



**COTSWOLD**  
DISTRICT COUNCIL

Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	Cabinet Member for Development Management and Licensing Decision Meeting – February, 2023
Subject	NEIGHBOURHOOD PLANNING: REPRESENTATION TO THE STOW AND THE SWELLS REGULATION 14 DRAFT CONSULTATION
Wards affected	Stow directly, Fosseridge
Accountable member	Cllr Juliet Layton Email: <a href="mailto:juliet.layton@cotswold.gov.uk">juliet.layton@cotswold.gov.uk</a>
Accountable officer	Joseph Walker, Community Partnerships Officer Email: <a href="mailto:joseph.walker@cotswold.gov.uk">joseph.walker@cotswold.gov.uk</a>
Summary/Purpose	To agree the Council's representation to the Regulation 14 Consultation on the Stow and the Swells Neighbourhood Development Plan
Annexes	Annex A Stow and the Swells Neighbourhood Plan: A1: Regulation 14 Draft A2: Draft Design Code A3: Draft Strategic Environmental Assessment A4: Housing Needs Assessment Annex B: Draft Cotswold District Council Representation
Recommendation(s)	1) <i>That the Cabinet Member for Development Management and Licensing considers the draft representation presented at Annex B, and subject to any amendments, agrees this for submission to Stow Town Council</i>



Corporate priorities	<ul style="list-style-type: none"><li>• Responding to the challenges presented by the climate crisis</li><li>• Providing good quality social rented homes</li><li>• Presenting a local plan that's green to the core</li><li>• Helping residents and communities access the support they need for good health and wellbeing</li><li>• Supporting businesses to grow in a green, sustainable manner, and to provide high value jobs</li></ul> <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 the Stow and the Swells Neighbourhood Plan complement the Council's Corporate Priorities, as the Plan contains planning policies seeking to deliver housing, address climate change, promote residents' health and wellbeing and support local businesses.</p>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>This report seeks agreement for a consultation response from this Council. It has been prepared with input from a number of officers with an interest in Neighbourhood Planning. Stow Town Council Council, as the body responsible for this plan, are legally bound to consult with defined statutory bodies and others whose interests are affected.</p>



## **1. BACKGROUND**

Stow Town Council (STC) and Swell Parish Council (SPC) jointly agreed to designate their two parish areas as a neighbourhood area, for the purposes of developing a neighbourhood plan, in 2015. STC launched a consultation on the draft Neighbourhood Plan ('the Plan') on 6 February 2023, closing on 20 March 2023.

## **2. MAIN POINTS**

- 2.1. STC initially submitted a request for area designation to this Council in 2012, when their parish boundaries were designated as a Neighbourhood Area. In 2015, at the joint request of STC and SPC, this designation was revoked, and a new area encompassing the full extent of both parishes was designated, Stow and the Swells (SSNP). The Neighbourhood Planning Regulations 2012 require that in a multi-parish area, one parish takes on the role of qualifying body, that is, the organisation legally capable of presenting a neighbourhood plan to the Local Planning Authority. STC took on this role. Since then, local residents, and more recently, professional planning consultancy support have been developing the evidence base and draft policies for this Neighbourhood Plan.
- 2.2. This Pre-submission Consultation presents an opportunity for this Council to comment formally on the Plan. The Plan has been circulated to officers from across the different Development Management disciplines.
- 2.3. The points raised in the draft representation attached at Annex 2 reflect officers' views on how the Plan fits with Policy and Regulation, and their views on whether its Policies will be usable. Officers have also commented where evidence might be lacking or subject to challenge, and where text is unclear, or where there are grammatical or typographical errors.

## **3. FINANCIAL IMPLICATIONS**

- 3.1. None direct. Later stages in the development of the Plan require direct financial commitment from the Council, but under current arrangements, this is reimbursed by a grant from the Department for Levelling Up, Housing and Communities.

## **4. LEGAL IMPLICATIONS**

The Localism Act 2011 establishes that the Council has a duty to support Neighbourhood Planning activity. This is generally interpreted as a requirement to engage constructively with Neighbourhood Planning groups throughout the Plan process, rather than limited to statutory processes.

## **5. RISK ASSESSMENT**

- 5.1. Should the Council not respond at this stage, it misses a critical opportunity to influence the content of the emerging Plan. The risk here is twofold: should the Plan proceed with minimal changes through Regulation 16 and examination, there would be a greater risk of planning Policies which are difficult to implement or interpret, creating challenges for Development Management. There would also be a greater risk that the Plan would either fail examination, or be subject to significant modifications, disappointing the Plan's supporters and at risk to the Council's reputation in carrying out its duty to support.



**6. EQUALITIES IMPACT**

- 6.1 Not directly applicable to this decision. However, the Plan will need to meet the 'Basic Conditions' laid out in the Localism Act 2011 to proceed to referendum. This should ensure it recognises equalities practice in the English planning system.

**7 CLIMATE CHANGE IMPLICATIONS**

- 7.1. Not directly applicable to this decision. However, it is worth noting that the Plan does propose a Zero Carbon Buildings policy, and picks up appropriately in this theme elsewhere, recognising the need for development to mitigate its impact and adapt to the changing climate.

**8. ALTERNATIVE OPTIONS**

- 8.1. Not applicable

**9. BACKGROUND PAPERS**

- 9.1. None