might potentially be actioned by the Examiner, when finalising the plan. Also, specific recommendations are made in Chapter 10.
8. An outline of the reasons for selecting the alternatives dealt with, and a description of how the assessment was undertaken including any difficulties (such as technical deficiencies or lack of know-how) encountered in compiling the required information;	Chapters 4 and 5 deal with 'Reasons for selecting the alternatives dealt with', in that there is an explanation of the reasons for focusing on issues and options. Also, Chapter 7 explains the Parish Council's 'reasons for selecting the preferred option' (in light of alternatives assessment).

Regulatory requirement	Discussion of how requirement is met
9. Description of measures envisaged concerning monitoring in accordance with Art. 10;	Chapter 11 presents measures envisaged concerning monitoring.
10. A non-technical summary of the information provided under the above headings	The NTS is provided at the beginning of this Environmental Report.
The SA Report must be published alongside the Draft Plan, in accordance with the following regulations	
authorities with environmental responsibility and the public, shall be given an early and effective opportunity within appropriate time frames to express their opinion on the Draft Plan or programme and the accompanying environmental report before the adoption of the plan or programme (Art. 6.1, 6.2)	At the current time, this Environmental Report Update is published alongside the 'submission' version of the SSNP, with a view to informing Regulation 16 consultation.
The SA must be considered, alongside consultation responses, when finalising the plan.	
The environmental report prepared pursuant to Article 5, the opinions expressed pursuant to Article 6 and the results of any transboundary consultations entered into pursuant to Article 7 shall be taken into account during the preparation of the plan or programme and before its adoption or submission to the legislative procedure.	Assessment findings presented within this Environmental Report, and consultation responses received, have been fed back to the Steering Group and have informed plan finalisation.

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Strategic Environmental and Habitats Regulations Assessment

Screening Report Stow-on-the-Wold and Swell Neighbourhood Plan

October 2020

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Introduction

- 1.1 This screening report is designed to determine whether or not the content of the Stow-on-the-Wold (referred to as Stow) and Swell Neighbourhood Plan (Latest available public version Draft version 12 - 28/9/17) https://stowonthewoldtc.gov.uk/files/neighbourhood_plan_01_draft_neighbourhood_development_plan_version_12.pdf requires a Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC. It also includes an assessment of whether a Habitats Regulation Assessment (HRA) in accordance with Article 6(3) and (4) of the Habitats Directive 92/43/EEC would be required. Under EU regulations the legal requirement for SEA/HRA depends on the content of the plan.



- 1.2 Please note, **a Scoping Report has already been produced for the draft NDP in 2017. This report is for completeness**, to acknowledge recent changes to the latest version of the NDP, and to formally note the reasons behind that request.
- 1.3 The Stow and Swell Neighbourhood Plan is being prepared, to set out the vision for the area and the planning policies for use and development of land within the Neighbourhood area.
- 1.4 The area covered by the NDP includes both Parishes of the town of Stow on the Wold and the rural Parish of Swell, including the villages of Upper Swell and Lower Swell. Stow is identified in the Local Plan as a 'Principal Settlement' and is located on a prominent hilltop setting, (the NDP area is) wholly within the Cotswold Area of Outstanding Natural Beauty (AONB).
- 1.5 The Neighbourhood Plan is being prepared in the context of the Cotswold District Local Plan 2011-2031. The Local Plan was adopted by the Council in August 2018 having been through Independent Examination. The Local Plan (Policy S13) supports in principle development of a Town Museum and a new community facility and small local workshops/B1 uses in the town (Local Plan, 7.15) but does not directly allocate land within the NDP area. The Development Plan for the area will comprise both the Cotswold District Local Plan and (when 'made') the Stow and Swell Neighbourhood Plan, and will be used to help determine planning applications and appeals.
- 1.6 The Vision for Stow and Swell is based on key issues raised by local people and includes; goals to conserve and enhance the environment, ensuring an adequate supply of affordable housing to meet the community's needs, developing the economy, and ensuring an appropriate infrastructure (including green infrastructure) of services, facilities, and additional parking sites.
- 1.7 **The latest version of the Plan (draft version 13 - 2020) supports more development with more possible sites than previously suggested in version 12 (above Draft version 12 - 28/9/17) and is now proposing in the region of some 150 dwellings.**
- 1.8 The Plan supports development (and the potential allocation) of sites and also provides local guidance on how applications for development in the plan area should be determined.
- 1.9 The legislation set out below outlines the regulations that require the need for a screening exercise.

Legislative Background

- 2.1.1 Establishing whether a neighbourhood plan requires an environmental assessment is an important legal requirement and forms part of the neighbourhood planning process.
- 2.2 In order to be 'made' neighbourhood plans are required to be tested against and meet a number of 'basic conditions' set out in the Localism Act 2011 (Appendix 1). One of the basic conditions is whether the Neighbourhood Plan is compatible with European Union obligations, including those under the SEA Directive and Habitats Directive. Neighbourhood Plans in England require SEA if their effects are likely to be significant, or if the plan requires appropriate assessment under Habitats Regulations Assessment (HRA). While screening for SEA and HRA is a parallel process both are integrated here into one report.

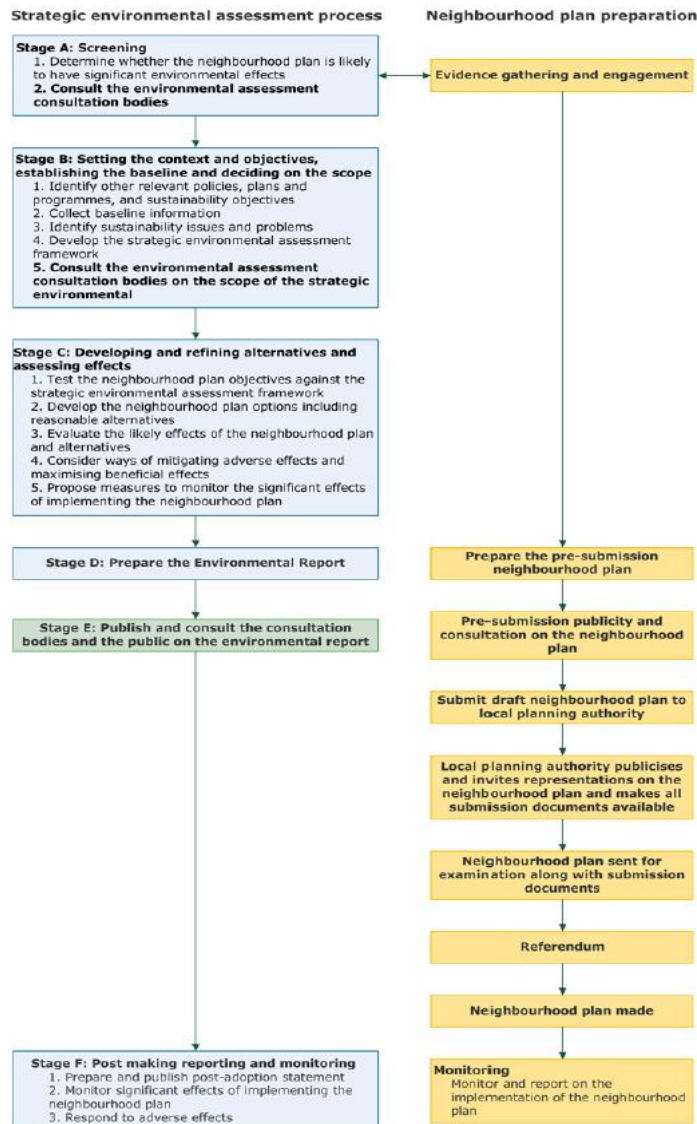


- 2.3 Neighbourhood Development Plans (NDPs) are not required to undertake the type of sustainability appraisal required for a Local Plan. However NDPs may require a strategic environmental assessment (SEA) of the Plan in accordance with European Directive 2001/42/EC or '**SEA Directive**'. This was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 or the 'SEA Regulations'. Regulation 9 sets out the requirements to assess (screen) the plan, and includes a requirement to consult the environmental assessment consultation bodies.
- 2.4 The Local Plan was subject to a full, comprehensive Sustainability Appraisal (SA) including SEA, which has considered the significant environmental, economic and social effects of the Local Plan for the District. A neighbourhood plan might require SEA if it is likely to have significant environmental effects that have not already been considered and dealt with through a SA of the Local Plan. The SA Report that accompanied the Local Plan to Examination can be found here: <https://www.cotswold.gov.uk/media/pf4dif24/8101-sustainability-appraisal-jan-2017.pdf>
- 2.5 While the Neighbourhood Plan is likely to focus on more local detail than the Local Plan, The Planning Inspector stated in his report that he was '*...satisfied that the sustainability appraisal that has been carried out throughout the process of preparing the Plan, as required by section 19(5) of the Act, has complied with the requirements of the European Directive on strategic environmental assessment and relevant national policy and guidance*'. 1 (Para.24, Cotswold District Local Plan 2011-2031: Inspector's Report June 2018).
- 2.6 The **Habitats Directive** 92/43/EEC is another key obligation and requires that any plan or project likely to have a significant effect on a European Site must be subject to an 'appropriate assessment,' rather than just screening. The effectiveness of measures to mitigate the impact of the plan, on sites protected by the Habitats Directive, should also be tested through full appropriate assessment, rather than just screening (EU Court of Justice ruling in *People Over Wind* and *Sweetman v Coillte Teoranta*, April 2018).
- 2.7 The Habitats Directive was transposed into English law by the 'Conservation of Habitats and Species Regulations (as amended) 2012' or 'Habitats Regulations'. HRA is the screening assessment (Reg 106(1)) of the likely effects, or impacts, of a land use proposal against the conservation objectives of European sites; and considers whether or not a proposal (alone or in combination) is likely to be significant. European Sites are also known as Natura 2000 sites. The HRA submitted alongside the Local Plan to Examination can be found here: <https://www.cotswold.gov.uk/media/fcolqyq3/5501-habitats-regulations-assessment-report-apr-2017.pdf>

Screening Process

- 2.8 Screening is 'Stage A' of the SEA process outlined in the Governments' National Planning Practice Guidance (NPPG), and should be undertaken as early as possible in the neighbourhood plan process. The NPPG also provides guidance on when an SEA might be required.

¹ <https://www.cotswold.gov.uk/media/1605407/Cotswold-Local-Plan-Report-Final.pdf>



- 3 Where the Neighbourhood Plan falls within the scope of the SEA Regulations (see ‘Assessment – Is an SEA required?’) a determination under Regulation 9 is required (see ‘Assessment – Likely significant effects?’). Regulation 9 requires that the responsible authority shall determine whether or not a plan is likely to have significant effects and
- take into account the criteria specified in Schedule 1 to the SEA Regulations and
 - consult the consultation bodies.
- 3.1 Where a Neighbourhood Plan is likely to have a significant effect on the environment an SEA (environmental report) must be carried out; and where the plan is unlikely to do so, and does not require an SEA, there should be a statement of reasons for the determination.
- 3.2 The criteria to decide whether a neighbourhood plan, might have significant environmental effects is set out in Schedule 1 of the Regulations (Annex II of ODPM Guidance) below.

ANNEX II

Criteria for determining the likely significance of effects referred to in Article 3(5)

1. The characteristics of plans and programmes, having regard, in particular, to
 - the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources,
 - the degree to which the plan or programme influences other plans and programmes including those in a hierarchy,
 - the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development,
 - environmental problems relevant to the plan or programme,
 - the relevance of the plan or programme for the implementation of Community legislation on the environment (e.g. plans and programmes linked to waste-management or water protection).
 2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to
 - the probability, duration, frequency and reversibility of the effects,
 - the cumulative nature of the effects,
 - the transboundary nature of the effects,
 - the risks to human health or the environment (e.g. due to accidents),
 - the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),
 - the value and vulnerability of the area likely to be affected due to:
 - special natural characteristics or cultural heritage,
 - exceeded environmental quality standards or limit values,
 - intensive land-use,
 - the effects on areas or landscapes which have a recognised national, Community or international protection status.
-
- 1.1 An SEA would also be necessary if the plan requires appropriate assessment under **Habitats Regulations Assessment**. The overall purpose of a HRA is to conclude whether or not a proposal or policy or whole Plan would adversely affect the integrity of the site in question.
 - 3.3 Screening is 'Stage 1' of the HRA process, followed, if necessary, by an Appropriate Assessment. Under the Habitats Regulation 106 an assessment of the 'likely significant effects' of the Plan is the first step to be required. Where a doubt remains an adverse impact should be assumed – HRA's are thus based on the precautionary principle.
 - 3.4 The first step is to consider which European site or sites could be affected by the Plan. Then consider the policies within the NDP and screen using assumptions from the Local Plan HRA, both in relation to *how* likely significant effects may result from the NDP, and on a *proximity* basis, on how far such impacts may travel; looking at physical damage, pollution, recreational pressure, water quantity and quality.
 - 3.5 The Inspector needs to be satisfied that the SEA/HRA work properly demonstrates the making of the Plan would not have any significant effects and therefore satisfies the basic condition on compatibility with EU Regulations.
 - 3.6 '*Assessment of the effects should be done in a proportionate way...*' (Screening NDPs for SEA, Locality, page 10), and although there may be some gaps in information, there should be enough to assess the likely significant effects of the plan.
 - 3.7 A screening outcome for both SEA and HRA is provided in the conclusion.



Assessment – Gathering Data

- 3.8 Once data on the environmental constraints and assets in the area have been gathered, it is then possible to determine any likely significant effects of the NDP proposals (positive and /or negative) on the environment.
- 3.9 The potential environmental effects which may arise as a result of the NDP and if they are likely to be significant, are grouped by the SEA ‘topics’ as suggested by Annex I(f) of the SEA Directive.

Annex I (f) of the SEA Directive – environmental receptors (physical and cultural attributes of an area) which could be affected by proposals in the plan. Grouped into themes:

(f) the likely significant effects (1) on the environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage including architectural and archaeological heritage, landscape and the interrelationship between the above factors;

- 3.10 The Plan vision and objectives, or draft proposals, and a list of sites considered for inclusion in the plan (if any) and potential impact of new development will help determine whether or not the plan would give rise to significant effects.
- 3.11 The following section provides a screening assessment of the likely need for a full SEA. The text in the box below is taken from the Government’s Planning Practice Guidance (NPPG)² on when an SEA may be required:

Whether a neighbourhood plan proposal requires a strategic environmental assessment, and (if so) the level of detail needed, will depend on what is proposed. A strategic environmental assessment may be required, for example, where:

- a neighbourhood plan allocates sites for development
- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan
- the neighbourhood plan is likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan

Paragraph: 046 Reference ID: 11-046-20150209

Will the neighbourhood plan allocate sites for development?

- 3.12 It is understood that it is the intention of the plan to allocate sites for development. Policy H1 seeks to satisfy the need for ‘at least 27 affordable houses’, with the majority most likely

² <https://www.gov.uk/guidance/strategic-environmental-assessment-and-sustainability-appraisal#baseline-environmental-characteristics>

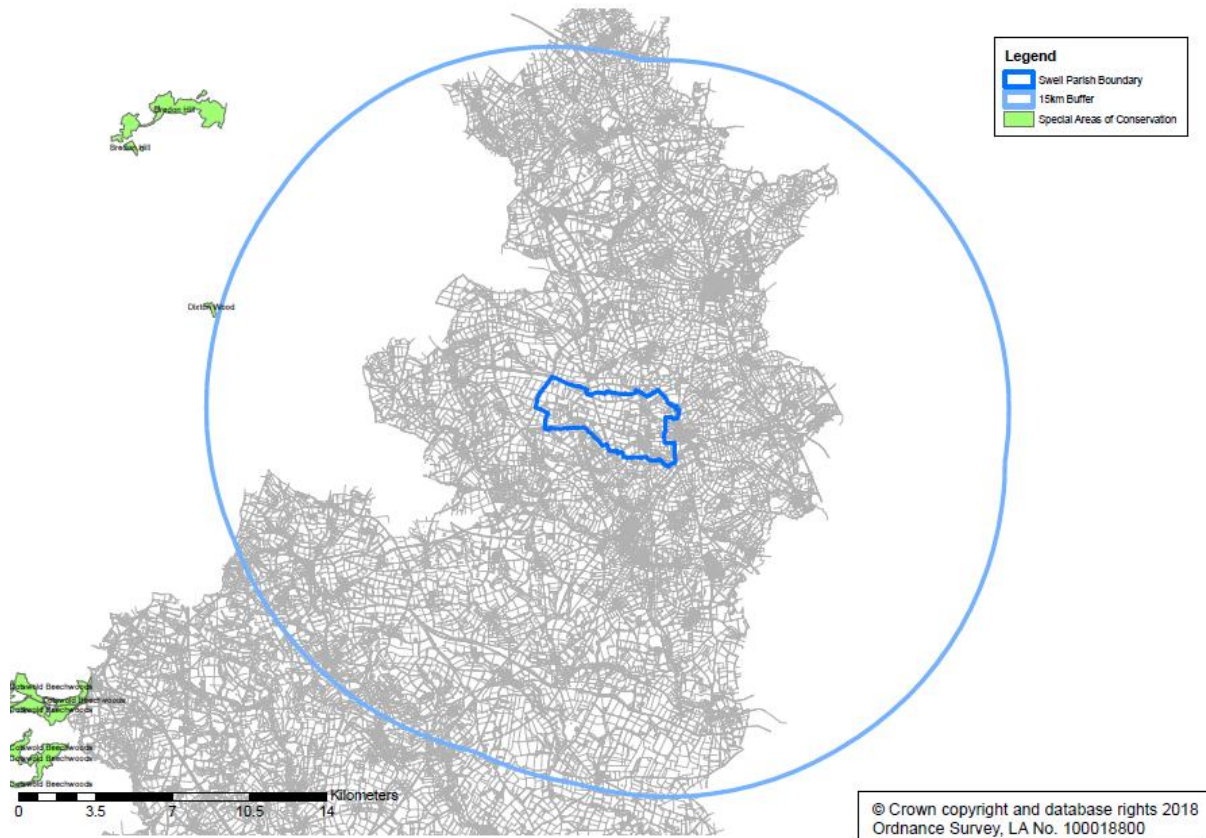
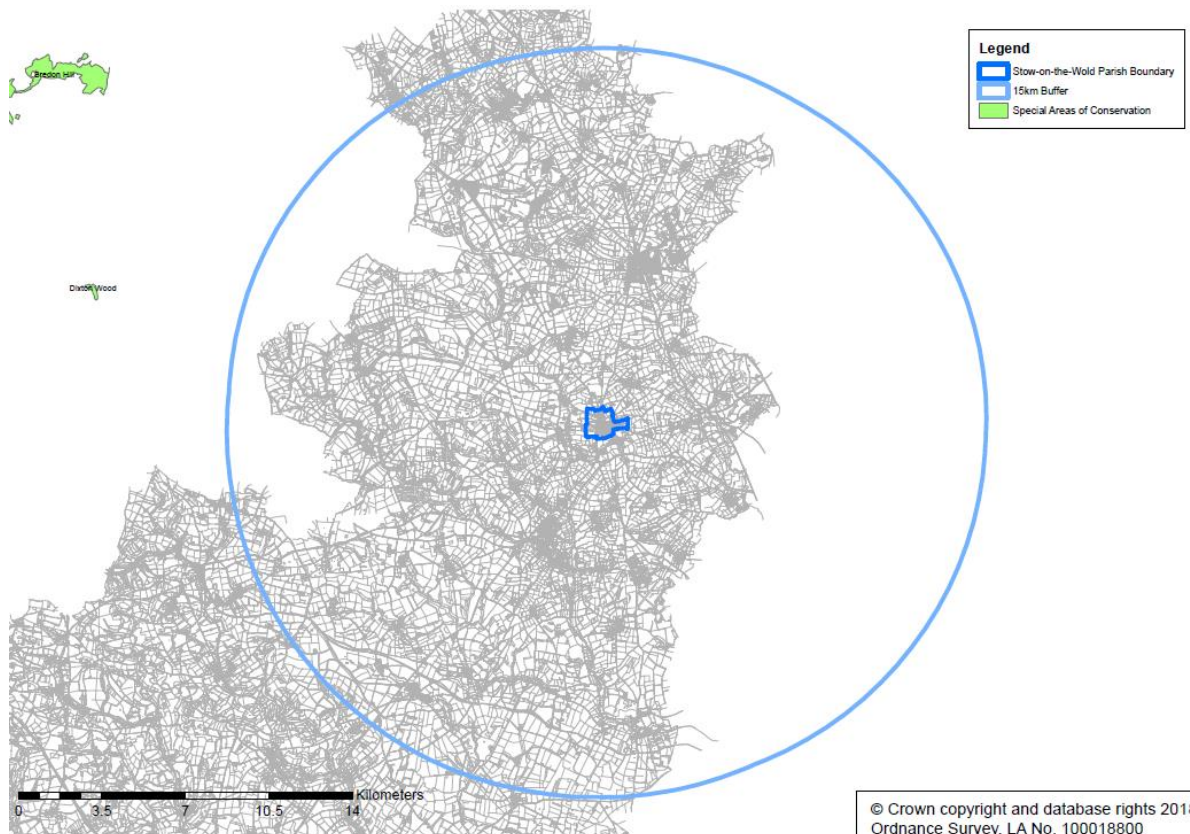


to be sought on the Town Council allotment site; and also several additional parking sites. The current Local Plan does not allocate sites at Stow.

Does the neighbourhood area contain sensitive natural or heritage assets that may be affected by the proposals in the plan?

- 3.13 The more environmentally sensitive a location, the more likely it is that potential environmental effects from a plan will be significant.
- 3.14 The NPPG provides guidance on this topic through providing a list of sites and area which should be deemed as '**sensitive areas**' for the purposes of environmental assessment (i.e. screening projects for Environmental Impact Assessment or EIA):
- ◆ Natura 2000 Sites ³
 - ◆ Sites of special scientific interest (SSSIs)
 - ◆ National parks
 - ◆ Areas of Outstanding Natural Beauty (AONB)
 - ◆ World Heritage Sites
 - ◆ Scheduled Monuments
- 3.15 The European designated 'Natura 2000' sites are included within an area of search of 15km for HRA purposes. The plan below shows those Natura sites within 15km of the neighbourhood plan boundary.
- 3.16 Notably, the nearest SACs lie to the west beyond the 15km area of search; the closest is Bredon Hill to the North West (18.5km), with Cotswold Beechwoods, and Rodborough Common SACs further to the south west.

³Natura 2000 is a network of nature protection areas in the territory of the European Union. It is made up of Special Areas of Conservation and Special Protection Areas designated respectively under the Habitats Directive and Birds Directive



3.17 In the context of the most ‘**sensitive areas**,’ within and in the vicinity⁴ of the Neighbourhood Area, (see figures 1 and 2) the following sites and areas exist:

- Cotswold Area of Outstanding Natural Beauty (AONB) washes over the Plan area
- there are 16 scheduled monument (SAM) designations within the NDP including:
 - Stow Camp - pre-historic enclosure, Stow-on-the-Wold
 - Market Cross – Stow on the Wold
 - Romano-British Villa near Abbotswood (Swell Parish)
 - Roman and medieval settlement remains adjacent to north east of Lower Swell
 - Poleswood East long barrow, approx. 850m NNW of Lower Swell
 - Poleswood South long barrow, approx. 950m NW of Lower Swell
 - The Tump (two bowl barrows) approx. 800m west of Lower Swell
 - Lower Swell long barrow 400m NW of Lower Swell
 - Several other SAMs lie to the west of the Roman Road, west of Lower Swell some 2.5km away.
- Sites of Special Scientific Interest (SSSI's):
 - New Park Quarry SSSI lies beyond the Parish boundary to the north some 481 metres away.
 - Huntsman's Quarry lies beyond the Parish boundary to the south west some 514 metres away.
 - Barton Bushes, and Lark Wood SSSI's lie further to the west some 2km away.

3.18 Further **key environmental assets** (see Locality guidance on Screening Neighbourhood Plans for SEA) located within, and in the vicinity of, (see figures 3 and 4) the area include;

- Conservation Areas lie within all three NDP settlements; Stow (extends into Maugersbury), Lower Swell and Upper Swell
- There are Listed Buildings within all three NDP settlements, approx. 170 in the area.
- Agricultural land⁵ classification is Grade 3b, some Grade 3a and Grade 2 to far west of NDP area
- Two areas of ancient woodland (Slate-pit Coppice and Slaughter wood (north)) lie adjacent to the southern NDP boundary
- Priority habitats; areas of good quality semi-improved grassland to the south of Lower Swell, and a linear area of lowland calcareous grassland to the north west of Upper Swell. Areas of woodland, deciduous woodland and broadleaved woodland, plus woodpasture and parkland mainly to the west of Stow.
- Registered Park and Garden, Abbotswood, between Lower Swell and Stow
- Registered Battlefield (Battle of Stow) adjacent a small area of the boundary with Swell to the north of Upper Swell.

⁴ To determine whether the effects of the plan are likely to affect areas outside the plan area, i.e. define ‘within the vicinity’ an indicative threshold of 1km has been used [Screening Neighbourhood Plans for SEA, Locality, p.12]. Designations beyond this area however are also considered

⁵ Agricultural land is classified in five categories according to versatility and suitability for growing crops. The top three grades, Grade 1, 2 and 3a, are referred to as ‘Best and Most Versatile’ land.

- The Plan also contains part of the Arkells Banks Key Wildlife Sites⁶ (KWS) which lies north-south in the northern edge of the NDP area, the Dikler Valley Meadows KWS to the south, and abuts the tip of Eyford Park KWS to the south.
- Swell Wold Quarry is a Regionally Important Geological site (RIGs)⁷
- A strategic nature area (SNA⁸) lies in part across the west and north edge of the NDP area

Figure 1

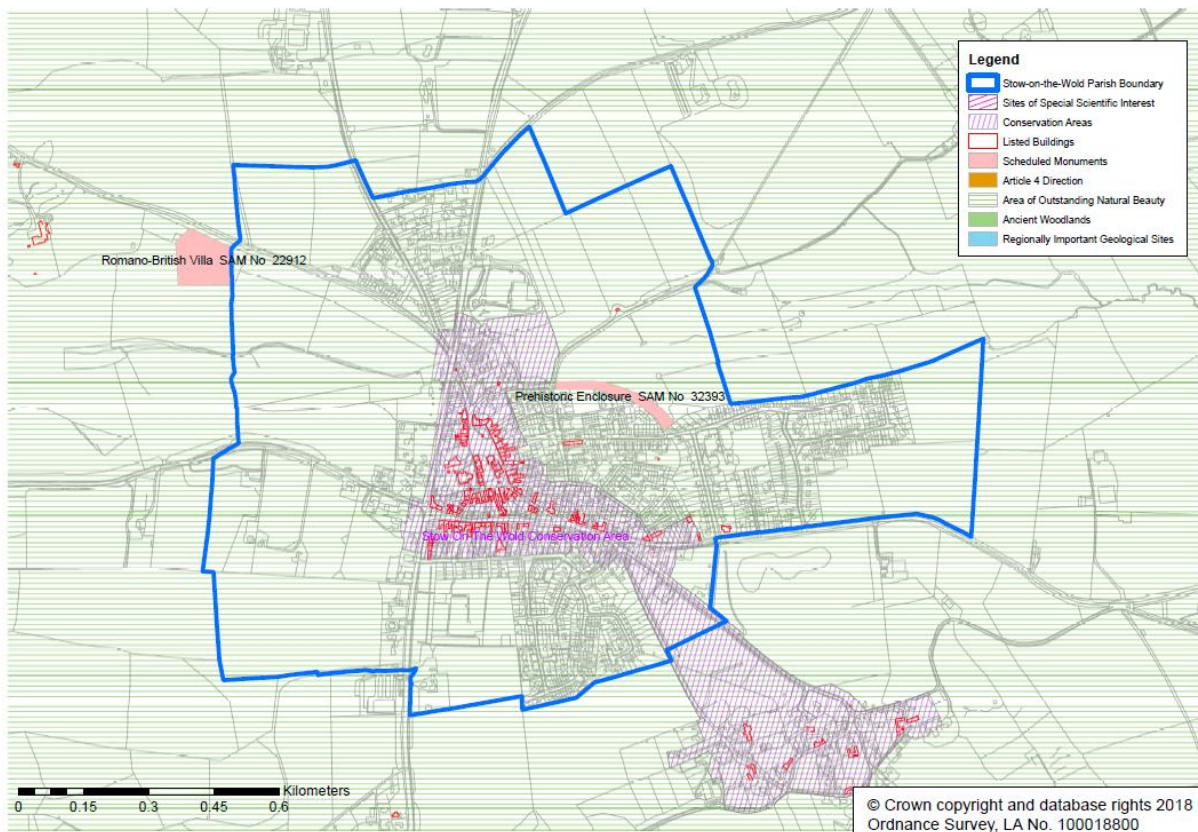


Figure 2

⁶ Key Wildlife Sites are areas with a rich diversity of habitats that provide refuges and corridors for wildlife across Gloucestershire. These sites have no legal protection, yet deserve recognition as the most important places for wildlife outside of legally protected land such as Sites of Special Scientific Interest (SSSI). A KWS designation does not necessarily include public access and boundaries are open to review.

⁷ Regionally Important Geological and Geomorphological Sites (RIGS) are locally designated sites of local, national and regional importance for geodiversity (geology and geomorphology) are considered important places for Earth Science which are worthy of conservation.

⁸ Strategic Nature Areas (SNAs) are landscape scale areas of land that have been selected by Biodiversity South West as being important areas for conservation and expansion, they are not designated.

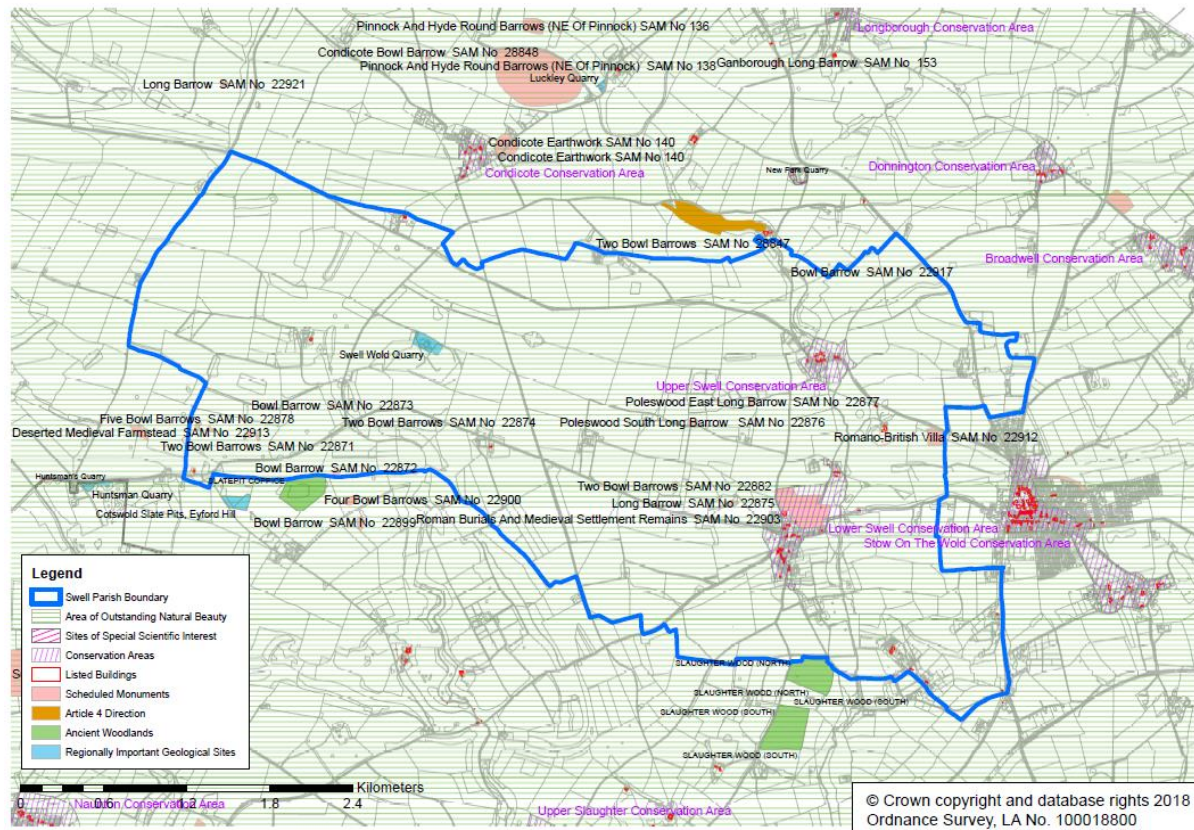


Figure 3

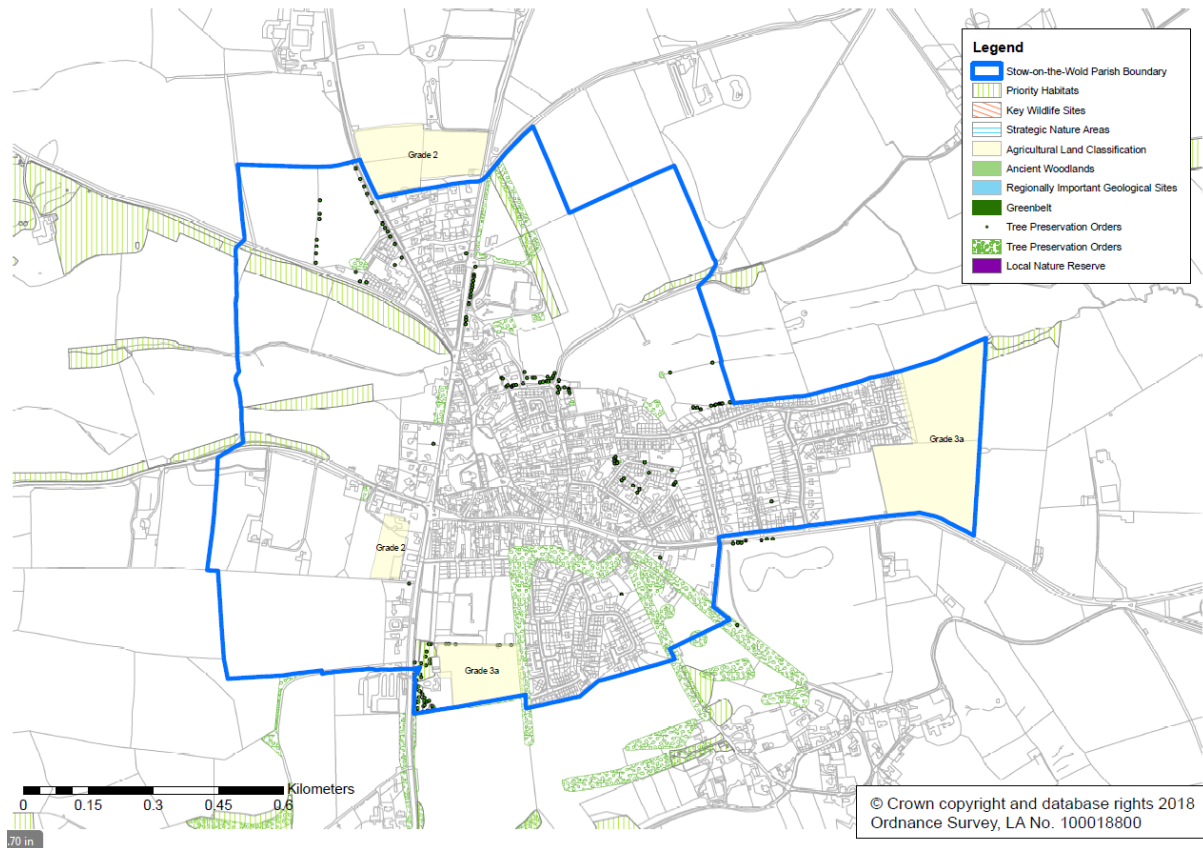
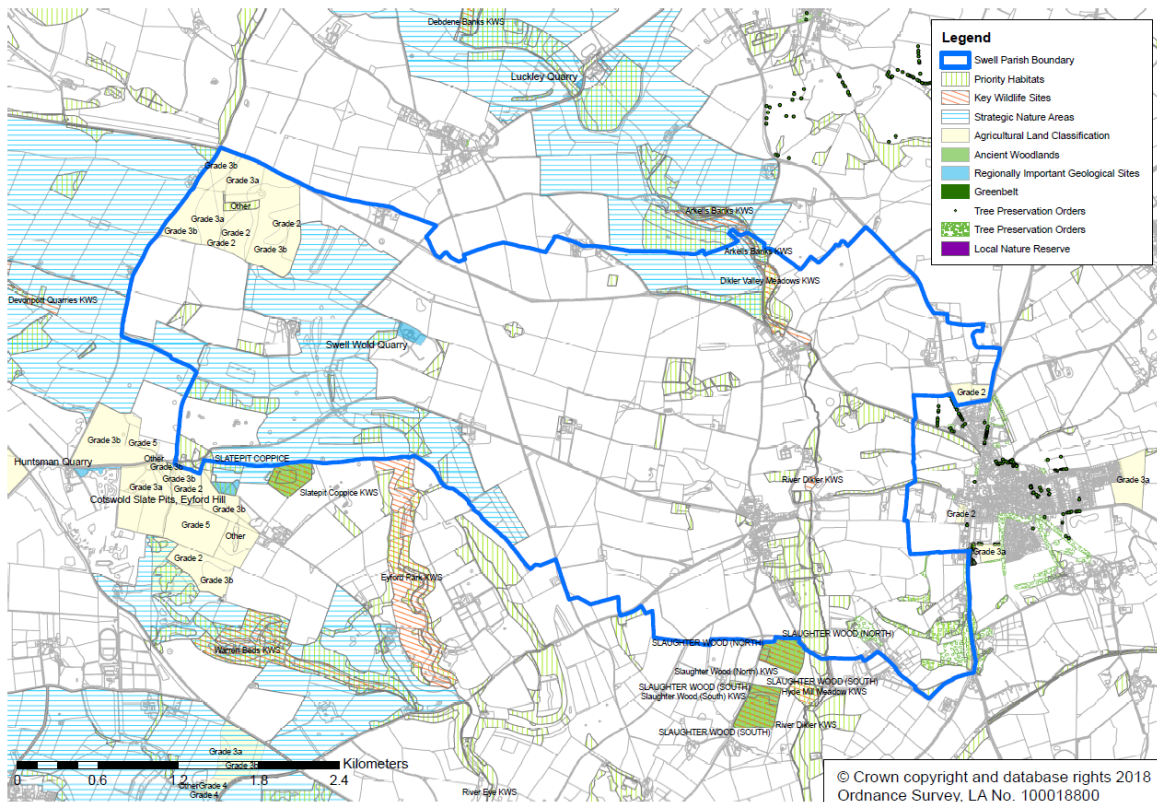
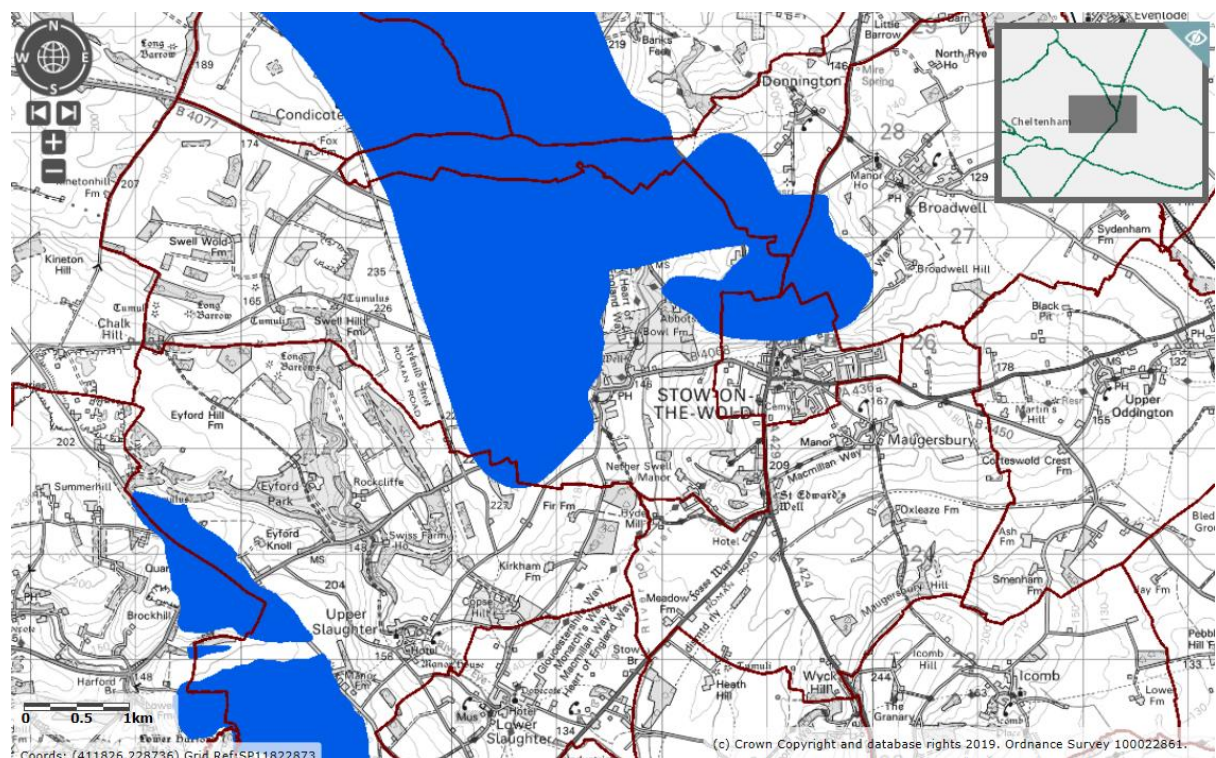


Figure 4



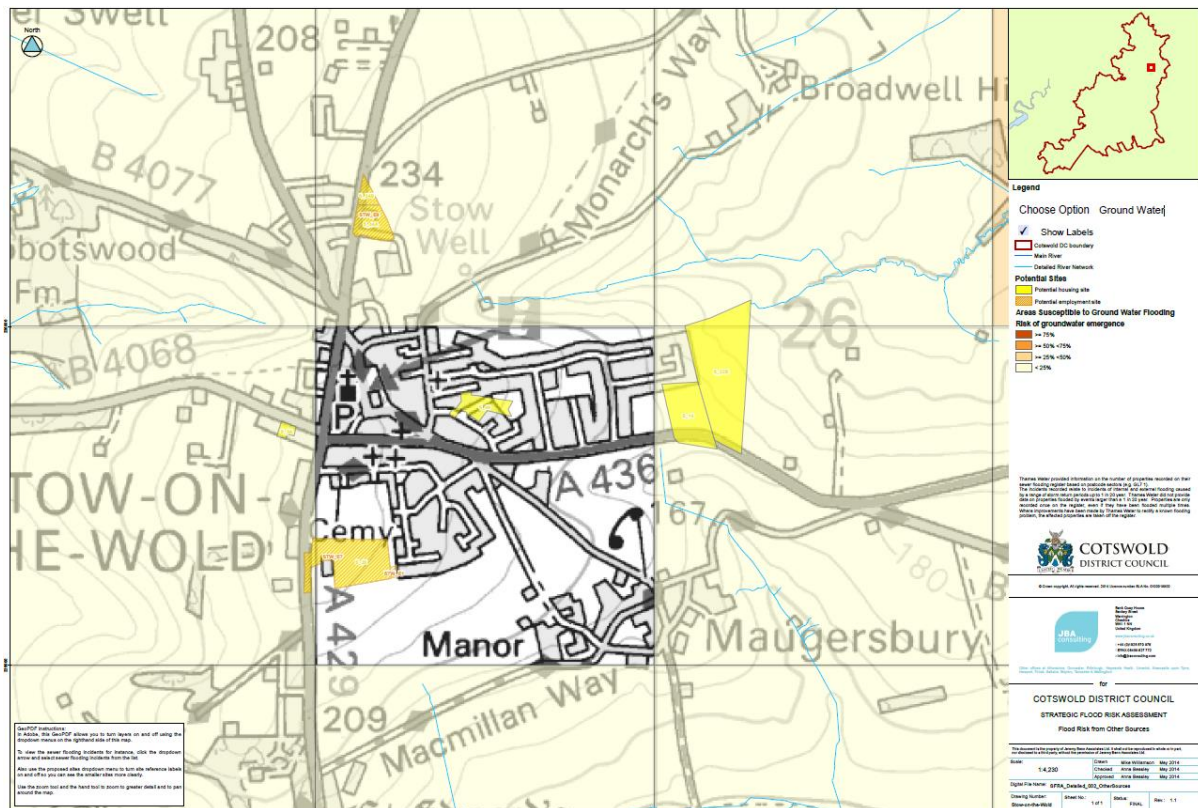
- Flood Zones – No significant fluvial or surface water flood risk issues are highlighted by the Cotswold Strategic Flood Risk Assessment for Stow on the Wold. The SFRA suggests it is also in the lowest category of risk of groundwater flood emergence (figure 6), and that there are no notable surface water flooding problems at Stow-on-the-Wold (Strategic Flood Risk Assessment Level 2, Appendices, 2016).
- Further west in the NDP area, Environment Agency flood maps⁹ show a small area of high risk surface water flooding to the east of Upper Swell and flood zones along the smaller watercourses. The River Dikler flows through the Neighbourhood Area in a north - south orientation, and is located immediately east of the villages of Upper Swell and Lower Swell, approximately 1.2km west of the built up area of Stow-on-the Wold.
- Source Protection Zones (figure 5) – Reflecting the vulnerability of groundwater in the area to pollution, Source Protection Zone III (total catchment) covers an area to the north of Stow and west of the Swells. (MAGIC interactive maps, Natural England).

Figure 5



⁹ <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map>

Figure 6



Is the neighbourhood plan likely to have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the Local Plan?

- 3.19 While the Neighbourhood Plan is likely to focus on more local detail than the Local Plan, The Planning Inspector stated in his report that he was ‘...satisfied that the sustainability appraisal that has been carried out throughout the process of preparing the Plan, as required by section 19(5) of the Act, has complied with the requirements of the European Directive on strategic environmental assessment and relevant national policy and guidance’. 10 (Para.24, Cotswold District Local Plan 2011-2031: Inspector’s Report June 2018).
- 3.20 The SA looked at ten potential allocation sites in and around Stow. At least one potential allocation site in the NDP, the allotment site proposed in the NDP has not been assessed

¹⁰ <https://www.cotswold.gov.uk/media/1605407/Cotswold-Local-Plan-Report-Final.pdf>



either through the Strategic Housing Land Availability Assessment (SHLAA) or the District SA process.

- 3.21 It is important to note that for Stow, ***'All of the areas are significantly constrained by their location within the AONB'*** (SA, 2017, p.45) The SA tested and recommends measures to limit the potential significant effects, for all sites.

Assessment - HRA

- 3.22 The Cotswold District Local Plan was subject to HRA which looked at designated sites which could be impacted by development within Cotswold District. Appropriate Assessment concluded that adverse effects on any European Sites were ruled out in relation to physical loss, damage to habitat, air pollution, increased recreation pressure, and no likely significant in-combination effects with other authorities' development plans.
- 3.23 This section provides a HRA screening for the Stow and Swell NDP as to whether Appropriate Assessment is required.
- 3.24 The closest Natura site however is some 18.5km away beyond the 15km District HRA 'area of search'. *'With respect to Cotswold District the potential for significant effects on European Sites beyond the 15km distance is considered unlikely...'* (para. 3.4, page 10, HRA Jan 2017).
- 3.25 Development is likely within the Neighbourhood Plan area, and could have a potential impact on 'transient species' i.e. those which travel beyond the SAC area to roost or forage. However the Local Plan HRA also states, *'In all cases the [SAC] sites are not close enough to the District boundary for effects relating to offsite habitat loss to be a concern...'* (Local Plan HRA, Jan 2016 para 3.16)

Neighbourhood Plan	Likely activities (operations) to result as a consequence of the proposal	Likely effects if proposal implemented <i>e.g. increased air pollution, erosion trampling and general disturbance from recreation pressure, and physical loss or damage to habitat</i>	European site potentially affected	Possible effects in combination with other plans	Could the proposal have likely significant effects?
Stow and Swell	Housing and car parking allocations Increase in population,	None The NDP is not within the vicinity of a SAC or SPA and proposed	Bredon Hill is the closest SAC. It is approximately	The NDP does propose development. However given the distance to	Unlikely. The NDP is not within the vicinity of a SAC or

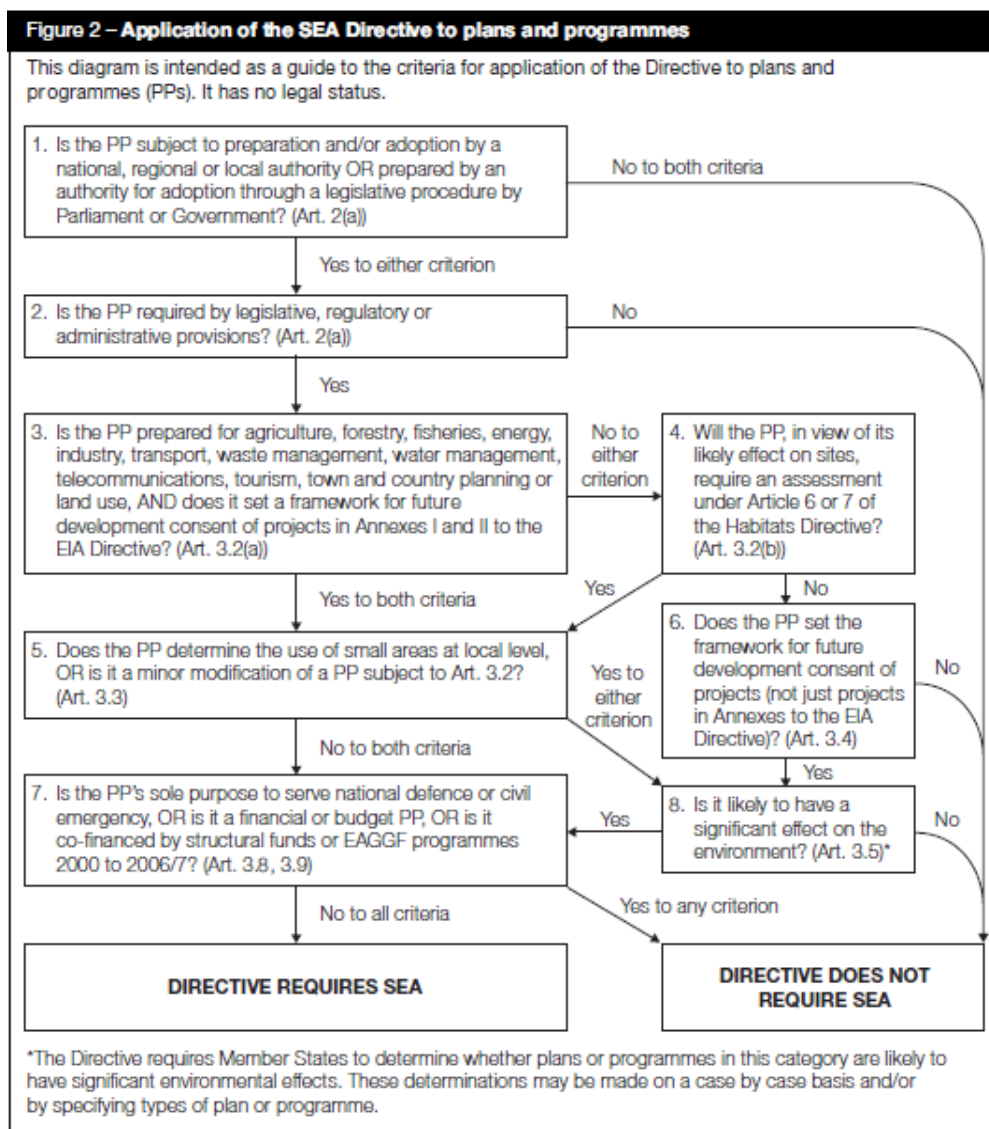


Neighbourhood Plan	Likely activities (operations) to result as a consequence of the proposal	Likely effects if proposal implemented e.g. <i>increased air pollution, erosion trampling and general disturbance from recreation pressure, and physical loss or damage to habitat</i>	European site potentially affected	Possible effects in combination with other plans	Could the proposal have likely significant effects?
	vehicular traffic, pollution.	allocations are not of a large strategic scale. Likely to be positive effects from policies which support protection local green/open spaces, sustainable transport and to work locally for example.	18.5km to the north west of the NDP area.	the nearest SAC, and scale of development proposed, it is unlikely any effects with Local Plan may combine with the NDP to have adverse effect. FYI -No such effects were identified by the HRA and Appropriate Assessment for the District Local Plan.	SPA, which lie beyond the 15km HRA 'area of search'

- 3.26 The NDP does propose development, but must be in general conformity with the Local Plan, which also includes policy (EN9) to safeguard such sites from development that could cause a significant adverse effect on the integrity of the SAC.
- 3.27 It is not considered that any further stages of HRA (Appropriate Assessment) are required for the NDP.

Assessment – Is an SEA required?

- 3.28 The process for screening a planning document in order to ascertain whether a SEA is required is illustrated below (ODPM 2004 Guidance):



3.29 The table below is drawn from the 'decision making' flow diagram above, based on the information gathered above¹¹. It helps establish the need for a SEA.

Stage	Y/N	Reason
1 Is the PP subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art. 2(a))	Y	The Neighbourhood Development Plan will be 'made' by Cotswold District Council as the Local Authority. The Plan is prepared by the relevant Qualifying Body - Stow and Swell Town and Parish Councils . The NDP is adopted through a legislative procedure and supports the implementation of the Local Plan.
2 Is the PP required by legislative, regulatory or administrative provisions? (Art. 2(a))	N	The Neighbourhood Plan is an optional plan and not a requirement. The requirement for a NDP to have an SEA depends

¹¹ RTPI SEA/SA Guidance, January 2018



Stage	Y/N	Reason
		on its content and therefore it is necessary to screen the likely significant environmental effects of the NDP in line with the SEA Regulations.
3. Is the PP prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	N	The Neighbourhood Plan is prepared for town and country planning purposes, but it does <i>not</i> set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Art 3.2 (a)) ¹² . http://ec.europa.eu/environment/eia/eia-legalcontext.htm
4 Will the PP, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? (Art. 3.2(b))	N	<p>See also 'screening assessment for HRA' in section of this document.</p> <p>A District wide HRA Report for Cotswold District was prepared for the Local Plan process. The HRA Screening conclusions for the Local Plan were that a number of policies may result in significant effects on European Sites. These were considered further in Appropriate Assessment in 2017. This concluded that adverse effects on the integrity of any of the sites could be ruled out in relation to physical loss, damage to habitat, air pollution, increased recreation pressure, or in-combination effects with other development plans.</p> <p>Of the 8 Natura Sites looked at in the HRA Report, Bredon Hill is the closest to Stow and Swell Neighbourhood area, but lying outside of the District boundary just within the 15km buffer, and to the north west of the NDP area approximately 18.5km beyond its own boundary.</p> <p>As the levels of development supported by the NDP are not in the vicinity of SAC it is unlikely that a further HRA is needed</p> <p>In light of a recent ECJ¹³ ruling proximity or presence to a European site may trigger SEA if there is a potential impact, where mitigation measures <i>cannot</i> be used to conclude there is 'no significant effect'. While the NDP does seek to allocate sites for</p>

¹² Annex I (railways, roads waste disposal installations, waste water treatment plants), but also Annex II other types such as urban development projects, flood-relief works, changes of Annex I and II existing projects...

¹³ The People Over Wind and Sweetman vs. Coillte Teoranta



Stage	Y/N	Reason
		<p>development but no mitigation policies are included in the Plan proximity (within 15km buffer¹⁴) to overcome any effect on the SAC.</p> <p>It is considered that the NDP will not affect the specified Natura 2000 site over and above the impacts identified in the HRA Report carried out for the Local Plan. Therefore a full Appropriate Assessment is not considered to be required for the NDP.</p> <p>The HRA submitted alongside the Local Plan to Examination can be found here: https://www.cotswold.gov.uk/media/fcolqyg3/5501-habitats-regulations-assessment-report-apr-2017.pdf</p>
5 Does the PP determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art. 3.3)	Y	<p>The Neighbourhood Plan will apply to a wider area than a small area (like a building plan) but it is at local level.¹⁵ – ‘only requires SEA if it is likely to have significant effects’ (article 3 (3)).</p> <p>It is not a minor modification to an existing plan.</p>
6 Does the PP set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	Y	<p>An NDP is (a framework) to be used in determining future planning applications, and once ‘made’ will form part of the statutory development plan. It sets a framework beyond those projects listed in the EIA Directive, but does so more generally.</p> <p>The Local Plan allocations plan set a wider framework for the District including this area.</p> <p>However there is the potential/ intention for the NDP to set a development framework for smaller sites.</p>
7 Is the PP’s sole purpose to serve national defence or civil emergency, OR is it a financial or budget PP, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	N	<p>The (sole) purpose of the NDP is not for any of those categories listed in Art 3.8,3.9.</p>

¹⁴ Para 3.4, HRA Report, January 2017

¹⁵ The European Commission guidance (paragraphs 3.33–3.35) suggests that plans or programmes which determine the use of small areas at local level might include “a building plan which, for a particular, limited area, outlines details of how buildings must be constructed, determining, for example, their height, width or design.... The complete phrase... makes it clear that the whole of a local authority area could not be excluded (unless it were itself small)”.

Stage	Y/N	Reason
8 ¹⁶ Is it likely to have a significant effect on the environment?	Y	<p><i>See Table 3 below 'Assessment of the likely significance of effects' of the NDP.</i></p> <p>Stow and Swell NDP supports development and proposes housing and parking allocations, and as such there is a level of proposed development in the Plan to impact upon environmentally sensitive areas. It is considered there could be an impact in particular on a nationally recognised designation of Areas of Outstanding Natural Beauty (AONB). Although the Neighbourhood Area does not have any European Natura 2000 Sites (SAC). Policies in the draft NDP change the use of the land and promote development .</p> <p>More locally there are identified SAMs, Key Wildlife Sites, Priority Habitats, listed buildings, and Conservation Areas. Development is likely to affect (positively or negatively) the sensitive natural and cultural heritage of the area.</p> <p>The impact of any potential development (in general conformity with the Local Plan) is expected to be localised but could be significant especially in the context of Stow's prominent hilltop position.</p>

Table 2

Given the 'Yes' responses above, it is considered that the Neighbourhood Plan is within the scope of the SEA Regulations, and that a determination is therefore required as to whether the Stow and Swell NDP is likely to have significant effects on the environment and full SEA/SA should be carried out.

Assessment – Are there likely significant effects?

3.30 The screening requirements set out in Regulation 9 and Schedule 1 of the SEA Regulations include two sets of characteristics for determining the likely significance of effects on the environment:

- The characteristics of the Plan itself and

¹⁶ Annex II of the SEA Directive– Criteria for determining the likely significance of effects on the environment.

- The characteristics of the effects and of the area likely to be affected by the plan

3.31 These criteria are set out in table 3 below;

8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
1.The characteristics of the Plan, having regard in particular to:		
Yes	The degree to which the plan or programme sets a framework for projects or other activities, either with regard to the location , nature, size and operating conditions or by allocating resources	The Stow and Swell Neighbourhood Plan will set out the framework to be used to determine proposals for development within the neighbourhood. It also seeks to-allocate additional land and proposes housing development in excess of that identified for Stow within the Cotswold District Local Plan.
No	The degree to which the plan or programme influences other plans or programmes including those in a hierarchy	The Stow and Swell Neighbourhood Plan can only provide policies for the area it covers while the policies at the District and National level provide a strategic context for the NDP to be in general conformity with. Proposals within the NDP need to be considered when the District Local Plan is reviewed. None of the policies in the draft NDP are likely to have a direct impact on other plans in neighbouring areas.
No	The relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development	<p>A Neighbourhood Plan is required to contribute to the achievement of sustainable development. It is not specifically a plan for integrating environmental considerations. Any development must also be in accordance with the NPPF and in general conformity with the Local Plan.</p> <p>The proposals in the NDP look to balance environmental, social and economic considerations such as sustainable modes of transport encourage local businesses and designate Local Green Space. In particular to the NDP is the importance of the affordable housing need and an ‘unbalanced’ aging population age.</p> <p>It is considered overall, that as-development is also allocated, any impacts on the local environment and places valued by the local people are likely to be both positive and negative.</p>
Yes/No?	Environmental problems relevant to the plan	There are no specific environmental problems noted in the NDP itself that have not already been assessed and considered through the Local Plan and its accompanying SA.



8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
		<p>However for Stow, 'All of the areas are significantly constrained by their location within the AONB' (SA, 2017, p.45) The SA tested and recommends measures to limit the potential significant effects, for all sites; including high quality design and layout which reflects the special characteristics of the AONB, and conservation area where appropriate, and protection of key on-site landscape features and landscaping measures (p.59)</p> <p>The Stow and Swell Neighbourhood Plan intends to allocate land Any adverse impact on the environment arising from the NDP proposals (causing environmental problems) maybe considered significant within the environmental constraints of Stow on the Wold and therefore the effects are uncertain¹⁷.</p>
No	The relevance of the plan or programme for the implementation of community legislation on the environment (e.g. plans linked to waste management or water protection)	The Stow and Swell Neighbourhood Plan is to be developed in general conformity with the Local Plan, the Gloucestershire Minerals and Waste Plans, and national policy. Therefore the implementation of (EU) community legislation on water protection or waste is not relevant to the NDP.
2. Characteristics of the effects and of the area likely to be affected, having regard in particular to:		
Yes	The probability, duration, frequency and reversibility of effects	<p>Development is supported within the NDP and therefore an element of environmental change will occur, the impacts of which will depend upon the proposals and subject to the policies of the Local Plan.</p> <p>The NDP also seeks to minimise the negative effects of potential development and ensure positive impacts to 'enhance and conserve the unique character of the area.'</p> <p>It is considered possible that proposals in the NDP will lead to adverse effects on the environment, as changing the use of the land, is proposed. It is likely therefore that there will be some environmental effects however that should be investigated through</p>

¹⁷ "...The key criterion for the application of the EU Directive, however, is not the size of area covered but whether the plan or programme would be likely to have significant environmental effects". The European Commission guidance (paragraphs 3.33–3.35).



8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
		SEA.
Yes?	The cumulative nature of the effects	Any development will likely have some impact and several options are proposed beyond the development boundary of Stow. See above.
No	The transboundary nature of the effects	Effects will be local with limited effects on neighbouring areas as the proposals within the NDP only apply to the designated area.
No	The risks to human health or the environment (e.g. due to accidents)	No risks have been identified
No?	The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected)	<p>The Neighbourhood Area covers an area of about 15.9km² and contains a population of 2,431 (2011 Census). The scale of development supported by the NDP is relatively limited therefore the effects are uncertain, as they are likely to be localised but several allocations are promoted; although the numbers of dwellings proposed within the draft NDP are not of a strategic scale.</p> <p>It is unlikely that the effects of the proposals will be large scale and extensive in terms of area or population, they are within a sensitive nationally designated area, often beyond the development boundary of Stow.</p>
Yes	The value and vulnerability of the area likely to be affected due to; i) special natural characteristics or cultural heritage ii) exceeded environmental quality standards iii) intensive land-use	<p>The Stow and Swell Neighbourhood Plan is considered likely to adversely affect the value and vulnerability of the area in relation to natural /cultural heritage as the Plan area is washed over by the Cotswold AONB, and the NDP also contains 7 SAMs, including one on the north western edge of Stow, and a Conservation Areas in Stow (which extends into Maugersbury) and others in Upper and Lower Swell.</p> <p>The District SA (2017) states that all sites it appraised <i>'are significantly constrained by their location within the Cotswold AONB'</i> (p.42). Of those areas relatively less constrained within the boundaries of Stow, they have <i>'the potential to have effects on the conservation area and landscape setting of town'</i>. The potential allotment site has not been assessed through the Strategic Housing Land Availability Assessment (SHLAA) or subsequently the SA for</p>



8. Is it likely to have a significant effect on the environment?	Criteria for determining the likely significance of effects (Schedule 1 of Regulations, Annex II SEA Directive)	Summary Significant Effects
		<p>example, and some sites are promoted beyond the development boundary of Stow.</p> <p>The level of development supported by the proposals in the NDP will lead to a change of more intensive (allotment to housing, or field to parking) land use and parking. There is the possibility of significant environmental effects due to the location of the NDP i.e. in an area with 'special natural characteristics or cultural heritage.'</p> <p>Overall there are likely significant environmental effects that should be investigated through SEA.</p>
Yes	The effects on areas or landscapes which have a recognised national community or international protections status	<p>The level of development supported by the proposals in the NDP is likely to be some 150 dwellings, but the potential development sites are wholly within the sensitive and nationally designated Cotswold AONB, some of which are proposed beyond the development boundary of Stow. The Town of Stow also has a conservation area with listed buildings and SAM (prehistoric enclosure).</p> <p>The NDP area is not within or adjacent to any internationally protected SAC and unlikely to lead to additional pressures on the European designated SAC</p>

Table 3

Conclusion

- 3.32 Regulation 9 of the SEA Regulations requires that the responsible authority shall determine whether or not a plan is likely to have significant environmental effects. It shall
- a) take into account the criteria specified in Schedule 1 to these Regulations and
 - b) consult the consultation bodies
- 3.33 National Planning Guidance (NPPG) advises that a Neighbourhood Plan might require a SEA where a neighbourhood plan allocates sites for development; and or the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan; and likely to have significant environmental effects that have not already been considered and dealt with through a SA of the Local Plan.



- 3.34 A neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan (NPPG, para 043).
- 3.35 Development is supported within the draft NDP for some 150 dwellings and parking, some of which are likely to be beyond the development boundary of Stow; and therefore an element of environmental change will occur.
- 3.36 The NDP area is wholly within the 'sensitive' Cotswold Area of Outstanding Natural Beauty (AONB). In addition to the potential environmental harm to the scenic beauty and landscape of the AONB, the prominent setting of Stow on the Wold, and the historic environment (sites may be adjacent or close to the conservation area), may also require investigation.
- 3.37 The District SA (2017) states that all sites it appraised in the area '*are significantly constrained by their location within the Cotswold AONB*' (p.42). The Local Plan did not allocate land at Stow. The potential allocation at the allotment site has not been assessed through the Strategic Housing Land Availability Assessment (SHLAA) or the District SA, for example.
- 3.38 Overall it is considered that the level of development proposed to be allocated in the NDP (including car parking and affordable housing) could have potentially significant environmental effects on a sensitive nationally designated area that should be investigated further through SEA.
- 3.39 A Scoping Report has been produced by consultants (AECOM) for the NDP, and this screening opinion, for clarity, forms the formal 'thinking' behind that decision.
- 3.40 It is considered that the Stow and Swell Neighbourhood Plan **requires a full SEA but not a HRA to be undertaken** as it is not within the vicinity of a SAC.
- 3.41 The Screening Report was provided to the statutory environmental consultation bodies for SEA (Historic England, the Environment Agency and Natural England) for their opinion. The 5 week consultation period ended on the 25th September 2020, with no objections being raised (See their responses, where provided, Appendix 2).
- 3.42 Based on the Screening Report and taking into account responses from the statutory environmental bodies, it is **determined** by Cotswold District Council as the 'responsible authority', in accordance with SEA Regulation 9, that the Neighbourhood Plan is likely to have significant environmental effects and is therefore 'screened in' i.e. that a Strategic Environmental Assessment is required.
- 3.43 In accordance with Regulation 106(1) of the Habitats Regulations, Cotswold District Council, as the 'competent authority,' does not consider that an 'appropriate assessment' is required.
- 3.44 If the issues in the Neighbourhood Plan should change then a new screening may need to be undertaken. New development proposals in Stow and Swell will be determined in line with the Local and Neighbourhood Plans, and may individually require screening for Environmental Impact Assessment (EIA) based on their type, scale and location.
- 3.45 Even if an SEA is not legally required preparation of an SA (not SEA) report could be useful because it documents how the neighbourhood plan contributes to sustainable development, which is one of the 'basic conditions,' a legal requirement, that the plan must meet to proceed to referendum ([Appendix 1](#)).



Appendix 1

NPPG on Neighbourhood Planning - Paragraph: 065 Reference ID: 41-065-20140306

What are the basic conditions that a draft neighbourhood plan or Order must meet if it is to proceed to referendum?

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). [Read more details.](#)
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. [Read more details.](#)
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. [Read more details.](#)
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. [Read more details.](#)
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). [Read more details.](#)
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. [Read more details.](#)
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan). [Read more details.](#)



Appendix 2

Consultation Response –

Historic England:

25/9/2020

Dear Joanne

Thank you for your SEA Screening Opinion consultation for the emerging Stow-on-the-Wold and Swell Neighbourhood Plan.

We are happy to concur with the view that a full SEA is required.

Apart from this consultation our only involvement in the preparation of the Plan so far has been a consultation in 2017 on the associated SEA Scoping. I attach that response again here for information.

Kind regards

David

David Stuart | Historic Places Adviser South West

Historic England | 29 Queen Square | Bristol | BS1 4ND

<https://historicengland.org.uk/southwest>

Consultation Response –



Natural England:

13/10/2020

Dear Joanne

Planning consultation: Request for SEA/HRA Screening Opinion on a NDP - draft Stow-on-the-Wold and Swell Neighbourhood Plan

Thank you for your consultation on the above dated 21 August 2020 which was received by Natural England on the same day. We are sorry for the delay replying. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Strategic Environmental Assessment – Screening

We welcome the production of this SEA Screening report. Natural England notes and concurs with the screening outcome i.e. that SEA is required. This reflects the NDP's proposal to allocate housing within the Cotswolds Area of Outstanding Natural Beauty (AONB) and takes account of the local plan Sustainability Appraisal conclusions.

Habitats Regulations Assessment Screening

Natural England notes the screening process applied to this Neighbourhood plan. We agree with the Council's conclusion of no likely significant effect upon the named European designated sites:

- Bredon Hill SAC
- Dixon Wood SAC
- Cotswold Beechwoods SAC
- Rodborough Common SAC

For any queries relating to the specific advice in this letter only please contact me on XXX. For any new consultations, or to provide further information on this consultation please send your correspondence to consultations@naturalengland.org.uk.

Yours sincerely

Antony Muller
Lead Adviser – West Midlands Planning for A Better Environment Team



Annex B:

Representation to the Stow-on-the-Wold and the Swells Neighbourhood Plan Regulation 16 consultation

Please find below comments from **Cotswold District Council** (CDC) on the Stow-on-the-Wold and the Swells Neighbourhood Plan 2020-2031 (the Plan).

CDC acknowledges the work that has been put in by the authors of this Plan, and commends its structure and clarity.

The following comments, observations and suggested amendments have been written to try to identify either points which in officers' opinion may not meet the Basic Conditions against which the NDP will be assessed, or where the wording used may be open to interpretation during the development management process. While we have commented on the majority of policies, we hope these suggestions will enhance the policies and the plan.

Unfortunately, we have also raised some more fundamental concerns. We have raised a number of concerns on Policy SSNP7, which is clearly a central pillar of the Plan. While the comments below go into some detail, it is worth highlighting our principal concerns: that the Plan seeks to allocate a parcel of land which is but a part of a larger site - thus is not presented as developable in its own right; and, that the development will need to demonstrate exceptional circumstances, yet reasonable alternatives such as a combination of smaller sites or developing outside the Cotswolds National Landscape (formerly known as the Cotswolds Area of Outstanding Natural Beauty) have not been fully considered.

On 22nd November 2023, the Government rebranded all Areas of Outstanding Natural Beauty (AONBs) as 'National Landscapes' to boost understanding of their national significance. References to the Cotswolds AONB should therefore be updated to the Cotswolds National Landscape.

Para 3.8 To provide confirmation to the note that the Neighbourhood Plan should be examined against the adopted Local Plan, please note the Local Plan Partial Update will now be submitted for examination in public in 2025.

Para 3.10 The Gloucestershire Local Transport Plan is an important consideration in the preparation of development plans and neighbourhood plans and especially so given the plan's intention to allocate major development.

Para 3.11 Please note that the Cotswolds AONB Management Plan 2018-2023 has been superseded.

<https://www.cotswoldsaonb.org.uk/planning/cotswolds-aonb-management-plan/>

Para 4.16 The suggestion that no factors of technical substance came to light regarding the site allocation at Regulation 14 is inaccurate, given the interest in this issue from numerous parties, such as the Cotswolds National Landscape Board and the technical issues raised by CDC. Some of CDC's previously raised concerns are raised again in this representation, for consideration by the examiner.

p22, and p44, Policy SSNP1 The Stow on the Wold Development Boundary

The proposed Development Boundary is the extant boundary, plus the site allocation at SSNP7. Our comments on the proposed site follow below, in this representation. Should the site allocation be accepted, it follows that the development boundary should be amended. Conversely, should the site allocation be determined not to meet Basic Conditions, a development boundary policy less the site allocation would duplicate the adopted Local Plan policy.

Policy DS2 of the adopted Local Plan supports the principle of development inside Development Boundaries. CDC is concerned that the whole of the proposed site allocation being within the Development Boundary may lead to further development on land which is proposed to be retained for landscaping, greenspace, etc. It is recommended that, should the site be allocated for development, that the Development Boundary be scaled back to only include the part of the site containing housing, car parking and other buildings.

We note that the base map is a little dated and does not reflect the existing built environment of Stow - notably at the north end of the town, where there is a 'white triangle' between Character Area D and the proposed site allocation - this area, adjacent to the proposed site allocation, is built out and accommodates the Edwardstow Court Care home and Hawkesbury Place housing for over 70s.

p22 Policy SSNP2 Development in the Swells and the Countryside

The Local Plan's development strategy actively avoids listing non-principal settlements, as such matters are considered on a case by case basis. The description of Swell at Clause A identifies Lower Swell as a village 'suited to small-scale residential development' - which is not consistent with the strategic policies of the local plan (DS1 and DS3). Essentially this clause suggests that Lower Swell is de facto a suitable location for small-scale development, whereas the Local Plan approach, outside of principal settlements, requires a judgement at the time of a planning determination.

The second line of C seeks to disapply part of NPPF (2023) paragraph 80(e). NDPs have to have regard to the NPPF, but can differ, so this may be acceptable, but CDC is not convinced that the assertion in the following paragraph is sufficient justification, given the robustness of the paragraph 80 criteria, and the size and varied landscape of Swell Parish.

p21 Policy SSNP3 Housing Mix

Achieving a housing mix to meet local needs is an aspiration we share for all development in the district. However, we wonder whether this policy represents an appropriate strategy to deliver that for the following reasons.

1. The very specific percentage requirements will not always be mathematically achievable: a point now recognised in the policy. In order to achieve whole unit numbers, there will be a process of rounding, leading to negotiation, which this policy does not specifically enable, but which is in reality the existing approach.
2. The housing mix in tenure and size on any development will need to reflect the viability of the development, in terms of the site, infrastructure requirements and the state of the housing market at the time. These variables are not immutable during the plan period, so whatever may be appropriate now may not be the best fit in future years. A particular issue here would be the changing dynamic of need in Stow, particularly if a large development such as that proposed in policy SSNP7 is built out.

3. Local Plan Policy H1 already says that, "*Developers should have regard to local evidence, for example, the latest SHMA and parish needs surveys, and show how the proposed mix of market housing provision will help to address identified local needs in terms of the size, type and tenure of housing.*" Stow's housing needs survey can already be used to help determine the mix of houses in any planning application assessed against Policy H1.
4. The current NDP policy is not flexible to changing circumstances and the latest evidence.

Local evidence, such as the Housing Assessment carried out by AECOM, and indeed any successor documents, can already be used as a starting point for determining the housing mix. We would be supportive of the NDP reiterating the position that such evidence should direct the housing mix, and which presents the current summary information in the reasoned justification.

p22 Policy SSNP4 Principal Residence

Second Home ownership, and other non-principal housing uses is an issue within the neighbourhood area and the wider Cotswolds, which may affect housing availability and affordability for local people. Land use planning tools can be used to try to address this, but appear to be a rather blunt tool in practice. A policy such as this is limited to new dwellings, when the main appetite for second homes will be for existing 'character' dwellings. There will still be the stock of (character) homes available for people to buy as second homes in Stow and the Swells. Therefore, will this policy be effective in preventing second home / holiday home ownership in the Neighbourhood Area? If not, is it an appropriate and proportionate response to the issue?

There are also several national policy interventions underway that could go some way to resolving the issue in Stow without the proposed NDP policy. In January 2022 the [government introduced legislation](#) that will prevent owners of second homes from abusing a tax loophole by claiming their often-empty properties are holiday lets, thereby avoiding paying normal tax rates.

The Levelling-Up and Regeneration Act also introduces further restrictions:

- Councils will gain powers to impose higher rates of council tax on empty and second homes (double the standard council tax rate on any home left empty for longer than a year, rather than two years as is currently the case) and this is something that CDC is already pursuing.
- It requires the Secretary of State to introduce regulations to cover the registration of short-term rental properties
- The government also proposes to introduce a new "tourist accommodation registration scheme" in England, through the [Tourism Recovery Plan](#).

The government also recently announced that second-home owners may face an 'Airbnb ban', which would aim to protect tenants living in tourist hotspots. Furthermore, it proposes to introduce a new planning use class for short-term lets, which could result in a change of use permission being required for conversion from conventional housing.

CDC is also seeking to address the issue by enabling the provision of short-term holiday let accommodation in suitable locations to redirect the demand for this accommodation away from unsuitable locations and /or stressed locations.

The proposed policy approach has been supported in neighbourhood plans elsewhere in the country, subject to sufficient supporting evidence. However, the evidence justifying this policy in Stow and the Swells is sparse. There should be far greater consideration of this matter (and its effects) in the SEA, given the role the Sustainability Appraisal played in the St Ives policy being upheld in the face of legal challenge.

(<https://stivesnplan.files.wordpress.com/2013/08/sustainability-appraisal-submission-version.pdf>, pp41-42, pp60-63).

The evidence quoted is taken from AECOM's Housing Needs Assessment, which we believe is the 2011 Census data on 'Household Spaces with no usual residents'. While often cited in this context, this is not necessarily limited to non-principal dwelling uses. CDC's Council Tax data, appended to this response at Annex A, may be useful, albeit it would be fair to acknowledge that not every second home owner will declare their property as such in their Council Tax return. Notably, it does not show a significant increase in Second Home ownership over recent years. While currently there is no formal threshold for when this approach might be acceptable, a similar level of second home ownership has not been deemed sufficiently high to justify the imposition of this type of restriction in another Neighbourhood Plan (Bridport), a judgement reached by the same examiner as St Ives.

Stow is a Principal Settlement, and thus our strategy sees it having a role to play in meeting the district's housing needs, which, as defined by the NPPF, does include non-principal residency housing uses.

That said, CDC recognises that Stow is heavily constrained, to the extent that we have not allocated a site in the town within the current Local Plan - thus in the context of the district having sufficient housing land supply, development in Stow, such as that proposed in SSNP7, may only be considered to meet exceptional circumstances if it delivers growth on top of district needs, in order to meet housing need arising from Stow. The principal residency policy could be considered to underpin this rationale, being a tool to enhance the benefit to the town. This could also present a basis to judge the policy to be in general conformity with the Local Plan.

We note that there are known difficulties with determining 'principal residency' and with enforcement action thereafter - this policy is likely to be most effective at the point of property sale. Moreover, there will be loopholes - e.g. someone can register the first home in their own name and the second home in the name of (e.g.) their partner. As a further observation, should the site proposed for allocation in SSNP7 proceed as described, with the developer also seeking to deliver housing outside the boundary within Broadwell parish, this restriction would not apply to the houses that are functionally part of Stow, but are not within the parish/neighbourhood plan boundary. We imagine this might influence how different sizes and tenures would be distributed around the site.

p22 Policy SSNP5 Specialist Accommodation for Older People in Stow

The policy uses the term 'local connection'. The RJ appears to define this through the phrase 'households relocating from within the Town or Parish or from a Parish that immediately adjoins the Neighbourhood Area'. We observe that such a definition would be more limited than the definition of 'local connection' used by the district council, and which would be too restrictive if such affordable dwellings are managed through Gloucestershire Homeseeker Plus, the Council's housing allocations approach.

While CDC recognises local concern on this issue, exacerbated by a perception of oversupply, we're concerned about trying to create a cap on a particular form of development for the entirety of the plan period - we cannot see the particular case for a cap of exactly 40, and would expect any quantum of development to be responsive to changing circumstances.

p23 Policy SSNP6: Health and Wellbeing

We endorse the ambitions of this policy - it provides a clear message about healthy place-shaping to complement the design guidance.

p24 Policy SSNP7: Land North East of Stow

CDC recognises the importance of affordable housing in maintaining the vibrancy of Stow, the wider NDP area and, indeed, the whole of Cotswold District. Accordingly, Stow is defined as a Principal Settlement. Policy DS2 of the adopted Local Plan supports the principle of new housing development within the Stow Development Boundary and Policy H3 enables affordable housing as Rural Exception Sites outside the Stow Development Boundary. However, the constraints in and around the town, most notably its hilltop location and the national policy requirement for the scale and extent of development in the National Landscape to be limited, have dictated a Local Plan strategy that directs strategic growth towards other settlements, particularly those that are not wholly located within the Cotswolds National Landscape. The NDP process presents a further opportunity, in addition to the Local Plan update, to address housing and other issues in the neighbourhood area. However, we are concerned that various challenges can be levelled at the current proposal.

- A. NPPF (2023) paragraph 11 specifies that “Plans... should apply a presumption in favour of sustainable development.” Part b of paragraph 11 is for strategic policies. However, it lays down the principles that are required of development plan policies, which are highly relevant to SSNP7 in terms of the circumstances when housing needs should and should not be delivered in full. “Policies should, as a minimum, provide for objectively assessed needs for housing and other uses unless: i) the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area⁷; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.” (CDC added). Footnote 7 confirms that Areas of Outstanding Natural Beauty (now rebranded as National Landscapes) are a protected area of asset of particular importance, the same as a National Parks, Sites of Special Scientific Interest, irreplaceable habitats; designated heritage assets and areas at risk of flooding.
- B. NPPF (2023) paragraph 176 specifies that “Great weight should be given to conserving and enhancing landscape and scenic beauty in Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues” and that “The scale and extent of development within all these designated areas should be limited.”

CDC is concerned that, in accordance with NPPF paragraph 11:

- 1) protecting the Cotswolds National Landscape provides a strong reason for restricting the overall scale, type or distribution of development in the NDP area.
- 2) the adverse impacts of the SSNP7 site significantly and demonstrably outweigh the benefits.

CDC is also concerned that the balancing exercise has not been undertaken, which should give great weight to conserving and enhancing the landscape and scenic beauty of the Cotswolds National Landscape. In addition, CDC is concerned that the SSNP7 contradicts the NPPF requirement for the scale and extent of development within the Cotswolds National Landscape to be limited.”

- C. The SEA does not need to explore every possible option, but it does need to explore reasonable alternatives. In addition to NPPF (2023) para 176, para 177 specifies that *“When considering applications for development within AONBs, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest.... Consideration of such applications should include [amongst other things] an assessment of the **cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way**”* (CDC emphasis).

CDC is not convinced by the current rationale in the SEA. While we are pleased to see some amendments following our Regulation 14 representation, we do not believe that sufficient consideration has been given to assessing the scope for developing outside the designated area or meeting the need(s) in some other way. In particular, consideration should be given to whether Stow’s affordable housing need can be / is already being accommodated outside the Cotswolds National Landscape. For example, nearby Moreton-in-Marsh already has a 250 dwelling planning permission under construction at Dunstall Farm, a 67 dwelling planning permission under construction at Evenlode Road and other affordable housing developments. In addition, there is further potentially deliverable land elsewhere in Moreton. People living in Stow qualify as having a ‘local connection’ and can apply for affordable housing in Moreton. Furthermore, there are regular public transport connections between Moreton and Stow with a reasonable journey time and cost.

Whilst this option does not deliver a community centre or a car park in Stow, it may be able to deliver Stow’s affordable housing need without developing a highly sensitive major development site in the Cotswolds National Landscape.

Consideration should also be given a hybrid option whereby some of the affordable housing need could be delivered on a site (or sites) within the neighbourhood area that do not involve major development in the Cotswolds National Landscape combined with the remaining affordable housing need being met outside the Cotswolds National Landscape. The [Remainder of land at Tall Trees site at Oddington Road](#) may be one such location where the hybrid approach could be applied. This would have the advantage of delivering some affordable housing in Stow, albeit not the entire affordable housing need, with the remainder of the need being accommodated outside the Cotswolds National Landscape. This may provide another avenue for “meeting the need in some other way” without developing a highly sensitive major development site in the Cotswolds National Landscape.

- D. Is there sufficient evidence of housing need - that has to be delivered in Stow, to evidence the exceptional circumstances and public interest tests for major development? The adopted Cotswold District Local Plan has been developed to meet the district’s housing needs, including those of the Neighbourhood Area - is the need explored and enumerated in the AECOM housing report simply the Stow portion of this need, which the adopted Local Plan strategy is already addressing through allocations elsewhere in the district (in particular, recent development/permissions in Moreton-in-Marsh)? The Need Assessment is not supported by primary evidence, such as household surveys, but instead relies on modelling, using similar datasets to the calculation of the district’s housing need.

- E. We are not aware of a limit on the scale of development that a NDP can allocate. However, the SSNP7 development proposal is very large scale. The 170 dwellings would be 17 times the NPPF (2023) annex definition of major development in terms of the number of units and the 10ha site is around 20 times the same major development definition in terms of site area. We are unaware of a NDP allocating anywhere near the proposed scale of development within a National Landscape or a National Park. Another useful proxy is the adopted Local Plan which has avoided allocating sites of this scale within the Cotswolds National Landscape - largely for the reasons set out point (D).
- F. We previously commented on the version of the site assessments currently published on the town council website, which identified parts of the site assessments that required updating. The currently published site assessments are therefore not wholly accurate - notably the assessment published for site 7 fails to mention the proximity of a nearby listed structure (Stow Well) and Scheduled Ancient Monument. However, CDC acknowledges these constraints are considered in the SEA.
- G. Assuming the argument for housing need can be upheld, the proposed development has a greater land take than a 'housing only' approach, through the inclusion of a community/business hub and a public car park. Is the argument for these aspects of the proposed development sufficiently robust so as not to undermine the proposal as a whole? Is the need for the community/business hub sufficient to justify major development in the Cotswolds National Landscape and does it outweigh the proposed level of harm? Is the need for the public car park sufficient to justify major development in the Cotswolds National Landscape and does it outweigh the proposed level of harm? It is important to consider these aspects of the development separately to understand whether the level of harm can be mitigated by a smaller-scale development.
- H. The specification for the community hub (appendix C) envisages 6 x 25 sq m offices/retail units available for rent for periods of under one year. Both retail and office facilities are defined by the NPPF (2023) as Main Town Centre Uses. Supporting evidence would therefore be needed to demonstrate how this policy accords with Local Plan Policy EC8 and EC9, taking consideration of the proposed locations, which we assume to be out of centre given that the location would be near the car park to the north of the site (note the NPPF (2023) annex definitions of edge of centre and out of centre). Would retail / office uses be viable in this location, which would be on the edge of the town? Would there be sufficient footfall to sustain retail in particular?
- I. The location of this community/business facility, on the periphery of the town, with adjacent parking, risks generating short car journeys within Stow. Residents would likely opt for a private vehicle trip to access the facility and tourists would be incentivised to drive and park rather than incorporating a visit to this facility within a visit to the town centre.
- J. Access from the car park and community centre to the rest of the town. Given the local aspiration for a parking facility is driven by a desire to decant parking from the historic centre, is the access from this site to the town short enough, and attractive enough to achieve that objective? The site is circa 750 metres from the centre (using the library as the destination, contrasting with just under 450m for both the Shoppers' Car Park by Tesco and the Mangersbury Road Car Park, and unless access is achieved through Tesco, or routed down to Well Lane (increasing distance and inclines), requires a walk alongside the Fosseway for most of the route. Could the allocation make a play on creating an attractive feature walk into the town centre? A wildlife walk, boards explaining the history of the town, the landscape, etc, or something like that? Anything to make the route more attractive would encourage people to walk.
- K. The development proposal which has been consulted upon as this plan has progressed is not limited to land within the neighbourhood area. While the NDP states

that the viability of the policy is not subject to the whole site being developed, we are concerned about whether only a portion of a larger site can be considered a deliverable allocation, if it is not expected to come forward as a scheme in its right. The land area available for development within the plan area is contingent upon a defensible landscape barrier at the edge of the site, outside of the NDP boundary - i.e. a development only within the neighbourhood area would need to accommodate landscaping, which is not factored into the quantum of development the plan seeks to enable. On this point, a variety of technical documents prepared on behalf of the scheme promoter have been published - on initial review, none of these explore the acceptability of a sub-scheme only within the neighbourhood area.

- L. In a similar vein, the shape of the allocation itself is an unusual 'L' shape, projecting into the countryside at the south eastern edge, and creating an unusual urban form that is determined by the administrative boundary rather than being 'landscape led'. The shape of the allocation would cause additional landscape harm and is rather at odds with the approach sought by the Cotswolds National Landscape Board, the Local Plan, and articulated in the SEA.
- M. As already discussed, the adopted Local Plan strategy seeks to limit the scale and extent of development within the Cotswolds National Landscape and places great weight on conserving and enhancing its landscape and scenic beauty. If there is an exceptional circumstance for a major development in the Cotswolds National Landscape, and the development is in the public interest, the council would support such an approach. However, even if the principle of allowing major development in the National Landscape can be justified, it does not automatically follow that a site allocation be made or that planning permission should be granted. To reiterate, the proposed development site is highly constrained. Furthermore, it would seem the full extent of the available land is needed (including the land within Broadwell parish) for it to have a chance of demonstrating the exceptional circumstances and public interest tests. If this is the case, assuming the site allocation could be justified, would it not be better to allocate the entirety of the site through an expanded neighbourhood plan area? This solution would have the benefit of making best use of available land and avoiding the landscape harm of the irregularly shaped site. As presented it is unlikely this site would secure the benefit of site allocation in the Local Plan because the justification is currently too weak to pass the tests of soundness - a higher threshold than the Basic Conditions test required of Neighbourhood Plans.
- N. The policy, the reasoned justification and the building specification at pp 56-57 set out in some detail the scale of the car parking and the community building. However, the text does not specify the ownership model for either. While policy should rightly be focused on the land use, the ownership model is material to a view on whether the community benefit of these facilities outweighs the harm. Will the Town Council own these assets, and accrue a financial return to manage them as set out in the policy, and to the benefit of the town, or will it be expected to pay rent on the space specified in the policy? Does the cost of these assets need to be recouped from the development and offset against other deliverables, or will the developer retain ownership?
- O. The policy specifies "for a low or zero carbon residential-led, mixed use development...". If the plan includes "low or", our concern is that it will not deliver zero carbon. We suggest having one or the other.
- P. The policy includes a 20% BNG requirement.. If the site allocation is carried through within the final NDP, it would be helpful for the NDP to specify where the BNG would be delivered - e.g. anywhere within the Neighbourhood Area, within the development site or elsewhere? To what extent does this affect development viability and the deliverability of the plan and policy?

- Q. Within part A of the policy, we would prefer wording such as “comprising 60% (approx. 100) open market homes and 40% (approx. 70) affordable homes”. Otherwise, there is ambiguity over the specific percentage that will be required. The use of bullet points in this clause is unhelpful, as it makes it difficult to cite a policy criterion in reports. Numbering is advised instead.
- R. In part E, please replace ‘Cotswold Design Code’ with ‘the design policies of the Local Plan’. This will ensure the policy is flexible to any future changes to the Local Plan.
- S. Paragraph 5.26 specifies distances to the town centre and the superstore. Given the size of the site, there will be homes located much further away than these distances. To overcome this issue, we suggest instead providing a range including the closest point and the furthest point from the town centre and the superstore.
- T. Paragraph 5.27 states that, *“In this regard, the allocation proposal is considered to comprise a ‘major development’ in the AONB, the justification for which must show that its public benefits outweigh the harm to the AONB (as per NPPF §177 and set out in Appendix E)”*. To accurately reflect the NPPF (2023), the paragraph should read *“the justification for which must show that there must be exceptional circumstances for development and it can be demonstrated that the development is in the public interest”*.
- U. Paragraph 5.31 - *“new research has been commissioned but it is not considered that it will conclude anything other than capacity being an even greater problem.”* We suggest deleting this as it predetermines the evidence.

p27 Policy STOW8: Stow Town Centre & Market Square

CDC welcomes the intent of this policy.

Policy STOW10: Local Green Spaces

As a general point, CDC supports the identification of Local Green Spaces in Neighbourhood Plans. The sites proposed here, based on their description and distribution around the Plan area, appear to have been proposed based on their individual attributes in line with the guidance in the NPPF.

In terms of the final clause, for consistency with the Local Plan and clarity, we would suggest ‘Development will only be permitted within a Local Green Space where there are very special circumstances, which outweigh the harm to the Local Green Space’. Logically, if development is permitted, it is not inappropriate, with the opposite also holding true, so the current phrasing perhaps underplays the strength of this policy in preserving important community assets,

p29 Policy STOW11: Stow and the Swells Design Code

The Design Code reads well, and reflects the different character areas of the Plan area. CDC are concerned that it is perhaps too prescriptive, particularly in so strongly advocating for very specific traditional forms, in the context of a recognised need to improve the environmental performance of local housing stock. The layout should assist with putting the Code into use. More specific comments are added as Annex B to this representation, below.

p30 Policy STOW12: Non-designated heritage assets

While the Local Plan already affords protection to non-designated local heritage assets, identifying these through neighbourhood plans provides useful granularity and certainty, and allows NDPs to celebrate local heritage, which we truly welcome.

p30 Policy STOW13: Zero Carbon Buildings

While we embrace the thinking behind this policy, we do not believe that it is reasonable that it applies to 'all development' (clause A) given the range of circumstances and scale of development that might require development consent.

Clause B will be very difficult to implement - how will any faults be rectified if the building is built? Moreover, this places an additional resourcing burden on the Local Authority, which is not resourced or funded to deliver these additional commitments.

Clause C appears to give some significant leeway on design to meet this criterion. As scripted it would apply in, and possibly be in conflict with, the Conservation area designations in the NDP area.

p33 Policy STOW14: Walking & Cycling in the Town and Parish

We endorse the ambitions reflected in this policy.

p33 Policy STOW15: Vehicle Parking

Transport emissions are a major component of our carbon footprint in Cotswold District and Gloucestershire, and something that both CDC and Gloucestershire County Council are committed to reducing. We therefore welcome the consideration given to electric car charging points - in locations such as Lower Swell, better parking facilities, enabling ULEVs to enable a shift away from private car ownership may be part of the solution.

p34 Policy STOW16: Digital Infrastructure

We welcome the redraft of this policy since Regulation 14. The intention is clear, and there is a recognition that harm to heritage assets needs to be subject to a planning judgement. We are concerned, however, that the NPPF already has commentary on the importance of digital infrastructure, and similarly, the consideration that must be given to heritage assets - we're not convinced that this approach has regard to the NPPF.

p35 Implementation

No specific comment, other to endorse the inclusion of this section.

Contact:

Joseph Walker, Community Partnerships Officer

Cotswold District Council

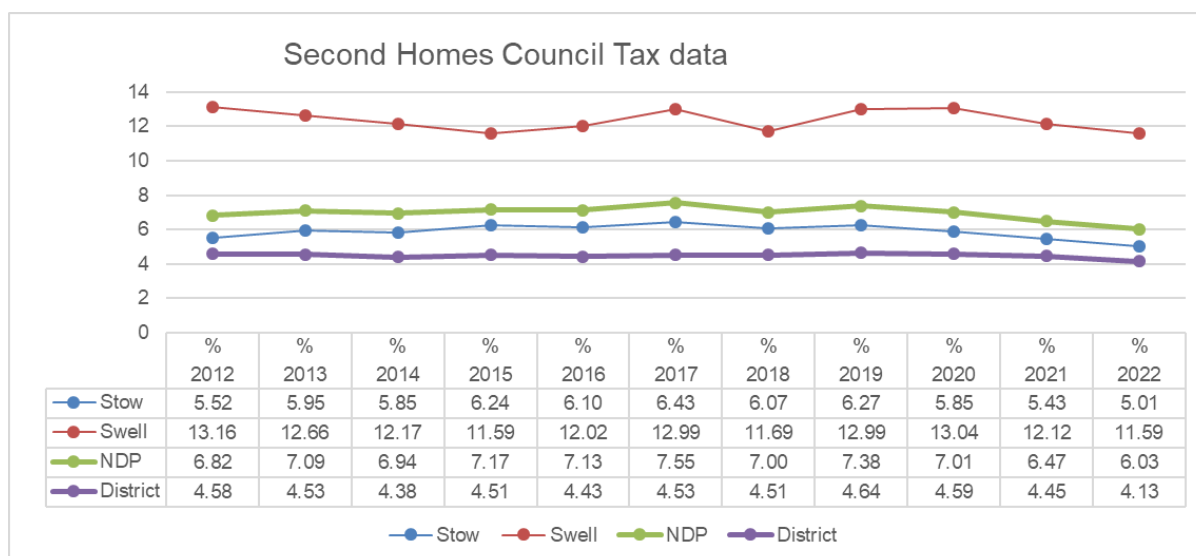
Trinity Road

Cirencester

Gloucestershire

GL7 1PX

Annex A: Second Homes Council Tax Data



A Second Home for tax purposes is a dwelling which is substantially furnished (enough to live in) but not considered to be the liable parties main residence. For example, properties that are owned by someone which are left unfurnished and not lived in, wouldn't be reflected in these numbers. This data has been gathered from Tax Base records, which is reported each year to allow the following years Council Tax charges. This is information collated from the system, which holds Council Tax records so is an official count.

Annex B: Comments on the design code

We advise that the Cotswold Design Code will be updated and expanded as part of the emerging partial update of the adopted local plan (in line with the Council's 'green to the core' ambition, and the government's recent design code and guide guidance).

A number of the comments below will also apply to alter clauses that repeat the same type of wording but for other character areas.

The Stow Design Code is fairly architectural in focus and the references to Green Infrastructure (GI) are limited. There is no commentary on how the GI sections of the Cotswold Design Code should be considered in a Stow context. It also does not provide any guidance on how new sustainable technologies might best be installed in a way that retains the character of Stow, which is evidently a challenging operation particularly in the historic core of the town.

Para 2.1 (and various coding clauses)

We support the approach to divide the settlements into character areas, but the code also needs to be clear whether the design code also applies to developments in the more rural areas outside the character areas.

We have some concern that the preference for non-contemporary architecture in some character areas may be challenging when delivering net zero buildings.

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Agenda Item 3



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR PLANNING AND REGULATORY SERVICES DECISION MEETING – 13 DECEMBER 2023
Subject	NEIGHBOURHOOD PLANNING: REGULATION 18 DECISION ON THE DOWN AMPNEY NEIGHBOURHOOD DEVELOPMENT PLAN
Wards affected	The Ampneys and Hampton
Accountable member	Juliet Layton, Cabinet Member for Planning and Regulatory Services Email: juliet.layton@cotswold.gov.uk
Accountable officer	Charlie Jackson, Assistant Director, Planning and Sustainability Email: Democratic@Cotswold.gov.uk
Report author	Joseph Walker, Community Partnerships Officer Email: joseph.walker@cotswold.gov.uk
Summary/Purpose	To consider whether the Down Ampney Neighbourhood Development Plan, as modified, meets the Basic Conditions required by the Localism Act, and therefore should proceed to referendum
Annexes	Annex A: Examiner's Report Annex B: Table of Modifications

Recommendation(s)	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
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Corporate priorities	<ul style="list-style-type: none"> Respond to the climate crisis Make our local plan green to the core Support health and wellbeing Enable a vibrant economy <p>Neighbourhood Plans are prepared by or on behalf of parish councils, and express their priorities, albeit that they need to be in general conformity with the policies of the Local Plan. In this instance, the ambitions of Down Ampney Parish Council echo the Council's Corporate Priorities,</p>
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	supporting greener development.
Key Decision	NO
Exempt	NO
Consultees/ Consultation	The plan has been consulted on by the Parish Council, and subsequently by the District Council, in line with the statutory process for neighbourhood plans. Local residents, businesses and a range of statutory and non-statutory organisations have participated in these consultations.

1. EXECUTIVE SUMMARY

- 1.1 This report updates on progress with the Down Ampney Neighbourhood Plan, and the outcome of the independent examination, which the Council is required in law to consider.

2. BACKGROUND

- 2.1 Down Ampney Parish Council (DAPC) applied to this Council in late 2018 to designate a Neighbourhood Area. The area applied for, and subsequently approved, was the entirety of the civil parish. Since then, a steering group of local residents, with support from expert consultants, has prepared the Down Ampney Neighbourhood Development Plan (DANDP). The Plan was duly consulted upon in Spring 2023 – a consultation to which this Council responded – and representations have been considered in preparing a submission draft, recently received by this Council. Following submission to the Council, ‘the Regulation 16’ consultation was launched on 25 August 2023, closing on 6 October 2023, and the Independent Examination commenced immediately thereafter. On the xxdatexx the Independent Examiner issued her report, a decision on which is the subject of this report.

3. MAIN POINTS

- 3.1 Following the prescribed process for neighbourhood plans, Cotswold District Council procured an independent examination of the DANDP from an experienced examiner, Wendy Burden (‘the Examiner’). This examination process is typically carried out using written representations, so is effectively a desk-based exercise, supplemented with a visit to the neighbourhood area. The examiner issued her final report on xxdatexx 2023.
- 3.2 The examiner concluded that the NDP, as modified following her recommendations, meets the Basic Conditions laid out in law for neighbourhood plans, and should proceed to referendum, and that the referendum covers the area of the plan, that is, Down Ampney Parish.
- 3.3 It is the role of this Council to make the changes recommended by the examiner, in consultation with the qualifying body. It should be noted that the examiner’s recommendations are exactly that, and are not binding, but any material variation from these modifications would require a further consultation period. These recommendations (contained in the examiner’s report at Annex A) and subsequent modifications are highlighted in table form at Appendix B. It should be noted that the examiner also noted a number of non-material changes could sensibly be made, to reflect: the modifications in the supporting text; changing circumstances, and; observations made in representations at the Regulation 16 stage.
- 3.4 Subject to the decision on this report, the DANDP will proceed to referendum on xxdatexx 2024. This timeframe is within the usual window for a neighbourhood plan to proceed to referendum.

4. ALTERNATIVE OPTIONS



- 4.1 The Localism Act 2012, and subsequent regulations and guidance place a duty upon the Council to make a decision upon the Examiner's report within five weeks. The Council is empowered not to agree with the Examiner's recommendations, which would trigger a further consultation stage, but there are no identified grounds to do so.

5. CONCLUSIONS

- 5.1 The Examiner's Report at Annex A provides the perspective of a suitably qualified independent person on the DANDP. Agreeing to her recommendations will allow a modified draft of the DANDP to progress to public referendum, and subject to public support, take on full weight in the planning system.

6. FINANCIAL IMPLICATIONS

- 6.1 This decision will enable the Council to draw down grant from the Department of Levelling Up, Communities and Housing. While this is set at a standard rate of £20,000, in this instance it will cover the cash costs CDC has incurred supporting the DANDP to reach this stage, as well as the costs of the referendum.

7. LEGAL IMPLICATIONS

- 7.1 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 a final, formal decision to make the plan.

8. RISK ASSESSMENT

- 8.1 This is part of a statutory process and a decision that must be made. To mitigate the risk that there is a 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.

9. EQUALITIES IMPACT

- 8.1 Not required for this decision, but it should be noted that the Examiner has considered Human Rights requirements in her report, and concluded that she is satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

9 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 None directly for this decision. The DANDP does not allocate sites but its policies will play a role in the design and layout of any new development, helping to mitigate the environmental impact.

10 BACKGROUND PAPERS

10.1 None.

(END)

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Report on Down Ampney Neighbourhood Development Plan 2022 - 2031

An Examination undertaken for Cotswold District Council with the support of Down Ampney Parish Council on the June 2023 submission version of the Plan.

Independent Examiner: Wendy Burden BA (Hons) DipTP MRTPI

Date of Report: 29 November 2023

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Main Findings - Executive Summary

From my examination of the Down Ampney Neighbourhood Development Plan (the Plan/DANDP) 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 – Down Ampney Parish Council;
- The Plan has been prepared for an area properly designated – the Parish of Down Ampney, as shown on Figure 1.1 (page 1) of the Neighbourhood Plan;
- The Plan specifies the period to which it is to take effect: 2022 to 2031; and
- The policies (as proposed to be modified) 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

Down Ampney Neighbourhood Development Plan 2022-2031

- 1.1 The Neighbourhood Plan Area for Down Ampney was approved by Cotswold District Council (CDC) in October 2018, and the Down Ampney Neighbourhood Plan Steering Group (DANPSG) was created to help guide and progress the DANDP.
- 1.2 The Neighbourhood Plan Area comprises the Parish of Down Ampney. Down Ampney is a rural village with around 280 dwellings and a population of approximately 615. It is situated 6 miles from Cirencester to the north and 10 miles to Swindon in the south. There is a village shop, a post office, village school, church and various sports facilities. Public transport provision is poor and would not provide for a trip to and from employment areas within reasonable working hours.
- 1.3 The rich history of the Parish is set out in detail in the DANDP. Notable dates include evidence of early settlements dating back to 2000 BC and the Parish was valued at £20 in the Domesday Book of 1087. The manor of Down Ampney was awarded to Sir Nicholas De Valers by Henry III in 1250, and All Saints' Church built and consecrated. Then, in 1872, the

composer Ralph Vaughan Williams was born to the vicar of All Saints' Church, the Reverend Arthur Vaughan Williams and his wife Margaret.

- 1.4 The village of Down Ampney was historically a long narrow settlement with most development located alongside the road on a north-east to south west axis. The linear pattern evolved in the late 20th and early 21st centuries. Developments around the settlement have both elongated and widened the village as cul de sacs have been spurred off the main street to form areas of more recent housing.
- 1.5 The Conservation Area is located in the south west of the village and includes All Saints' Church and Down Ampney House. In the centre of the village is a mix of historic buildings - mostly estate cottages - and modern houses. The relatively new houses at The Old Estate Yard and at Dukes Field utilise locally sensitive architectural materials which contribute to their integration within the traditional buildings. The north eastern part of the village comprises a red brick Council-built estate and the more recent houses which comprise Linden Lea.
- 1.6 There are two Grade I and fourteen Grade II buildings in the village as well as a number of non-designated heritage assets. There are also two Scheduled Monuments designated by Historic England within the Parish: the preaching cross on the green at the western end of the village and the Settlement at Bean Hay Copse. Other historic sites of note are listed in Annexe A to the DANDP and a location map is given in Figure 4.4.
- 1.7 Down Ampney village lies within an attractive rural location within the Upper Thames Clay Vales National Character Area (NCA). This is a broad belt of open, gently undulating lowland farmland on predominantly Jurassic and Cretaceous clays. The area is dominated by watercourses, including the Thames and its tributaries, and there are also lakes associated with mineral extraction areas, such as the Cotswold Water Park. Watercourses and lakes provide important areas for wildlife and recreation. The Parish is within the designated area of the Cotswold Water Park.
- 1.8 The DANDP is required to be in general conformity with the strategic policies of the statutory Development Plan, which includes the Cotswold District Local Plan 2011 - 2031 (CDLP) adopted in 2018. A partial review of the Local Plan was commenced through an Issues and Options Consultation in February to March 2022. The Council has not yet published draft policies and the review remains at a very early stage of preparation. I address the matter of general conformity of the DANDP with the Development Plan throughout my report as well as noting any relationship to the emerging partial review of the CDLP.¹

¹ See the advice in the Planning Practice Guidance (PPG), Reference ID: 41-009-20190509.
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The Independent Examiner

- 1.9 As the DANDP has now reached the examination stage, I have been appointed as the examiner of the Plan by CDC, with the agreement of Down Ampney Parish Council (DAPC).
- 1.10 I am a chartered town planner and retired government Planning Inspector, with more than 45 years of experience in the private and public sectors. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.11 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.
- 1.12 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').
- 1.13 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

- 1.14 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.
- 1.15 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Neighbourhood Development Plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.³

2. Approach to the Examination

Planning Policy Context

- 2.1 The current Development Plan for Down Ampney, 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 CDC is preparing a partial update of the CDLP to 2040. I note that the Planning Practice Guidance (PPG) advises that where a neighbourhood plan is brought forward before an up-to-date local plan is in place, the

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.

qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in the emerging neighbourhood plan; the emerging local plan; and the adopted development plan, with appropriate regard to national policy and guidance.⁴ As noted in paragraph 1.8 above, an Issues and Options consultation document was published in 2022 and CDC is currently working on the responses received and evidence base for the partial review. However, the review has not reached the stage of publishing draft policies to be taken into account in the examination of the DANDP. I therefore focus on the policies of the adopted CDLP 2011-2031 in accordance with the Basic Conditions which require me to examine the Plan against the extant adopted strategic Development Plan policies.

- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF).⁵ In addition, the PPG offers guidance on how the NPPF should be implemented.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, alongside those submitted. These include the:

- Down Ampney Neighbourhood Development Plan (NDP) 2022 to 2031, June 2023;
- Down Ampney NDP Appendices, June 2023;
- Down Ampney NDP Annexes, June 2023;
- Down Ampney Basic Conditions Statement, June 2023;
- Down Ampney Consultation Statement, June 2023;
- Down Ampney NDP Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) Screening, November 2021;
- Down Ampney Design Guidance and Codes, July 2023;
- Down Ampney Historic Environment Report, 2022;
- Regulation 16 Responses;
- Letter from examiner re procedural matters and questions, 12 October 2023;
- Responses from CDC and DAPC to examiner's questions;
- Late Regulation 16 Response received 28 October 2023;
- Examiner's second procedural letter to CDC and DAPC, 30 October 2023;
- DAPC response to examiner's second procedural letter, 7 November 2023; and

⁴ PPG Reference ID: 41-009-20190509.

⁵ A new version of the NPPF was published on 5 September 2023. It sets out focused revisions (to the previously published version of 20 July 2021) to the extent that it updates national planning policy for onshore wind development. As such, all references in this report read across to the latest 5 September 2023 version.

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- CDC response to examiner's second procedural letter, 8 November 2023.⁶

Site Visit

- 2.5 I visited the Neighbourhood Plan Area unaccompanied by any interested party on the 2 November 2023. I carried out a general review of the area in terms of its setting and character in order to familiarise myself with it and visited relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

- 2.6 This examination has been carried out on the basis of the written submissions (written representations). The Regulation 16 consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum. In addition to the Regulation 16 responses, I have received further necessary clarifications through the exchange of correspondence during the examination. These include the response from CDC and DAPC to my letter of the 12 October 2023, a late Regulation 16 representation received on 28 October 2023, and responses to my second procedural letter of the 30 October 2023 from CDC and DAPC.⁷ As a result, in terms of the appropriate level of scrutiny for the DANDP, I consider that hearing sessions are not necessary.

Modifications

- 2.7 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 the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The Down Ampney Neighbourhood Plan has been prepared and submitted for examination by DAPC, which is the qualifying body for an area that was designated by CDC in October 2018.
- 3.2 It is the only Neighbourhood Plan for Down Ampney Parish and does not relate to any land outside the designated Neighbourhood Plan Area.

⁶ View at: <https://www.cotswold.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/down-ampney-neighbourhood-plan/>

⁷ See paragraph 2.4 above.

Plan Period

- 3.3 The Plan specifies the period to which it is to take effect on the front cover which is 2022 - 2031. The DANDP covers the period in the CDLP and does not therefore raise any issues of alignment in that regard. It may however be appropriate to review the DANDP when the partial review of the CDLP is adopted.⁸

Neighbourhood Plan Preparation and Consultation

- 3.4 In March 2018, CDC approved the designation of the Down Ampney Neighbourhood Plan Area, as shown on page 1 of the submitted DANDP. DAPC is responsible for providing leadership for the DANDP and empowered a Steering Group, the DANPSG, to have the responsibility of managing the process. The DANPSG was set up following a call for volunteers from the DAPC in 2018 and comprises a number of Parish Councillors, interested local residents and a District Councillor.
- 3.5 The DANDP is based on evidence from surveys, expert reports and local consultations. A detailed record of the consultation process is set out in the Consultation Statement.
- 3.6 A 'launch' meeting explaining the concept of the Neighbourhood Plan and inviting volunteers to take part was held in December 2018. A range of methods to inform people was used, including publishing the 'launch' announcement in the Down Ampney News, which is delivered to every household. Following a meeting of volunteers in January 2019, the DANPSG was formally convened. Various methods have been used by the DANPSG to inform people about the Plan and its progress, including regular articles in the Down Ampney News, community 'drop-in' events, leaflet drops, posters, banners and a dedicated Neighbourhood Plan noticeboard. In addition to ongoing stakeholder consultation, community consultation has involved the following stages:
- identifying the issues through a 'drop-in' event in August 2019;
 - a parish questionnaire conducted in October/November 2019 with 29 main questions and many sub-questions making a total of 222, which was completed by 201 respondents from 174 households (a 69% response rate of households);
 - COVID-19 lockdown measures hampered consultations but the results of the questionnaire were given to villagers in a drop-in presentation in September 2020;
 - the first Regulation 14 consultation was held from 11 December 2021 until 25 February 2022;
 - a second Regulation 14 submission was held from 01 April 2023 until 15 May 2023 to ensure that the new Design Guidance and Codes document prepared by AECOM was fully consulted upon;

⁸ CDC has started a partial update of the local plan: [Local plan update and supporting information - Cotswold District Council](#)

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- the Neighbourhood Plan has been informed by extensive enquiries to identify the economic, social and environmental context. Regard has also been had to relevant National and District plans, policies, strategies and reports. The main sources are listed in Appendix 3; and
- the Regulation 16 consultation was carried out from 25 August – 6 October 2023 following the submission of the DANDP to CDC.

3.7 At Regulation 16 stage, 8 responses were submitted to CDC and forwarded to me. I accepted a late submission on the 28 October 2023. I have had regard to all the comments made in those submissions as part of the examination process.

3.8 I am satisfied that a sufficiently transparent, fair and inclusive consultation process has been followed for the DANDP. Due regard has been had to the advice in the PPG on plan preparation and engagement, and I consider that the DANDP is procedurally compliant in accordance with the legal requirements.

Development and Use of Land

3.9 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

3.10 The Plan does not include provisions and policies for 'excluded development'.⁹

Human Rights

3.11 No issues have been raised in relation to any potential breach of Human Rights (within the meaning of the Human Rights Act 1998). From my independent assessment, I see no reason to find otherwise.

4. Compliance with the Basic Conditions

EU Obligations

4.1 The DANDP has been screened by CDC to determine whether or not the Plan requires Strategic Environmental and Habitats Regulations Assessments (SEA and HRA).

4.2 The HRA assessment screens the DANDP as to whether further Appropriate Assessment may be required as a result of any potential for likely significant effects on the closest European site to Down Ampney.

⁹ See section 61K of the 1990 Act.

This is the North Meadow and Clattinger Farm Special Area of Conservation (SAC) located immediately adjacent to the southern boundary of Cotswold District approximately 1.1km southwest of the Neighbourhood Plan Area. The screening assessment concludes that it is unlikely there will be any significant environmental effects arising from the DANDP.

- 4.3 The SEA screening report also concludes that the DANDP is unlikely to have significant environmental effects and that a SEA is not therefore required.
- 4.4 Historic England and Natural England agree with this conclusion. The Environment Agency was unable to review either of the screening reports. Having reviewed the CDC SEA and HRA Screening Reports I have no reason to disagree with the conclusion of the screening assessments.

Main Issues

- 4.5 I have approached the assessment of compliance of the DANDP with the remaining Basic Conditions as two main matters:
- General issues of compliance of the Plan, as a whole; and
 - Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

Regard to National Policy and Advice

- 4.6 The DANDP sets out the background and context to its preparation and provides a broad description of the history, the character and the appearance of the Plan area, with its village rich in heritage and its rural setting. The vision statement for the DANDP set out on Page 2 has been developed to reflect the priorities of the community and help set the future of the Parish:

"Down Ampney will retain a balance of historical buildings and features alongside sympathetic newer developments. The rural roots of the village will be recognised by ensuring that any development respects the vernacular and maintains its close connection with the surrounding countryside. The vibrant community spirit of the parish will remain an important attribute. Sustainability will be improved by developing a stronger network of facilities and services, whilst ensuring that the character and landscape is conserved and enhanced."

- 4.7 This vision was developed by the DANPSG following public consultation and provides the basis for the objectives of the DANDP which are arranged under five main headings as follows:
- Landscape
 - Infrastructure - Roads, Transport and Drainage
 - Infrastructure – Community and Leisure

- Economy and Employment and Tourism
- Residential Housing and Non-Residential Building Design.

- 4.8 Issues have been raised in the Regulation 16 responses as to the wording of the objectives. However, an objective is an expression of community sentiment and ambition. It does not have the status of a policy and therefore I consider it is not necessary for an objective to be subject to the same level of technical scrutiny. Nevertheless, I did raise a query¹⁰ with regard to the first objective and consider that “aspects” should be replaced by “character” in the interests of clarity. **[PM1]**
- 4.9 The Plan policies address all but the fourth objective. “Economy and Employment, and Tourism” is subject to recommendations in section 9.3 of the DANDP which deals with non-land use matters.¹¹ The policies generally relate to the matters identified in NPPF Paragraph 28 as appropriate matters to be addressed through non-strategic policies in neighbourhood plans. The DANDP is positively prepared, with an aspirational but deliverable approach to the development of the Parish, and it has been shaped through early, proportionate and effective engagement within the local community.
- 4.10 In general, the policies of the DANDP are clearly written and unambiguous.¹² However, I raised a number of matters of clarification with regard to the objectives and the policies which were set out in responses to the Regulation 16 consultation and have received detailed comments from both CDC and DAPC. I have also received comments from DAPC with regard to the late Regulation 16 response. I have paid close regard to all the comments which I have received both in the Regulation 16 submissions and in response to my two letters.¹³ As a result, I have concluded that recommendations for amendment or deletion are necessary to some policies in order to have due regard to national policy and advice¹⁴ (and to ensure general conformity with the strategic policies of the CDLP) in order that the Basic Conditions are met. I deal with this compliance matter in my commentary on each policy later in this report.
- 4.11 Having regard to the work which has been carried out and the range of policies which have been formulated to meet its vision and objectives, I am satisfied that the DANDP demonstrates a positive approach to the implementation of the policies of the CDLP. Subject to the modifications which I recommend, the DANDP has had regard to national policy and advice.

¹⁰ Examiner’s procedural letter dated 12 October 2023.

¹¹ See last paragraph, PPG Reference ID: 41-004-20190509.

¹² PPG Reference ID: 41-041-20140306.

¹³ See paragraph 2.4 above with reference to these documents

¹⁴ In order to meet the Basic Conditions, the Plan must have regard to national policies and advice contained in guidance issued by the Secretary of State, as noted in paragraph 1.14 above.

Contributes to the Achievement of Sustainable Development

- 4.12 The policies of the submitted DANDP have regard to the economic, social and environmental needs of the local community. Furthermore, the Plan accords with Paragraph 29 of the NPPF since it complements and delivers the strategic policies for the area.
- 4.13 The three overarching objectives of sustainable development (economic, social and environmental) are integral to the core aims of the DANDP. Together with the policies of the CDLP 2031, the policies and proposals of the DANDP contribute to the achievement of sustainable development in accordance with national policies and advice.
- 4.14 Subject to the detailed comments and modifications which I set out below for individual policies, I am satisfied that the Plan makes a positive contribution to the achievement of the economic, social and environmental aspects of sustainable development.

General Conformity with Strategic Policies in the Development Plan

- 4.15 I set out the planning policy context for the DANDP in section 2 above. As part of the statutory Development Plan, the CDLP 2011-2031 sets out the strategic policies to be taken into account in the DANDP. The policies in the submitted DANDP are required to be in general conformity with those that are strategic in the statutory Development Plan in order to meet the Basic Conditions. Although a draft neighbourhood plan is not tested against the policies in an emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the Basic Conditions against which a neighbourhood plan is tested.¹⁵ In this case the work on the partial update of the CDLP is not at a sufficiently advanced stage to be taken into account.
- 4.16 In the adopted CDLP Policy DS1 lists Down Ampney as a Principal Settlement which will contribute to the strategic requirement for at least 8,400 dwellings and 24 hectares of B class employment use over the CDLP period of 2011-2031. Down Ampney is also listed in Policy DS1 as a settlement which has a Development Boundary, Policy DS2 states that within a Development Boundary applications for development will be "permissible in principle". A Development Boundary includes existing built up areas, sites under construction or granted planning permission and housing and employment sites proposed for development to meet the District's objectively assessed needs to 2031. Policy DS4 restricts open market housing beyond the Development Boundary for a Principal settlement such as Down Ampney "unless it is in accordance with other policies that expressly deal with residential development in such locations".

¹⁵ PPG Reference ID: 41-009-20190509.

- 4.17 In the DANDP reference is made to the “settlement boundary” whereas the CDLP expressly designates the boundary around the village as the “development boundary” and that is the title used throughout the CDLP and on its Policies Map. I agree with the advice from CDC that all references to “settlement boundary” should be changed to “development boundary” in order to accord with the designation within the CDLP in the interests of clarity and recommend accordingly. **[PM2]**
- 4.18 CDLP Policy S4 applies specifically to Down Ampney which is recognised in the explanatory text to be “a modest sized village” with a limited range of services and facilities but capable of servicing certain day to day needs. It is also recognised that new development would need to ensure that there is adequate water supply capacity and waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users.
- 4.19 The policy allocates three sites for residential development in the village to accommodate some 28 dwellings in total. These are in addition to the planning permission granted for 44 dwellings at Broadway Farm.
- 4.20 Other CDLP policies which are relevant to the DANDP include Policy DN3 which allocates Local Green Spaces (LGS). Although there are none listed for Down Ampney, that does not preclude the identification of LGS in the DANDP in Policy LP2. Part 2 of Policy DN3 provides for the control of development within LGS. In Policy EN4 clause 2 sets out the approach to be taken in the assessment of development which may affect landscape character including key views. I return to the relevance of this policy in relation to DANDP Policy LP1 below. Biodiversity and Geodiversity is addressed in CDLP Policy EN8. I refer to the relevance of this policy in relation to DANDP Policy HP4 and the views of Natural England.
- 4.21 The issue of providing for new housing development in Down Ampney Parish to meet local housing needs is raised in the Regulation 16 representations. However, in this respect there is no conflict between the DANDP as submitted and the strategic policies of the CDLP which I identify above. The strategic policies would continue to allow for the provision of new housing if the requirements of the policies are met.
- 4.22 The DANDP has been developed with proper regard to the strategic direction and policies of the existing CDC Development Plan Documents, which I identify in Section 2 above. In addition, with some modifications which I recommend below, the DANDP demonstrates general conformity with the adopted strategic policies of the CDLP. CDC has been involved throughout the preparation of the DANDP and is generally supportive of its policies. Subject to some detailed comments and the modifications which I make to the Plan’s policies below, I am satisfied that the DANDP is in general conformity with the strategic policies of the Development Plan.

Specific Issues of Compliance of the Plan Policies

Policies Map

- 4.23 Inset 3 to the CDLP¹⁶ identifies the Development Boundary for Down Ampney village which encloses the Broadway Farm site with permission for residential development and the three Local Plan residential allocations. There is no Policies Map included within the DANDP, but policy proposals within Policies LP1 and LP2 are illustrated in Figures 4.9 and 4.10, whilst other notable features referred to in the text are identified within the Figures in the Plan. In these circumstances I consider that there is no need for a discrete Policies Map in the DANDP and the Plan meets the Basic Conditions in regard to this matter.

Landscape

- 4.24 A high value was placed by local people on the landscape and natural environment as a result of public consultation. The setting of the village within an open rural landscape and the close connection between village and countryside is of particular importance. Policy LP1 identifies the notable vistas which the community seek to safeguard in order to protect the setting and character of the village.
- 4.25 I note that there has been no technical analysis of the vistas. However, the policy does not seek to prevent development within the vistas, but to ensure that development has no significant adverse impact on their visual quality and amenity. Where such an impact is identified, it will be for the applicant to provide a technical analysis to demonstrate the degree of impact and how any adverse impacts may be avoided or mitigated. In these circumstances I find that the policy is not unreasonable and provides a local dimension to that part of CDLP Policy EN4 which addresses visual quality and key views. I recommend a modification to Policy LP1 in the interests of clarity **[PM3]** and with this modification the policy raises no issues of compliance with the Basic Conditions.
- 4.26 There are no areas of open space designated in the CDLP Policy EN3 as Local Green Space (LGS) but this does not preclude designation in the DANDP. Policy LP2 proposes the designation of the land opposite to the school and in front of the Duke's Field development as LGS. The NPPF (Paragraph 102) sets out that the 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 the 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.

¹⁶ Page 57.

Designating land as LGS should also be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services and be capable of enduring beyond the end of the Plan period (Paragraph 101).

- 4.27 I note that the Pegasus Group has submitted a representation (on behalf of the landowners, the Co-Operative Group), which references the Pegasus Landscape Statement that was appended to its Regulation 14 response (see paragraph 3.49). This sets out the reasons why it is considered that the proposed LGS designation fails to meet criteria (b) of NPPF Paragraph 102.
- 4.28 Whilst there is some additional guidance provided in the PPG section, *Open space, sports and recreation facilities, public rights of way and local green space*¹⁷ in relation to LGS designation, the consideration of the criteria in Paragraph 102 is largely a matter for the exercise of planning judgement. In my view, the field proposed to be designated as LGS clearly accords with criteria (a) and (c). With regard to the planning of sustainable development (NPPF, Paragraph 101), land has been allocated for development in Down Ampney to contribute to strategic requirements and there is provision in the policies of the CLP for further land to be released in specific circumstances, such as meeting the need for affordable housing. I am therefore also satisfied the LGS designation is capable of enduring beyond the Plan period.
- 4.29 With regard to criteria (b), I acknowledge the site proposed as LGS has no public access or particular outstanding features as such. However, it is in a principal position within the village, opposite to the school and the entrance to the “Village Hub”, as shown on Figure 6.1. The field fronts the main street through the village and has mainly housing on three sides. As such it makes a significant contribution to the character of the village as a rural community. I find that the field holds a particular local significance as an open green space in a key position within the village and within an otherwise built up road frontage. As such, I consider that it is demonstrably special to the local community. In my assessment, the designation therefore accords with the criteria set out in the NPPF.
- 4.30 The second clause of the policy refers to and repeats the provision set out in the second clause in CDLP Policy EN3. Whilst this might seemingly be viewed as unnecessary duplication¹⁸, I am aware it has become common place to restate the policy protection for LGS designated in neighbourhood plans since it provides clarity for the local community in terms of how any application for development of the LGS would be managed. In these circumstances, Policy LP2 raises no issues of compliance with the Basic Conditions.

¹⁷ PPG Reference IDs: 37-005-20140306 to 37-022-20140306.

¹⁸ NPPF, Paragraph 16 f).

Infrastructure – Roads, Transport and Drainage

- 4.31 Policy IP1 deals with Drainage and refers to the approach to be taken for developments of more than 5 dwellings. In the CDLP, Policy INF8 sets out comprehensive requirements for water management infrastructure and Policy EN14 addresses flood risk. Whilst there is some duplication, DANDP Policy IP1 identifies an issue of particular local concern and has been drafted to complement the Local Plan. I note the suggestion that the use of sustainable drainage systems (SuDS) should be included in the policy but CDC has responded that they are not always an effective solution in the locality. In any event, CDLP Policy INF8 requires their use, where appropriate.
- 4.32 With regard to water supply, this is adequately covered in CDLP Policy INF8 so there is no reason to introduce it in the DANDP.
- 4.33 With regard to the threshold in Policy IP1 of more than 5 dwellings, there is no lower limit set in CDLP policy. It is clearly accepted that extreme events will increase due to climate change and measures must be taken to address risk to properties both old and new. I agree with CDC that Policy IP1 is not unduly onerous. It does not impose Grampian style restrictions on development but places the onus on the applicant to demonstrate that drainage has been properly considered.
- 4.34 Policy IP2 deals with Waste Water. This matter is addressed in detail in CDLP Policy INF8, with the funding of infrastructure provision subject to CDLP Policy INF1. In relation to Down Ampney, it is also stated in the explanatory text to CDLP Policy S4 at paragraph 7.5.2 *"For all three housing sites developers will be required to demonstrate that there is adequate water supply capacity and waste water capacity both on and off the site to serve the development and that it would not lead to problems for existing or new users. In some circumstances it may be necessary for developers to fund studies to ascertain whether the proposed development will lead to overloading of existing water and waste water infrastructure"*. Although the matter is well covered in the CDLP, provision to deal with waste water is clearly a matter of concern in Down Ampney. Policy IP2 is not unduly onerous in so far as it reflects and carries forward the requirements in the CDLP for proper provision to be made for waste water where new development is proposed.
- 4.35 In the above circumstances I find that Policies IP1 and IP2 meet the Basic Conditions.

Infrastructure – Community and Leisure

- 4.36 Policy CP1 seeks the protection of existing community facilities. It relates to facilities within the village which is entirely reasonable. A suggestion that requirements for off-site infrastructure and services should be

included in the policy would be unreasonable and fall outside the scope of the DANDP.

- 4.37 I am satisfied that Policy CP1 raises no issue of compliance with the Basic Conditions.

Residential Housing and Non-Residential Building Design

- 4.38 It is a requirement of the NPPF that neighbourhood plans do not promote less development than set out in the strategic policies for the area or undermine those strategic policies.¹⁹ Down Ampney is a Principal Settlement which is identified in the CDLP for new housing and allocations are made to contribute to the strategic housing requirement for the District.
- 4.39 I note the submissions made for further allocations to be made within the DANDP but my role as an independent examiner is limited to testing whether the Neighbourhood Plan, as submitted, meets the Basic Conditions. The PPG is clear that whilst neighbourhood plans can allocate sites for development, including housing²⁰, they “are not obliged to contain policies addressing all types of development”²¹ and “the scope of neighbourhood plans is up to the neighbourhood planning body”.²² The position of the Courts on the absence of a requirement to allocate sites in a neighbourhood plan is most recently stated in *Park Lane Homes (South East) Ltd, R (On the Application Of) v Rother District Council*²³, more particularly that the absence of housing allocations in a draft Plan is not of itself a basis to conclude that the Plan fails to meet Basic Condition a) regard to national policies and advice. Notwithstanding any merits of the allocation of further land for housing, the DANDP nonetheless meets the Basic Conditions in the absence of the allocation of additional land for housing.
- 4.40 Policy HP1 seeks to maintain the rural character and setting of Down Ampney village by setting a density limit on all new residential developments. Whether or not the approach is realistic, it is in conflict with national policy and guidance²⁴ which seeks to ensure that development makes efficient use of land and encourages the consideration of minimum density standards. Thus, the NPPF requires that the character and setting of the village should be maintained through area based assessments and the application of design guides and codes rather than through prescribed density limits. For Down Ampney, there are the CDC Design Code and the Down Ampney Design Guidance and Codes which may be used to help ensure that land is used efficiently while also

¹⁹ NPPF, Paragraph 29.

²⁰ PPG Reference ID: 41-042-20170728.

²¹ PPG Reference ID: 41-040-20160211.

²² PPG Reference ID: 41-104-20190509.

²³ [2022] EWHC 485 (Admin) | England and Wales High Court (Administrative Court).

²⁴ NPPF, Paragraphs 124 and 125.

securing well-designed and attractive new development. This approach is secured through the provisions of CDLP Policies EN1 and EN2.

- 4.41 Protection is provided through these and other CDLP policies to the character and appearance of Down Ampney. In these circumstances and in view of the direct conflict with national policy I recommend that Policy HP1 be deleted. **[PM4]**
- 4.42 Policy HP2 seeks to ensure that house types in new development accord with the development type supported by villagers in the DANDP Questionnaire as identified in section 8.8 of the Plan. The “*general trend of support*” referred to in the policy is defined as the requirement for 60% of new homes to be either affordable or smaller market houses. This requirement does not conflict with the CDLP policy for the provision of affordable homes (Policy H2). However, the requirement for affordable homes to be restricted to those with a local connection would not have regard to the definition of affordable homes provided in Annex 2 to the NPPF and does not therefore comply with the Basic Conditions. Accordingly, I recommend a modification to Policy HP2. **[PM5]**
- 4.43 The design of new development is covered by Policy HP3. New development is required to be compatible with the CDC Design Code and the Down Ampney Design Guidance and Codes. These documents have been professionally prepared and provide advice and guidance on design. They are not prescriptive or statutory policy documents.²⁵ They fall within the scope of my examination only to the extent that I am satisfied that the reference to the documents in Policy HP3 is appropriate. There are no issues in regard to the second clause of the policy which accords with Policy EN1 of the CDLP.
- 4.44 With regard to clause 3 of Policy HP3, whilst national policy seeks to prevent the diminution of the quality of approved development between permission and completion, it is not clear how this can be achieved through clause 3 of the policy. After the grant of planning permission a number of details may be subject to conditions and require further approval. There can also be a need to change the details of a permitted scheme in response to changing circumstances. The DAPC does not have the power to grant planning permission or approval of reserved matters and therefore whilst the motive for the clause is clear, its implementation is not. I therefore recommend the deletion of clause 3. **[PM6]**
- 4.45 Policy HP4 relates to Green Infrastructure and generally accords with Policy INF7 of the CDLP. Natural England encourages an expansion to the policy in relation to the natural environment which is not specified in Policy EN8 of the CDLP in relation to Biodiversity and Geodiversity. Having regard to the location of Down Ampney within the Cotswold Water Park, I consider that a modification after the first clause which relates to this location would ensure that the policy is both effective and locally specific.

²⁵ See PPG Reference IDs: 26-005-20191001 & 26-008-20191001.

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- 4.46 The DAPC do not have decision making powers and therefore a modification to the second clause is proposed. In addition, I recommend an addition to the wording of the third clause to ensure that the policy is reasonable. **[PM7]**
- 4.47 With the deletion of Policy HP1 and the modifications proposed to Policies HP2, HP3 and HP4 the DANDP complies with the Basic Condition

Non-Land Use Actions

- 4.48 In addition to the DANDP policies which I am required to consider against the statutory tests, Section 9.3 of the Plan makes recommendations relating to issues which are not land use matters, but which are of importance to the local community and would further enable the objectives of the DANDP to be met. They relate to measures which may be sought in order to improve the general quality of life and wellbeing within the village, rather than land use issues which relate to the development and use of land in the statutory sense. As such they are not matters that can be addressed through a policy in the DANDP.
- 4.49 Although I have taken note of the issues identified in Section 9.3, they will not form part of the statutory Development Plan for the area and are not therefore considered against the Basic Conditions.²⁶

Implementation and Monitoring

- 4.50 It is stated at page 2 of the DANDP that the DAPC intends to monitor the progress of development over the Plan period and review the DANDP on a five yearly basis. There is no statutory requirement for a neighbourhood plan to be reviewed, although local plans are required to be reviewed at least every five years.²⁷ Nevertheless it would be appropriate for a review of the DANDP to be carried out in response to changes in relevant national and local plan policies. This would enable the DANDP to remain relevant and complementary to national and local plan policies.

Factual and Minor Amendments and Updates

- 4.51 I have not identified any typographical errors in the text of the DANDP that would affect the Basic Conditions. Minor amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates, in agreement between DAPC and CDC.²⁸

²⁶ PPG Reference ID: 41-004-20190509.

²⁷ Regulation 10A Town and Country Planning (Local Planning) (England) Regulations 2012.

²⁸ PPG Reference ID: 41-106-20190509.

5. Conclusions

Summary

- 5.1 The Down Ampney 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 Neighbourhood Plan, together with the evidence documents submitted with the Plan and in the course of my examination.
- 5.2 I have made recommendations to modify some of the policies to ensure that 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.
- 5.4 The Down Ampney Neighbourhood Development Plan, as modified, has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary and which would require the referendum to extend to areas beyond the Plan boundary. I therefore recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.5 The production of the DANDP has undoubtedly required a high level of commitment and hard work by the Parish Council and other volunteers from the local community. This task has no doubt been made more difficult by the abnormal conditions arising from COVID-19. I commend the Parish Council and the Neighbourhood Plan Steering Group for their hard work and application in producing a well written and effective Neighbourhood Plan. This is reflected by the small number of recommended modifications in the Appendix to this report.
- 5.6 I am satisfied that DAPC has consulted with and taken into account the views of the local community, whilst seeking to protect the character and setting of Down Ampney as an attractive and historic settlement within the countryside. As a result, the DANDP, with the recommended modifications appended to my report, meets the Basic Conditions. The modified DANDP has the potential to provide an effective Plan for the management of the future planning of Down Ampney.

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Examiner

Appendix: Modifications

Note: Some consequential renumbering, amendment to alphabetical listings etc within the Plan will be necessary as a consequence of the PMs set out below.

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Objective L01 page 5	Replace "aspects" by "character".
PM2	Paragraph 8.4 page 50 Paragraph 8.8 page 52 Paragraph 8.7 page 53	Change "settlement boundary" to "development boundary".
PM3	Policy LP1 page 22	In the second clause after "applicants" delete "may have to" and insert "must".
PM4	Policy HP1 page 55	Delete Policy HP1.
PM5	Policy HP2 page 55	Delete "for those with a local connection".
PM6	Policy HP3 page 57	Delete clause 3.
PM7	Policy HP4 page 59	Insert new clause after first clause: "Where appropriate, provision will be made to support the Cotswold Water Park Nature Recovery Plan". In the second clause: delete "permitted" and insert "supported". In the third clause: insert at the beginning of the sentence "Where feasible".

Annex B: Table of Modifications.

Proposed modification number (PM)	Page no./ other reference	Modification	Officer recommendation
PM1	Objective L01 page 5	Replace “aspects” by “character”.	Agree. Improves clarity by using a more specific term, more commonly used in planning. Does not affect community intent
PM2	Paragraph 8.4 page 50 Paragraph 8.8 page 52 Paragraph 8.7 page 53	Change “settlement boundary” to “development boundary”.	Agree. Improves clarity by using the same terminology as the Cotswold Local Plan. Does not affect community intent.
PM3	Policy LP1 page 22	In the second clause after “applicants” delete “may have to” and insert “must”.	Agree. Improves clarity by being more definite about the expectation the policy puts upon applicants.
PM4	Policy HP1 page 55	Delete Policy HP1.	Agree. This policy generated a number of representations, including from CDC. The examiner has determined it does not have regard to the NPPF, but has also observed that the design policies of the Local Plan and the Neighbourhood Plan will help to ensure well-designed development.
PM5	Policy HP2 page 55	Delete “for those with a local connection”.	Agree. As drafted the policy was not in general conformity with the Local Plan, so this change was necessary. The Council’s choice-based lettings

			approach plays an important role in helping people find accommodation in settlements that suit their needs, including location.
PM6	Policy HP3 page 57	Delete clause 3.	Agree. Unclear how the clause would be effective, but it should be noted that the NPPF seeks to prevent the diminution of the quality of approved development between permission and completion, so the community intent should be met.
PM7	Policy HP4 page 59	<p>Insert new clause after first clause: "Where appropriate, provision will be made to support the Cotswold Water Park Nature Recovery Plan".</p> <p>In the second clause: delete "permitted" and insert "supported".</p> <p>In the third clause: insert at the beginning of the sentence "Where feasible".</p>	Agree. Provides useful local context with a new clause, and enhances the usability of the policy with some rewording. Does not significantly impact on the community intent behind the policy.

The Examiner has not identified any typographical errors in the text of the DANDP that would affect the Basic Conditions. Minor amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes or updates, in agreement between DAPC and CDC (PPG Reference ID: 41-106-20190509).