



Representation to the Stow-on-the-Wold and the Swells

Neighbourhood Plan Regulation 14 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 are concerned that the Plan does not have the full support of one of the two partner parishes, an issue we believe must be overcome before the Plan can proceed. We have also raised a number of concerns on Policy STOW7, 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 smaller site or developing outside the AONB have not been formally considered.

As context, Cotswold District Council is committed to a partial update of its Local Plan, with an aim to adopt an updated Local Plan in 2024. Following an Issues and Options Consultation in early 2022, the focus of development will remain broadly consistent with our current strategy of directing development towards our 17 Principle Settlements. Reflecting the corporate ambitions of the Council, housing affordability and climate change considerations are likely to drive some other policy changes.

1.1. States that the plan is being jointly prepared by Stow Town Council and Swell Parish Council, yet we understand from Swell Parish Council they have concerns over the content and process. As they have not endorsed this draft plan, the introductory section is a little misleading in how it refers to their participation. We understand that advice from Stow's consultant and from Locality is that Stow is legally capable of presenting the NDP, as it is the Qualifying body for the Neighbourhood area. Assuming that is correct, Stow ought not to present the plan as fully supported by Swell if that is not the case.

Planning Policy guidance is clear that the consent of constituent parishes is required to undertake neighbourhood planning activity in a multi-parish area, and that gaining this consent is important if the pre-submission publicity and consultation and subsequently the submission to the local planning authority are to be valid (Paragraph: 027 Reference ID: 41-027-20140306). It is not explicit whether this consent, once given, can be withdrawn or altered, but we expect multi-parish plans to be carried out in partnership, and only progress beyond the key milestones with consent. Neighbourhood Planning practice has addressed some of the gaps in formal process, so that for example plans have been withdrawn post-examination, where the qualifying body no longer feels the plan as modified represents

their ambitions - i.e. neighbourhood plans are not imposed without support from the parish council. For all that Swell Parish is not the qualifying body, we are doubtful that the plan can proceed without the ongoing endorsement of the parish council responsible for the larger part of its neighbourhood area. It is therefore important that the two parishes meet after this consultation concludes, to take stock of responses and to see if they can agree a mutually acceptable approach to take forward the Neighbourhood Plan.

p5, Foreword A very minor point, but the phrase 'The process of consultation and inspection is likely to take until early 2023.' is not accurate, and will need revision for future drafts - furthermore, a neighbourhood plan is examined, not inspected.

p6, List of Policies We wonder whether referencing the policies as SSNP* or some alternative might be preferable to STOW*, given that some policies apply solely to Stow, have a specific Swell element, or apply to the area as a whole.

p7, Para 1.3. References the ambition of the Plan to set policies up to 2040, but the plan period is 2023-2031.

p8, para 1.5. The section on the Basic Conditions paraphrases these requirements. We would suggest the Basic Conditions are cited in full, if they are to be directly referenced - these are legal requirements, the precise meaning of which will be considered at examination. In other instances we have seen examiners suggest a similar modification.

p8. para 1.10 and 1.11. These paragraphs reference in error that the Plan was subject to SEA and HRA screening in early 2019. A draft screening report was prepared, but was not issued for consultation with the statutory bodies at this time, pending confirmation from Stow Town Council on the scale of its ambitions for the Neighbourhood Plan. The actual SEA and HRA Screening opinion was issued in October 2020, following consultation with the statutory consultees.

p.10 Provides a useful portrait of the town and demographic issues. As Census 2021 data is released, there is an opportunity to update a number of these statistics, which could serve to strengthen the points being made.

We are unclear why the plan only cites this particular list of policies, as policies such as biodiversity, Green Infrastructure etc are also relevant. There are, for example, local wildlife sites and areas of priority habitat within the two parishes.

p.11 Third bullet: Consider deleting the phrase 'frail' as not all residents will be. Fourth Bullet: consider better linking issues raised in bullet 3 with bullet 4. e.g. housing for those of working age to help address stated issues.

Para 3.6 It is inaccurate to say the dominant theme of the Local Plan in this part of the district, 'has been to see the town, villages and countryside remain much as they are and have been for many years'. This is a product of national policy and guidance that directs development to less sensitive areas in the district rather than an overriding objective to preserve in aspic.

Para 3.7 Consider reframing the last sentence, i.e. it provides a hook for the Neighbourhood Plan to respond directly to this matter.

Para 3.8 With regards to the statement ‘the council has advised...’ a more accurate account of correspondence would be to state that the Council’s latest version of the SHELAA identifies one site for further consideration for allocation. Please note submission of the Local Plan will now occur in 2024.

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.

Vision - The Council welcomes the Plan’s ambitious and well articulated vision and objectives for the future.

p20 Policy STOW1 The Stow on the Wold Development Boundary

The policy as currently drafted replicates Local Plan Policy DS2, which is unnecessary and should be avoided as per national policy.

All housing allocations within the Local Plan are placed within the development boundary. The proposed extent of development within site allocation STOW7 needs to be covered by the development boundary to meet the Basic Conditions. A recent and good example of this practice is the Fairford Neighbourhood Plan.

p20 Policy STOW2 Development in the Swells and the Countryside

This policy (at clause A) appears to introduce a new class of settlement ‘small village’ which is not consistent with the strategic policies of the local plan (DS1). The Local Plan’s development strategy actively avoids listing non-principal settlements, such matters are considered on a case by case basis. This clause is not in general conformity with the Local Plan.

The second line of C seeks to disapply ss80(e) of the NPPF. NDPs have to have regard to the NPPF, but can differ, so this may be acceptable, but we’re not convinced that the mere assertion in the following paragraph is sufficient justification, given the robustness of the ss80 criteria, and the size and varied landscape of Swell Parish.

Clause C states, ‘In the Rural Area beyond the settlements of Lower Swell and Upper Swell proposals to improve the agricultural economy, equestrian facilities and local nature improvement will be supported.’ We think this would be better worded as ‘...proposals to improve the agricultural economy, equestrian facilities and to deliver nature recovery will be supported’.

p21 Policy STOW3 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 are not necessarily mathematically achievable - as illustration, the minimum development number of 6 does not strictly speaking break down in whole units against the percentages outlined in either part A or B. Thus, in order to achieve whole unit numbers, there will be process of rounding, and thus 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 STOW7 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.

All this said, local evidence, such as the Housing Assessment carried out by AECOM, and indeed any successor documents, should be a starting point for determining the housing mix. We would be supportive of a policy that states robustly that such evidence should direct the housing mix, and which presents the current summary information in the reasoned justification.

p22 Policy STOW4 Principal Residence

Second Home ownership, and other non-principal housing uses is often considered 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 seem to be a rather blunt tool - with a policy such as this 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?

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 Bill also intends to introduce further restrictions:

- It is proposed that Councils will be granted 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).
- The government also proposed 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 holiday homes, which would mean new holiday homes would require a change of use permission from conventional housing.

CDC is also seeking to address the issue by enabling the provision of short-term holiday let accommodation in suitable locations, such as Cotswold Water Park, 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 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, it should be noted this is not necessarily limited to non-principal dwelling uses. Our own 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 with another Neighbourhood Plan (Bridport), a judgement reached by the same examiner as St Ives. For this reason, we encourage you to review the more recent data which should be available from the 2021 Census shortly to evidence your proposal, and more fully illustrate why this is an issue in the neighbourhood area, to justify this policy constraint.

Stow is a Principal Settlement, and thus our strategy sees it having a role to play in meeting the district housing needs, which 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 there within the current Local Plan - thus in the context of the district having sufficient housing supply, development, such as that proposed in STOW7, may only be considered to meet exceptional circumstances if it delivers growth on top of district needs, in order to meet housing demand arising from Stow. The principal residency policy could be considered to underpin this rationale, being a tool to enhance the benefit to the town. On this basis, we believe the policy may be judged 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 STOW7 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 could imagine this might influence how different sizes and tenures would be distributed around the site.

p22 Policy STOW5 Specialist Accommodation for Older People in Stow

The RJ suggests that the term 'small scale' used in the policy would be 5 homes or fewer. Given the range of different accommodation models referred to in the policy, we wonder whether this needs further exploration. Does the term 'home' refer to separate dwellings, so would not apply to a care home with more than 5 bedspaces? Is a limit of 5 dwellings on schemes incorporating an element of care realistic, given the costs of delivering care?

The policy uses the term 'genuinely affordable housing'. Affordable Housing is the defined planning term, which would add certainty to this policy. Adding the qualifier 'genuinely' suggests something different, that is not defined within the plan nor national policy, and thus may introduce doubt/subjectivity.

In a similar vein, the policy uses the term 'local connection'. The RJ does not state an intent to define this as such, but does include the phrase 'households relocating from within the Town or Parish or from a Parish that immediately adjoins the Neighbourhood Area' which might be read as such. 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 or any successor.

p23 Policy STOW6: Health and Wellbeing

We endorse the ambitions of this policy - it provides a clear message about healthy place-shaping to complement the design guidance.

Regarding the reference to major development, clarity is needed about whether this refers to the NPPF (2021) Annex definition or major development in the AONB referred to at NPPF (2021) para 177. For reference, the NPPF annex definition is "*For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more...*"

We would have expected this policy to make reference to Green Infrastructure since it mentions some of the components of GI - perhaps it could say that development should deliver GI that meets Building with Nature standards or the new Natural England principles and standards.

p24 Policy STOW7: Land North East of Stow

CDC recognises the importance of affordable housing in maintaining the vibrancy of Stow, and in defining Stow as a Principal Settlement, CDC supports the principle of new housing development within the settlement. However, the constraints in and around the town, most notably its hilltop location in the AONB, have dictated a Local Plan strategy that favours focussing strategic growth towards other settlements, particularly those that are not located within the AONB. The neighbourhood development plan may present an opportunity to address housing and other issues in Stow but we are concerned that there are various challenges that can be levelled at the current proposal.

- The SEA does not need to explore every possible option, but it does need to explore reasonable alternatives. NPPF (2021) para 177 specifies that "*great weight should be given to conserving and enhancing landscape and scenic beauty in AONBs which have the highest status of protection in relation to these issues*" and that "*the scale and extent of development within these designated areas should be limited*". Furthermore, NPPF (2021) 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***" (our emphasis).

We are not convinced by the current rationale in the SEA. We do not believe that sufficient consideration has been given 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 AONB. For example, Moreton-in-Marsh already has a 250-dwelling planning permission at Dunstall Farm, 67-dwellings under construction at Evenlode Road and other affordable housing developments. In addition, there is further potentially deliverable land elsewhere in the town that may be allocated in the partial update of the Local Plan. People living in Stow qualify as having a 'local connection' and can apply for an affordable home in Moreton. Furthermore, there are regular public transport connections between Moreton and Stow with a reasonable journey time.

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 AONB.

Consideration should also be given a hybrid option whereby some of the affordable housing need could be delivered on sites that do not involve major development in the AONB combined with the remaining affordable housing need being met outside the AONB. 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 AONB. This may provide another avenue for "meeting the need in some other way" without developing a highly sensitive major development site in the AONB.

- 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? CDC is currently consulting on [guidance for major development in the AONB](#), which includes a proposed checklist to help users take consideration of the various issues that should be considered in the exceptional circumstances and public interest tests. This has been developed with the Cotswold National Landscape Board. Whilst this is still subject to further alteration, it would be beneficial for you to complete this.
- The Cotswold District Local Plan has been developed to meet the district's housing needs - is the need explored and enumerated in the AECOM housing report simply the Stow portion of this need, which our 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 our district housing need. We note that GRCC's programme of work includes undertaking a Housing Need Assessment in Stow and its hinterlands towards the end of March 2023.
- Have you used the updated site assessments? We previously commented on the site assessments versions currently published on the town council website, as these are 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. We note these constraints are considered in the SEA.
- 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 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 AONB and does it outweigh the proposed level of harm? Is the need for either the public car park sufficient to justify major development in the AONB 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.
- 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 (2021) 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 (2021) 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?

- The location of this community/business facility, on the periphery of the town, with adjacent parking, significantly risks generating short car journeys - within Stow, with residents opting for car transport to access the facility, and with tourists choosing to drive and park rather than incorporating a visit to the centre within a visit to the town centre.
- Would delivering additional parking support and possibly encourage the current reliance on the private motorcar? Is this consistent with the Plan's ambitions to tackle climate change and encourage zero-carbon ready housing. If additional housing enables more workers to live locally, and help sustain the town, then it would reduce the parking demand, not increase it. Transport emissions are a major component of our carbon footprint in Cotswold and Gloucestershire, and something that both CDC and Gloucestershire County Council are committed to reducing. On this point, we welcome the consideration given to electric car charging points, and note that building regs have recently been updated to require the provision of car chargepoints, https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057375/AD_S.pdf
- Access from the car park and community centre to the rest of the town. The policy requires these facilities to be located close to the Broadwell junction. While we understand this location will avoid vehicle access through residential development, it also serves to put the facilities at the edge of the settlement. 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.
- The proposal which has been consulted upon 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 surely contingent upon a defensible landscape barrier at the edge of the site, outside of the NDP boundary - i.e. a development only within the NDP 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.
- 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 AONB, the Local Plan, and articulated in the SEA.

- As already discussed, the Local Plan strategy seeks to limit the scale and extent of development with the AONB and places great weight on conserving and enhancing its landscape and scenic beauty. However, if there is an exceptional circumstance for a major development in the AONB, and the development is in the public interest, the council would support such an approach. However, 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 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, the justification is currently too weak to pass the test of soundness - a higher test than the general conformity test required of Neighbourhood Plans.
- The policy, the RJ 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 surely 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?
- The policy specifies “for a low or zero carbon residential-led, mixed use development...”. If you include “low or”, you will never deliver zero carbon. We suggest having one or the other.
- The policy includes a 20% BNG requirement - is there a justification for that given the mandatory level is 10%? And where will it be delivered - within the Neighbourhood Area part of the development site? To what extent does this affect development viability and the deliverability of the plan and policy?
- 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. We note there is no part C to the policy. Please also avoid bullet points in policy, it makes it difficult to cite a policy criterion in reports..
- 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.
- 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.
- 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 (2021), 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*”.
- Paragraph 5.30 - please note, CDC is undertaking a partial update of its Local Plan. Part of the rationale is to accommodate increased housing needs and to maintain a five year housing land supply. It is expected that additional sites would be needed if

the district's current need of 533 homes a year up to 2031 is to be fully accommodated. This may be added to the reasoned justification of the policy.

- Paragraph 5.32 - *“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.

The policy reads as defining two areas, the 'Town Centre' and the 'Market Square'. However the Inset of the Policies Map on p38 only presents one area, outlined in pink, which may conceivably be the Town Centre, but which is labelled as the Market Square.

The policy refers to "buildings of local importance". These are not defined in the RJ, and please review the comment below on Policy STOW12.

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.

We note the importance of engaging with the site owners, as advised by the Planning Policy Guidance - as this is regularly something examiners have sought confirmation on. The sites are only shown on the wider maps of the area. It is crucial that detailed boundaries are clear, so we would strongly recommend site specific detailed scale maps are added. We encourage you to use the CDC LGS toolkit to fully evidence the LGS - it may be useful to do this where any sites may be challenged.

On a minor note, we'd suggest an alternative or additional site photograph for (5) Lower Swell Playing Field, as this photo does not really provide much insight into the nature of the site, rather simply depicting the access.

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 sensitively and proportionately. 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: Buildings of Local Importance

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. The policy proposed may not have sufficient regard to the NPPF as it makes no balance with the public benefit of any proposal.

For consistency with the terms used in the Local Plan and many other neighbourhood plans in the district, we invite SSNP to use the term ' Non-Designated Heritage Asset' (NDHA) instead.

Appendix B should include a map of each site to ensure that these can be mapped as part of CDC's systems and taken fully into account in the planning system. (Fairford NDHA work provides a useful example). Such an approach ensures that the full extent of the NDHA is considered. Currently, the sites are shown on the wider maps of the area but at quite a difficult scale to interpret onto the CDC mapping systems.

Photographs of the buildings identified in this policy are usefully supplied in the Plan, enabling some review. At p50, a photo of Newlands House is provided, but the photo is focused on the new development and not the historic building which is the reason for the citation. We would strongly encourage a different photograph.

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.

It is not clear what "zero carbon ready" means. There are conflicts between this policy and the design code policy which would be better dealt with in the NDP itself than left for individual planning decisions.

Clause B will be very difficult to implement - how will any faults be rectified if the building is built? This places an additional resourcing burden on the Local Authority, how will this additional workload be delivered and funded? Are you able to provide examples of this policy criterion working in practice elsewhere?

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 extensive Conservation areas.

p33 Policy STOW14: Walking & Cycling in the Town and Parish

We endorse the ambitions reflected in this policy. We note that a cycleway from Stow to Bourton-on-the Water would largely be outside the neighbourhood plan boundary. For the purpose of managing expectations, perhaps the words, 'To the extent the route lies within the neighbourhood area' or to similar effect should be added, and this ambition also picked up within section 6.4 as a community aspiration.

p33 Policy STOW15: Vehicle Parking

Transport emissions are a major component of our carbon footprint in Cotswold and Gloucestershire, and something that both CDC and Gloucestershire County Council are committed to reducing. On this point, we welcome the consideration given to electric car charging points - in locations such as Lower Swell, better parking facilities, enabling ULEVs perhaps even a shift away from private car ownership may be part of the solution.

p34 Policy STOW16: Digital Infrastructure

This is not consistent with national policy for designated heritage assets (eg NPPF para 202). Likewise it is not consistent with our AONB policy.

p35 Implementation

No specific comment, other to endorse the inclusion of this section.

p96--63 Appendix E

Please also refer to NPPF (2021) para 176, which specifies that “The scale and extent of development within AONBs should be limited”.

The level of harm of the major development proposal needs to be more comprehensively set out (see the Cotswold Conservation Boards’s major development checklists), which contain numerous different considerations. This is needed to show the level of harm resulting from the development proposal has been fully assessed and so it can be properly weighed against the benefits of the proposal in the planning balance. It would be useful to complete the CCB’s major development checklists as an evidence base document.

Point 3 should refer to “A multi-functional building of community facilities, retail and business workspace

Test A - regarding the ‘local person’ restriction, would this not be for anyone living in the District? The Local Plan, and policies presented above, would suggest so.

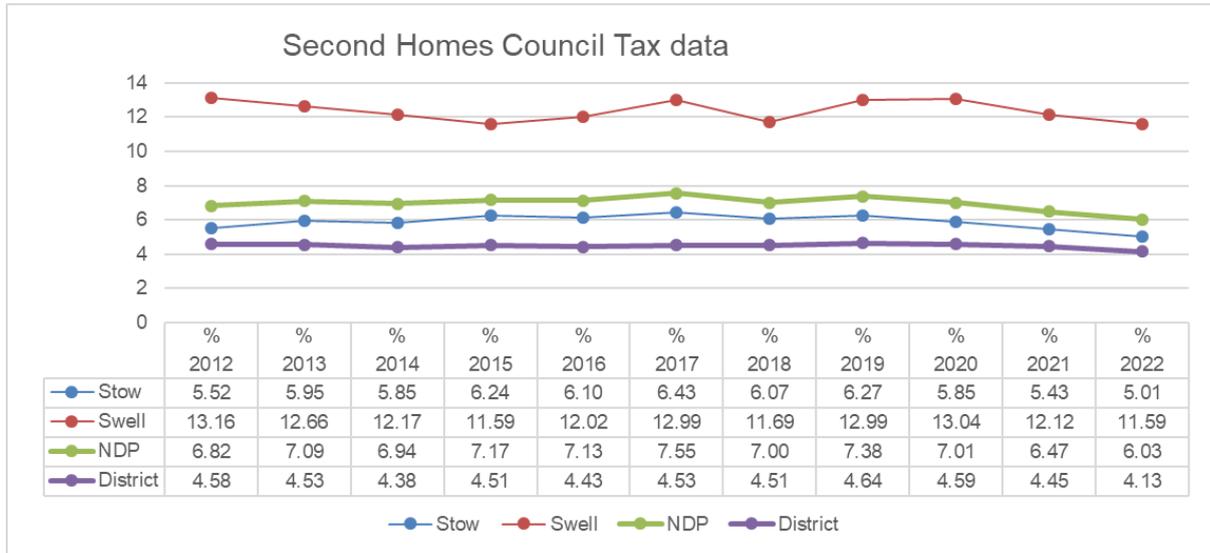
Typographical Errors

The following minor typographical errors have been identified.

p7, para 1.2 - first instance Cotswolds Area of Outstanding Natural Beauty

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Annex A



A Second Home for tax purposes is a dwelling with 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 up-dated and expanded in the review of the 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.

D41A "CODING Roughcast or other rendering and lime washing are therefore not appropriate finishes for the Conservation Area." We are not convinced that completely avoiding the use of render is appropriate - maybe better to say that it should not usually be used. Limewash was much more commonly used in the Cotswolds in the past - "the white towns of the Cotswolds". We are not sure if this was the case in Stow, but might be worth further investigation.

D45A "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 modern buildings should be repaired or replaced with Cotswold Stone tiles."

It is very difficult in planning terms to "demand" local Cotswold stone although it is evidently preferable. We can usually only go on whether its appearance is acceptable regardless of origin. There may be instances where Welsh slate (or indeed artificial Cotswold stone tiles) are acceptable on modern buildings- to require any modern building with another roof covering to be replaced with Cotswold stone tiles is not proportionate (and often would not require planning permission anyway if residential).

D46A. Artificial stone and other more modern materials may be acceptable in some parts of the CA.

D50A. The use of muted colours has become more popular in recent years but in Victorian times strong colours were often used, for example on shop-fronts, therefore it may be difficult to justify this clause. See also D67A

D8B and D10B. The coding refers to the Conservation Area, but it is not quite clear what is meant by this clause. Does it mean that where these character areas are adjacent to the CA they should respect the character of the CA?

D22B and D25B. The coding clause is not very clear - it would benefit from being re-worded.

D34C "CODING However, the use of contemporary design and/or materials may be supported in an alteration or extension of an historic building where it is not visible and enables or supports improved sustainability and does not detract from the historical context of the building involved. The use of visible contemporary design and materials is not supported in historic buildings in this sub-area. For extensions or alterations to modern buildings or for new buildings, development proposals that include contemporary design features and materials which enable or support improved sustainability are encouraged as long as any visible technology does not detract from any adjacent historic building."

Contemporary extensions to historic buildings can be acceptable, particularly where they show a clear delineation between the modern and the historic. They would not necessarily have to be hidden from view. However a very high quality of design is required to deliver this.