

Down Ampney Neighbourhood Development Plan 2022-2031

Consultation Statement

Down Ampney Parish Council

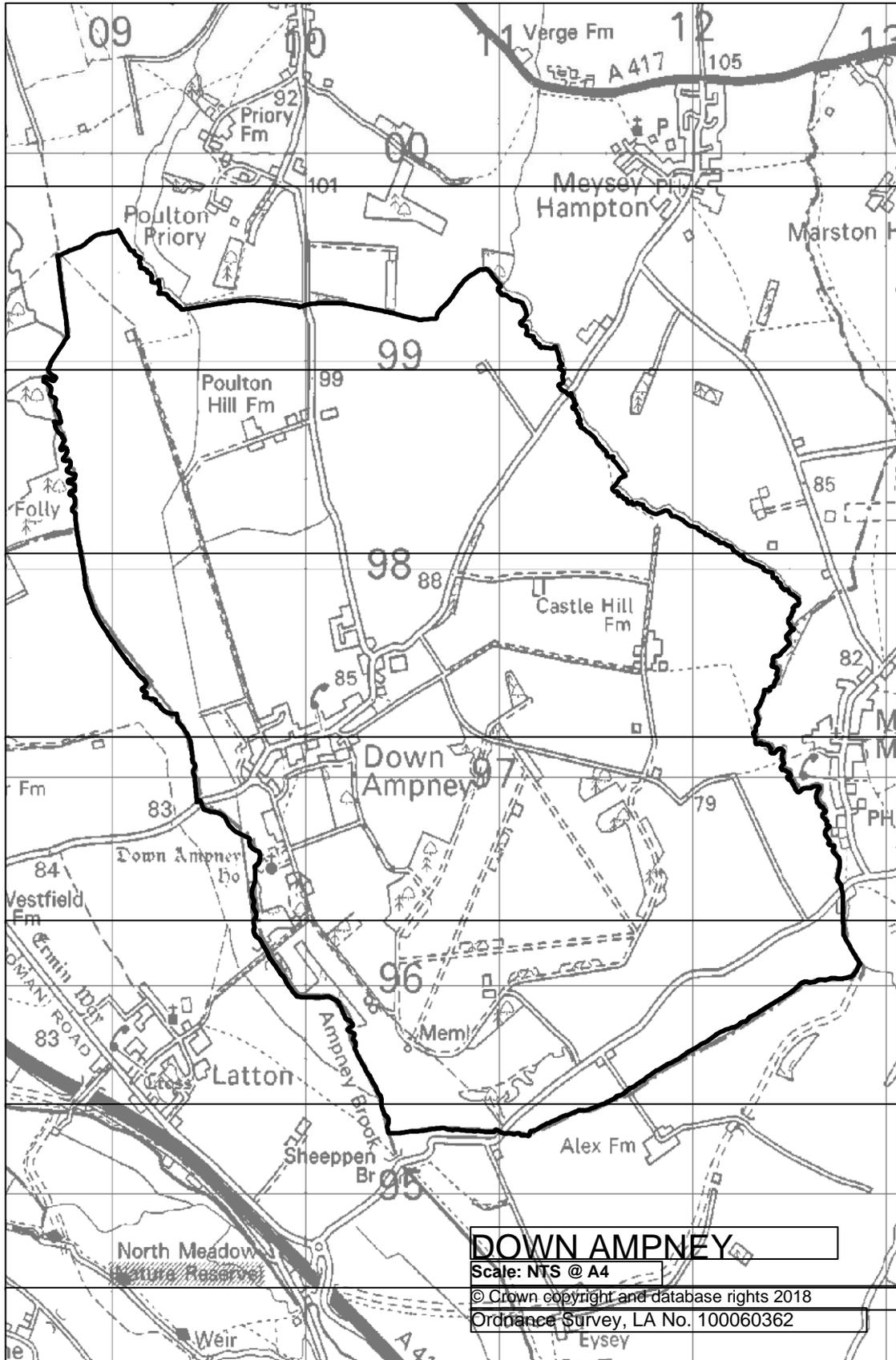
With assistance from



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Map 1. Designated Neighbourhood Area (Source: Cotswold District Council ([link](#)))



1.0 Introduction and Background

1.1 This Consultation Statement has been prepared in accordance with The Neighbourhood Planning (General) Regulations 2012 (SI No. 637) Part 5 Paragraph 15 (2)¹ which defines a “consultation statement” as *a document which –*

(a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;

(b) explains how they were consulted;

(c) summarises the main issues and concerns raised by the persons consulted; and

(d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.

This Consultation Statement sets out how these requirements have been met and how, particularly, the Parish Council has sought to engage with those who live, work and carry out business in the area.

1.2 The Down Ampney Neighbourhood Development Plan (DANDP) has also been prepared by taking into account the advice provided in Paragraph: 107 (Reference ID: 41-107-20200925) of the National Planning Practice (NPPG).

1.3 The DANDP has been prepared in Response to the Localism Act 2011, this gives parish councils and other relevant bodies, new powers to prepare statutory neighbourhood plans to help guide development in their local areas. These powers give local people the opportunity to shape new development, as planning applications are determined in accordance with national planning policy and the local development plan, and neighbourhood plans form part of this framework.

1.3 The Parish Council applied to Cotswold District Council for area designation on 19th October 2018 ([CDC Down Ampney Neighbourhood Plan Page - https://www.cotswold.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/neighbourhood-plans-in-development/](#)) and the area shown on Map 1 was designated as a neighbourhood area by Cotswold District Council Under the Neighbourhood Planning Regulations 2016, this area was automatically approved,

¹ <http://www.legislation.gov.uk/ukxi/2012/637/contents/made>

without need for consultation or decision on 30th October 2018 ([Down Ampney Neighbourhood Area Approval - https://www.downampneyvillage.co.uk/images/parish-council/CDC_approval_of_Down_Ampney_designation.pdf](https://www.downampneyvillage.co.uk/images/parish-council/CDC_approval_of_Down_Ampney_designation.pdf)).

- 1.4 All information about the DANDP at each stage has been provided on the Parish Council web site [Down Ampney Parish Council Neighbourhood Plan web site - https://www.downampneyvillage.co.uk/down-ampney-neighbourhood-plan.html](https://www.downampneyvillage.co.uk/down-ampney-neighbourhood-plan.html).
- 1.6 The DANDP has been the subject of a wide and comprehensive range of consultation activity, at times subject to restrictions arising from the Covid-19 pandemic. During these periods the DANDP public consultation has taken into account and sought to meet the advice contained in paragraph 107 of the NPPG:

“The Neighbourhood Planning (General) Regulations 2012 require neighbourhood planning groups and local planning authorities to undertake publicity in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area at particular stages of the process. It is not mandatory that engagement is undertaken using face-to-face methods. However, to demonstrate that all groups in the community have been sufficiently engaged, such as with those without internet access, more targeted methods may be needed including by telephone or in writing. Local planning authorities may be able to advise neighbourhood planning groups on suitable methods and how to reach certain groups in the community.

There are also requirements in the Neighbourhood Planning (General) Regulations 2012 that require at some stages of the process for neighbourhood planning groups and local planning authorities to publicise the neighbourhood planning proposal and publish details of where and when documents can be inspected. It is not mandatory for copies of documents to be made available at a physical location. They may be held available online. Local planning authorities may be able to advise neighbourhood planning groups on suitable methods that will provide communities with access to physical copies of documents.” (NPPG, Paragraph: 107 Reference ID: 41-107-20200925, Revision date: 25 09 2020 - <https://www.gov.uk/guidance/neighbourhood-planning--2# covid-19>)

This Statement provides further information and evidence to demonstrate how the DANDP meets the Neighbourhood Planning Regulations and government guidance.

2.0 Pre-Regulation 14 Consultation and Evidence Base Consultations

Introduction

2.1 In producing the Neighbourhood Plan, the Parish Council empowered a Steering Group, the Down Ampney Neighbourhood Plan Steering Group (SG), that had the responsibility of managing the process. It has been a priority of the SG to ensure that as far as practicable the Neighbourhood Plan is effective in delivering the needs, priorities and aspirations of the local community and also meeting the legal requirements and basic conditions of neighbourhood plans. The SG has made community engagement its overriding priority throughout the process of preparing the Neighbourhood Plan

Pre-Regulation 14 Consultation

2.2 To kick-start the preparation of the DANDP 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 SG was formally convened.

2.3 Various methods have been used by the SG 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.

2.4 In addition to ongoing stakeholder consultation, community consultation 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);
- COVID19 lockdown measures hampered consultations but the results of the questionnaire were given to villagers in a drop-in presentation in September 2020.

Launch Event, December 2018

- 2.5 The DANDP launch event was held on 7th December 2018 at 7.30pm in the Village Hall. The aim of the meeting was to provide information on what is involved in the creation of an NDP and how villagers would be able support the process. An introduction was provided by Ray Jenkins the Chair of Down Ampney Parish Council; Barbara Pond of Gloucestershire Rural Community Council (GRCC) gave a presentation on “What is a neighbourhood plan?”. This included a question and answer session; a discussion was held on sustaining village facilities; and the evening closed with food and wine.
- 2.6 Response forms were handed out during the evening listing topics that could be covered in the DANDP. Fifteen forms were filled in on the night – these people were contacted and became the core of the SG. A full note of the meeting can be found at <https://www.downampneyvillage.co.uk/images/Down%20Ampney%20Village%20Residents%20Meeting%2007%20December%202018.pdf>.

Steering Group – Start-up Meeting, January 2019

- 2.7 The first meeting of the SG was held on the 11th January 2019. At this meeting a SG was unanimously elected, a Code of Conduct, Constitution and Confidentiality Agreement were approved. The meeting was open to members of the public who were in attendance.
- 2.8 The meeting identified 5 initial objectives:
- Housing
 - Landscape
 - Design
 - Economy and Employment
 - Sustainability and Infrastructure
- 2.9 It was also agreed that the first step in evidence gathering would be to conduct a Village Questionnaire. The minutes of this meeting and subsequent SG meetings can be found at <https://www.downampneyvillage.co.uk/other-documents.html>.

Village Questionnaire

- 2.10 To raise awareness within the village of the DANDP and the soon to be distributed questionnaire a further drop-in event was held at the Village Hall on the morning of the 17th August 2019.
- 2.11 Feedback was collected at this meeting (a copy of which can be found at https://www.downampneyvillage.co.uk/images/planning/Village_Meeting_17082019.pdf) and this was used to amend the draft questionnaire.
- 2.12 The [Village Questionnaire](#) (https://www.downampneyvillage.co.uk/images/planning/DA_NP_Questionnaire.pdf) was distributed as a hard copy to each household in September 2019 and publicised by way of the web site, leaflet, parish magazine and village noticeboard. Completed questionnaire forms were collected by “street representatives”. All completed forms were entered in a £100 cash prize draw.
- 2.12 Parallel to the residents’ questionnaire, local businesses were contacted to ensure that they were aware that a NDP was being produced and invited them to contribute. Meetings were held with The Wellcome Trust and the Co-operative Wholesale Society.
- 2.13 174 survey forms were completed out of 252 delivered – a 69% Response rate – this is excellent for this type of questionnaire. A full set of results was published on the DANDP web site (<https://www.downampneyvillage.co.uk/the-questionnaire-september-2019.html>).
- 2.14 The Village Questionnaire asked questions on a wide range of topics:
- Respondent information e.g. age
 - Strengths and perceived weaknesses of the area
 - Use of village facilities
 - Satisfaction with green spaces
 - New homes e.g. type and location of new development
 - Infrastructure
 - Design
 - Business
 - Transport
 - Environment
- 2.15 The results were then used to inform the preparation of the Draft DANDP. Where used these were referred to in the draft plan, this information has also been included in the submission draft DANDP.

- 2.16 Following the analysis of Responses a further village meeting was held on 5th September 2020 to present the findings. There were also published on the DANDP web site (https://www.downampneyvillage.co.uk/images/planning/Village_Meeting_05092020.pdf).

3.0 Regulation 14 Public Consultations

3.1 There were two Regulation Public Consultations – the first from 11th December 2021 to 25th February 2022 and the second from 1st April 2023 to 15th May 2023. The reason for the second consultation was that a new Design Guidance and Codes document had been produced by AECOM for the Parish Council after the end of the first consultation. Changes were also made to the main Plan following the representations made on the first consultation.

3.2 The public consultation on both DANDP Regulation 14 Issue Plans was carried out in accordance with The Neighbourhood Planning (General) Regulations 2012 (SI No. 637) Part 5 Pre-submission consultation and publicity, paragraph 14. This states that:

Before submitting a plan proposal to the local planning authority, a qualifying body must—

(a) publicise, in a manner that is likely to bring it to the attention of people who live, work or carry on business in the neighbourhood area:

(i) details of the proposals for a neighbourhood development plan;

(ii) details of where and when the proposals for a neighbourhood development plan may be inspected;

(iii) details of how to make representations; and

(iv) the date by which those representations must be received, being not less than 6 weeks from the date on which the draft proposal is first publicised;

(b) consult any consultation body referred to in paragraph 1 of Schedule 1 whose interests the qualifying body considers may be affected by the proposals for a neighbourhood development plan; and

(c) send a copy of the proposals for a neighbourhood development plan to the local planning authority.

3.3 The first DANDP Regulation 14 Issue Neighbourhood Plan was published for formal consultation for an extended period of 11 weeks - 11th December 2021 to 25th February 2022. The second DANDP Regulation 14 Issue Neighbourhood Plan was published for formal consultation for a period of 6 weeks – 1st April 2023 to 15th May 2022.

3.4 Publicity of both DANDPs was widespread. This included:

- Posters on noticeboards
- Leaflet to each household
- Social Media e.g. Facebook
- Parish Council website
- Mailing list – businesses and formal consultees (Appendices 1 and 2)
- Media and press releases and Down Ampney News

3.5 Copies of the first plan and supporting documents were made available on the Parish Council website [Regulation 14 Issue Plan \(https://www.downampneyvillage.co.uk/the-plan.html\)](https://www.downampneyvillage.co.uk/the-plan.html). 10 hard copies of the DANDP documentation would be available for loan, 5 copies were held by the Down Ampney Village Shop to be signed out by those who wished to read the documents, with a 48 hour turn round time. Copies of the second plan and supporting documents were made available on the Parish Council website [Second Regulation 14 Issue Plan \(https://www.downampneyvillage.co.uk/the-second-plan.html\)](https://www.downampneyvillage.co.uk/the-second-plan.html). Hard copies of the DANDP documentation were held by the Down Ampney Village Shop.

3.6 Responses to the Regulation 14 consultation were to be returned as follows:

In writing to:

First Plan:

Down Ampney Parish Council
The Chairman
54 Down Ampney
GL7 5QW

Or by Email to:

down.ampney.ndp@outlook.com

Second Plan:

Down Ampney Parish Council
The Clerk
55 Down Ampney
GL7 5QW

Or by Email to:

down.ampney.ndp@outlook.com

- 3.7 A downloadable Response form was made available on the Parish Council web site (Appendix 3), together with an on-line form.
- 3.8 All consultation materials included the date by which comments must be made and to whom.
- 3.9 A copy of both plans and supporting documentation was sent or made available to Cotswold District Council (CDC). The CDC Response to both plans are included in full at Table 1 of this Statement.
- 3.10 A Strategic Environmental Assessment/Habitat Regulations Assessment screening was carried out by Cotswold District Council on the Regulation 14 Draft of the DANDP. This was consulted on with the three statutory bodies (https://www.downampneyvillage.co.uk/images/planning/Down_Ampney_NDP_SEA_and_HRA_Screening_Opinion.pdf).
- 3.11 A list of the consultation bodies' contact details was compiled and all those on the list were sent a letter by email or post notifying them of the Regulation 14 public consultation and inviting comments (Appendices 1, 2 and 3). This list included:
- Individuals and businesses (including landowners and developers)
 - Local groups and interest bodies
 - Adjoining parishes.
 - Environment Agency and other statutory bodies
 - Local ward and county councillors
 - Emails were also sent to local individuals and groups on the Town Council mailing list.
- 3.12 All the responses and representations received on the first plan are available on the parish website at [First Plan Representations \(https://www.downampneyvillage.co.uk/the-plan.html\)](https://www.downampneyvillage.co.uk/the-plan.html). All the responses and representations received on the second plan are available on the parish website at [Second Plan Representations \(https://www.downampneyvillage.co.uk/the-second-plan.html\)](https://www.downampneyvillage.co.uk/the-second-plan.html).
- 3.13 Tables 1 to 3 of this Statement set out the Responses received to both Regulation 14 Consultations. Tables 1 and 3 also include a column setting out the Parish Council's consideration of the Response. These Responses were used to make amendments to the Regulation 14 Issues to produce the Regulation 16 Submission. In this way, the DANDP has been a collaborative effort led by the SG but supported by Responses and feedback from local residents, business and others.

Table 1a. Down Ampney First Regulation 14 Consultation - Comments from Cotswold District Council and Parish Council Response

(only those comments requiring response have been noted. The full representation is available at: <https://www.downampneyvillage.co.uk/the-plan.html>)

Down Ampney Reg 14 draft CDC Comments



February 2022

Please find below comments from **Cotswold District Council** (CDC) on the Down Ampney Neighbourhood Plan (NDP).

CDC acknowledges the work that has been put in by the authors of this NDP and commends them for their efforts.

The Council hopes that the following comments, observations and suggested amendments will assist with the progress on the plan through to examination. In general these 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.

We'd like to advise that Cotswold District Council is committed to a review of its Local Plan, with an aim to adopt an updated Local Plan in 2023. This review is at a very early stage, and we wouldn't wish to pre-empt evidence or the options which will need to be consulted upon in due course, but our expectation is that the overarching strategy of directing development to our principal settlements will continue – further growth will need to be accommodated, and housing affordability and climate change considerations are likely to drive some other policy changes.

[Parish Council response below in *italic underline*].

Front Cover It is a requirement that Neighbourhood Plans are explicit about the period they cover, and a common modification requested by independent examiners - we'd strongly recommend that the period the plan will cover is added to the front page

Response: Plan to be revised to take on board this comment.

Section 1.2, paragraph one. While we certainly don't underestimate the challenge of trying to make the planning process accessible, the introduction here rather risks underplaying the power of the neighbourhood plan. It is true that the NDP sits alongside the Local Plan as part of the statutory development framework, and thus its policies can be considered to have equal weight, but perhaps it would be useful to be clear that on non-strategic matters, where the policies are not in agreement, the NDP take precedence over the Local Plan- please see National Planning Policy Framework (NPPF) para 30.

It may have been useful to include a brief explanation of the reg 14 stage at the end of the section - we'd recommend this for the Regulation 16 draft.

Response: *Plan to be revised to take on board this comment.*

Chapters 3-7

The Plan structure serves to introduce the different topic areas well, and provides useful evidence. It does vary slightly from a more conventional Planning Policy document structure in that the justification for policies is presented collectively in each chapter, rather than as a reasoned justification for each policy individually. While this may make it more accessible to the casual reader, it probably makes it harder to read an individual policy, and to understand the rationale, the application and intention of the policy, so could be to the detriment of ease of use by development management officers once made.

Response: *Structure of document to be reconsidered and amended if felt necessary.*

Chapter 3 Landscape

3.1 Reference is made to the national character area but if the NDP wanted a more fine-grained landscape analysis reference could be made to the Cotswold Water Park Landscape character assessment <https://www.cotswold.gov.uk/planning-and-building/landscape/landscape-character/>

Response: *Will study and reassess.*

3.1.1. The word 'while' appears superfluous in the opening sentence.

Response: *Delete as suggested.*

3.3.4 This states that the airfield war memorial is a non-designated heritage asset (NDHA), which seems appropriate; however it is really important that we have a map to show the exact location and extent of the NDHA so that it can be entered on our mapping systems. As discussed previously, the NDP could have included an NDHA policy, to explicitly identify these assets, but the Council is working hard to improve identification and recognition of such assets (see comment at 7.5 below)

Response: *More detail to be added. The Submission Plan does not include an NDHA policy.*

A number of sites are proposed as Local Green Space (LGS) but the analysis to support that identification is quite brief. There does not seem to be any use of the CDC toolkit - which isn't required, but we feel would provide some structure to your analysis. This is often an area probed at examination - examiners are always at pains to ensure land owners have been notified, and that there is sufficient evidence to justify inclusion as LGS.

Response: *Toolkit now used in Local Green Space Appendix.*

The Examiner will likely familiarise themselves with the weight of evidence and justification used to support other LGS in the district. The Council believes that further justification is required to bring the weight of evidence to a standard that will maximise success at examination.

Response: Justification revised.

LGS1 This site is subject of a current planning application. While we do not believe this disqualifies its inclusion at this stage, should it be granted permission, in our opinion it would not qualify as an LGS.

Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

Response: Justification revised. Planning application has since been refused.

page 16. Notable vistas in Down Ampney. The Council also notes another potentially important view across the green looking southwest from the north-east corner. Views extend beyond the immediate built environment (and houses in the mid-ground at Dukes Field) into the countryside beyond. This view provides a glimpse into the countryside directly from the heart of the village; a key aspect of the NDP's vision which states, "*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.***" (bold is added emphasis).

The Plan does not explain in detail how these vistas have been alighted on.

Response: Section to be re-written to address these comments.

Policy LP1 Local and indeed national policy convention is to frame planning policies positively. For example the policy could be rewritten as follows:

Development proposals should take account of the identified key vistas (Figure 3.6) and be designed and located to safeguard their integrity. Proposals that retain, safeguard and enhance identified key vistas will be supported.

It is not clear whether the vistas illustrated in figure 3 denote the full extent of the vista and therefore anything outside of the vista arc is not subject to policy LP1, or are indicative of an important view. Figure 3 appears to be indicative and illustrative of an important view. The Council welcomes clarity on this point to aid the Development Management (planning application) process.

Response: Policy to be revised to take on board this comment.

Policy LP2. There is no direct supporting text to justify the policy and support the application of the policy through the Development Management (planning application) process (often referred to as 'Reasoned Justification'). For example the supporting text to policies LP1 and LP2 could explain how these policies help to deliver objectives LO1 to LO3. We recommend placing the 'NB' sentence outside of the policy box and into supporting text. Other relevant policies will always be applied and therefore it is not necessary to state this in policy, although it would be useful to include the note in the

supporting text to aid the application of the policy and further explain why other policies should be noted.

Response: *Plan to be revised to take on board this comment.*

Chapter 4 Infrastructure Roads, Transport and Drainage

Please include a note at figures 4.1, 4.2 and 4.3 showing the source of the information and the version of the Environment Agency map being used.

Response: *Will add references to the sources of the EA maps.*

The Council notes that specific mention is made in section 4.3 to NPPF paragraph 160.

“Strategic policies should be informed by a strategic flood risk assessment, and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.” NPPF 160

Response: *This will be removed section 4.3.3 re-worded.*

Given that the NDP is not able to prepare a ‘strategic policy’ it is not clear why specific reference is being made to this aspect of the NPPF. The Council is currently updating its strategic flood risk assessment and we welcome the parish council to review this when it becomes available. As a point of order, when quoting directly from national policy you should either quote the paragraph in full or make clear that aspects of the paragraph have not been quoted.

Policy IP1: Will this be effective – or can developers simply point to Thames Water’s responsibilities and SUDs compliance? Given the right to connect, the onus in law is on Thames Water, not the developer - local planning policy cannot reframe this legal position.

Response: *Policies IP1 and IP2. Both CDC INF8 1a and paragraph 11.8.9 require developers to consider both on-site and offsite capacity.*

As noted in Annexe C, Down Ampney’s surface water infrastructure depends upon many aspects – pipes, drains, ditches and ground water infiltration. If these are not adequate and not maintained pluvial flooding will occur.

Also note CDC paragraph 11.8.12. About half of Down Ampney’s surface water discharge is into a Source Protection Zone 1.

Policy IP2: The policy conditions a specific solution to unknown development proposals, using infrastructure outside the NDP area. We think this is too specific, and risks the examiner striking it out for its effect outside the neighbourhood area. Instead we’d suggest the policy should highlight the issue and your expectation on the developer in general terms, and the specifics about the capacity of the current site sit in the supporting text.

Occupancy seems to be subject to a demonstration by a statutory undertaker. How will such a demonstration be made - could it be argued that if a development has been allowed to connect, the statutory undertaker is claiming adequate capacity - thus capacity is demonstrated.

Response: *CDC paragraph 11.8.8 is out-of-date as evidenced by the discussion in NDP Section 4.4.2 and the submissions to the Parliamentary Environmental Committee's inquiry into water quality in rivers.*

CDC Policy INF8 and paragraph 11.8.16 admit that water supply and wastewater treatment are issues that go beyond the CD boundary. Policy IP2 localises this issue in that wastewater treatment is beyond the NDP area but affects Down Ampney and is in accordance with CDC paragraph 11.8.9 which states that the CDC will require the necessary improvements to be completed prior to occupation of the development.

Policy IP3 This policy area is adequately covered by the Local Plan, and in more detail. Local Plan para 10.14.18 explains that SUDs may not always be appropriate.

Response: *Delete.*

Chapter 5 Infrastructure: Community and Leisure

Community facilities – You could look to help preserve their use through policy – there are a few examples, such as Somerford Keynes, Kemble and Ewen and the emerging South Cerney Plan. Protection that can be provided may be limited – but underlines the value local people put on the premises

p.32 5.4.1. Are there any sustrans routes or quiet lanes through the parish?

Response: *Policy to be revised to take on board this comment. There are no Sustrans routes.*

Chapter 6 Economy and Employment, and Tourism

No comment

Response: *Noted.*

Chapter 7 Housing and Design p39

The title implies that it is only housing design, so, while recognising that most buildings in the village itself are domestic, what about other buildings and structures?

Response: *We will add "Village" in front of "Design" to be more encompassing.*

7.1 refers to previous version of the NPPF

Response: *Update all NPPF references, where necessary.*

To be more meaningful, we suggest the population graph should be based against the UK context. For example in 1911 the UK pop was 38.2M and at 2021 it was estimated to be 63.2M. Growth at Down Ampney is broadly consistent with UK growth; although the growth has been sharper in the last 20 years.

Response: *Population graph and statement will be modified to show how much Down Ampney has grown in relation to other villages in the area. You would expect new dwellings to be built near the towns which have a better infrastructure actually existing. So would not expect Down Ampney population in percentage terms to keep pace with National growth.*

p.44, 7.5 You mention listed buildings – as noted in previous comments, we would have liked to see a review of Non-Designated Heritage Assets. Neighbourhood Plans are a great place to try to catalogue such – to try to afford them a bit more recognition through the planning system. That said, we are actively working on a Local Heritage List project, which will identify such assets outside of a neighbourhood plan, so there remains an opportunity to ensure such assets are identified in advance of development proposals.

Response: *Refer to the comments against Chapter 3.*

7.6.1 states that, “it is considered that Down Ampney has completely fulfilled its planning obligations to 2031 in accordance with the CDCLP”. Be that as it may, the Council is updating its local plan to accommodate more housing as a result of a high national housing need target; which is increasing need from 420p.a. to 490p.a. across the district.

Response: *7.6.1:- We wait and see if the village is allocated more housing requirements before 2031 but to date the recommendations in the CDC up-dated Local Plan do not show any further allocation to the village. See 2-2-04f-siteassessments-Down-Ampney.pdf.*

7.6.2 states, “it would be expected that no more than 6 dwellings per year would be allocated to Down Ampney.” The planning system is more complex than a simple calculation that ascribes a proportion per each settlement. The figure quoted is not a recognised figure. It is important to recognise that housing is not directed solely according to need, but according to opportunity/constraints, in the most sustainable locations, as determined by national criteria. It is not clear what the specific justification is for the requirement that no more than 15 homes be built per year. This requirement is contrary to the strategic policies of the adopted local plan and the general thrust of the government’s National Planning Policy Framework.

Response: *7.6.2:- Will reword but it must be noted that there is a limit to the new housing that a rural village can absorb. The impact on the village of extensive development has a major impact on the roads, noise, dust, habitat, parking and general annoyance to the existing village. In addition "new" people have to be integrated into the existing village and not seen as a "takeover".*

7.7 .1 "Suggestions for areas that would be suitable for incorporation of green infrastructure into possible future development are shown on Figure 7.9 overleaf."

We think the wording here could be clearer, not least because there is far more green infrastructure (GI) around the village than that shown on the map. It might be better to say. "Suggestions for areas that could be suitable for enhancement of GI as part of future development or other initiatives are shown on ..." We'd suggest amending the wording on the figure as well. There is also the challenge of how this could be delivered as part of "possible future development" - for example, is it the same ownership?

We think that there are other areas of GI that could be enhanced - elsewhere the plan covers footpaths and drainage, for example, which could be referenced here.

We suggest the flooding commentary is superfluous – point already addressed and not furthered in this section.

Response: 7.7.1:- Can re-word but note that we are trying to give "green break areas" in the village so as not to show just continual housing. Don't see why this cannot be agreed with any potential developer at an early development layout stage and contractually enforced. Typical example is the approval for 22 houses at Broadway Farm showing extensive green space, and then when approved re-submits for 44 houses building on the green space. Unfortunately, we have one land owner in the area who does not wish to communicate. Footpaths could be suggested on this map. Will remove the reference to flooding as mentioned elsewhere.

7.7.2 Please reference the date of the Housing Needs Survey (HNS) - as a piece of evidence an HNS has a shelf life.

Response: 7.7.2:- Agreed and will add date of the Housing Needs Survey.

7.7.3 There are a couple of suggested infill sites but these already have permission.

There is no commentary on how the NDP has arrived at the possible Green Infrastructure sites.

Response: 7.7.3:- Covered by comment in 7.7.1.

7.8 Answers noted but it is unclear how the questionnaire Responses have influenced the policy.

HP1: We cannot see how the evidence directs such a specific policy. Inevitably, developers will seek to meet this through the affordable dwellings. It risks underserving evidenced local need - as it increases the risk that development doesn't provide family sized affordable dwellings.

HP1 must accord with the recently published HNA. What is the justification for 10% of dwellings to be bungalows? There was virtually no mention of this in the introductory text to housing chapter. Type of housing chart indicated that over 60% did not support bungalows therefore not clear why policy is being pursued. The NDP must accord with Local Plan policy H1.

Bungalows - as a type of development, they do have a greater land take, and thus can be expensive. However, we understand the attraction, particularly as lifetime homes. Done well, they can respect the Cotswold vernacular - a terrace of almshouse style dwellings, for example.

Response: 7.8:- HP1:- Don't agree with the comment as it is clear in 7.8.3 that the residents want smaller houses for purchase i.e. 1 to 2 bedroom. Affordable housing is dictated by the 40% rule on sites over 11 dwellings. There will be 22 affordable houses coming from the Broadway Farm estate. A major problem is that the smaller houses are being bought as second homes depriving local people who just cannot afford the inflated prices. 60% may have said they did not want bungalows, but 40% said they did and it is interesting that Cotswold Homes are proposing nine bungalows for the Rooktree Farm site. Local people are interested in staying local and down sizing and being on one floor.

HP4: Affordable housing and key worker housing are two distinct and separate tenures – although plenty of key workers will qualify for various affordable tenures. Policy okay but can not prevent non-local connection if criteria has been met.

HP4. We understand the aspiration to retain affordable housing as such in perpetuity, but we don't believe this can be achieved through an NDP policy alone. While the purchase discount on affordable homes to buy may be protected through future disposals, the NDP is not legally capable of suspending the right to acquire that is enjoyed by a tenant of social housing. We note that this right can be restricted through Community Right to Build Orders, so if the parish is so minded, they could partner with a developer in the future to more specifically frame how development might come forward.

Response: HP4:- A very contentious subject is the occupancy of the affordable housing. The CDC policy states people within CDC area so that must be controlled/monitored and not let the Housing Management companies just fill the spaces from outside CDC area. We believe it is correct that affordable.

HP5: We see the attraction of this policy, but we don't think this can be done - there's no planning power to prevent further applications being submitted. That said, there is a para in the NPPF about not weakening design quality (and that includes green infrastructure) so this nuance could be picked up explicitly. Furthermore, we find the wording awkward 'development management stage' is not clear - given that 'development management is a process from pre-application, through application, review, decision.

Response: HP5:- Will modify the wording to make it clearer but will keep the policy. Specific reference to NPPF paragraph 135. We need support via conditions from CDC to make certain green infrastructure stays as originally agreed.

Chapter 8 Summary

No comment

Response: Noted.

Design Guide

As an overall point - the guide serves extremely well as a description of Down Ampney. We'd welcome a bit more detail on the natural environment - perhaps working with the Cotswolds Lakes Trust and other environmental partners. We think it would be useful to expand on the direction the guide provides - recognising that in order to achieve net zero, there may be some fundamental changes - but certain design cues could be retained.

Beyond the description of the locality, the guide is very general and not that easy to use in a

planning context. We suggest that the general description and aspirations could be summarised into key bullet points of things that are particularly important. See for example Northleach's Neighbourhood Plan (NE3) or South Cerney (SC1) - <https://www.cotswold.gov.uk/planning-and-building/planning-policy/neighbourhood-planning/made-neighbourhood-plans/> - both examples where the evidence has been summarised into key headings specified in policy.

Without such specific guidelines, it can be very difficult to use a design document in helping to assess and determine a planning application or alternatively as a way to help local residents alter their properties.

p.2 It's good to see reference to both buildings and landscape as part of design. - crucial to get the design of any GI right as mentioned in the NDP itself. We would welcome a reference to 'Building with Nature' and a suggestion that all developments should meet those standards.

section 3 - Architectural style. There is a lot of emphasis on the Down Ampney existing architecture and it is good to see a local design guide picking up on local design features and providing some detail on this very local style. While you are understandably keen that these are repeated in new housing, it would also be helpful to consider how this could be done in the context of zero or lower carbon housing, e.g. show stone front porches with steep pitched roofs - what would be the interpretation on a modern zero carbon house? Is the continued use of Cotswold recon stone appropriate - concrete uses lots of carbon. Do we really want to build chimneys when wood burners are a cause of particulates; windows can act to achieve solar gain if appropriately scaled and located etc. This design guide feels like it is a bit out of date given the climate emergency even though they acknowledge the climate emergency.

List of tree species. Some of these are non-native and would not provide ecological benefits. Local importance of native barberry and black poplar (refer to CWP nature recovery plan).

Overall we found the sustainable design section a bit muddled and not easy to implement. The SUDS section includes biodiversity but does not mention GI, of which it is a key component.

Section 6 includes a description of the landscape around the settlement but does not really give guidance on local GI etc. See amendments suggested in the main NDP on GI enhancements. What habitats are characteristic of Down Ampney - what habitats would you like to see more of included in new development GI (again could refer to the nature recovery plan - which the PC were consulted on). How do you want to see biodiversity

net gain delivered on site? The suggestions on where GI could be enhanced elsewhere in the village are useful but some idea on what enhancements would help would be beneficial.

We note that these issues have really come to the fore, in recent years, and acknowledge that there is less detail within the Local Plan and its supporting documents than we would wish. There will be a lot more detail, and direction and support for developers as a consequence of the Local Plan update that is now underway - we appreciate you cannot easily reference as yet to be published policy and guidance, but we would like to offer an assurance that thorough detail will be available shortly, to ensure high quality sustainable development in a Cotswold context.

p.2 "The village buildings may be considered in three groups." It would be useful to have a

map to show the 3 areas clearly outlined - this will be particularly advantageous to the independent examiner, who will not be familiar with the parish.

2.3. Housing Density

Echoing comment on the NDP itself - Density can be as much about the size of units (and relevant parking provision) as anything else.

4.5 Boundary Treatments.

We are not convinced that all front boundaries should be dwarf stone walls. We often find there can be issues around householders retaining hedgerows if planted within their garden boundaries so walls can be better on the outside of a development or design the development so that the outer boundaries are not garden boundaries.

A list of trees already present in the parish is presented. It is not clear what purpose the list serves - it is juxtaposed with a paragraph encouraging native species - yet is not a list of such. It may be better if you came up with a list of species you want to be planted in the parish - anything like local apple varieties, black poplar (a CWP speciality); species that support biodiversity etc.

5.2 Water Features and SUDS.

Reference to GI would be appropriate. Multifunctional benefits of open space which is well designed. What do they mean by "green back lanes"?

5.4 Climate Change.

There is some consideration in design guide and in the NDP on solar gain, which can be a factor in reduced energy consumption, but there is a great deal more to consider than that not least excessive solar gain in hot weather now being a real risk.

7.2 Parking.

We understand the concern that recent development cannot accommodate the typical current pattern of car ownership. However, three off road spaces per dwelling is a very significant land take, and introduces large areas of hard surfacing. Realistically, on road parking has more flexibility to provide visitor parking or additional occupier parking for those with more vehicles. The expectation appears to be that garages are large enough

to accommodate a car and storage and bicycles - such a space can hardly be considered a single garage, and again, has a significant land take, and impact on property pricing.

You might want to consider how your ideas fit in with GCC's street design guidance and its Local Transport Plan.

7.3 Lighting.

You could also consider lighting impacts on biodiversity.

The guide gives a really helpful description of the typical features of a Down Ampney house. I wonder if it would be better to separate that out - this is what makes a house typical of Down Ampney. Then go on to say how those design features might be incorporated into new designs. But this may be challenging as we move to net zero - different building techniques, materials etc. The challenge is to build a contemporary house that is net zero but that captures the character of Down Ampney, not easy to achieve. But it will be easier given that the design code describes what is particular about Down Ampney. I think that a greater emphasis on what makes Down Ampney special - with more drawings and photos would really add value to the design code. With an associated policy that says something along the lines of "new development should respect the existing character of the village as set out in the Down Ampney design code and its over design should be inspired by that character"

Please note that the extract from the NPPF in the design guide is from the NPPF 2019 - it is important to use the most up to date version. There is no reference in the design guide to the National Design Guide or Code work - please see links below

<https://www.gov.uk/government/publications/national-design-guide>

<https://www.gov.uk/government/publications/national-model-design-code>

Response: The Design Guide will be looked at and extensively rewritten.

APPENDIX 2 – LISTED BUILDINGS IN THE PARISH OF DOWN AMPNEY

A caveat should be added that there may be amendments to the statutory list with a web reference to the definitive information - <https://historicengland.org.uk/listing/the-list/>

APPENDIX 3 – FOOTPATH AND CYCLE WAY SUGGESTIONS

It would be helpful to acknowledge that footpaths and cycleways are a core part of GI and that when enhancing these rights of way or creating new ones there is also an opportunity to create wildlife corridors, additional water courses etc. The more attractive that these routes are the more likely they are to be used.

Table 1b. Down Ampney Second Regulation 14 Consultation - Comments from Cotswold District Council and Parish Council Response
(only those comments requiring response have been noted. The full representation is available at: <https://www.downampneyvillage.co.uk/the-second-plan.html>)



Down Ampney Regulation 14 draft: CDC Officer Comment.

May 2023

Please find below comments from **Cotswold District Council** (CDC) on the Down Ampney Neighbourhood Plan (NDP).

CDC acknowledges the work that has been put in by the authors of this NDP and commends them for their efforts, and commitment to full consultation.

The Council hopes that the following comments, observations and suggested amendments will assist with the progress on the plan through to submission and examination, which we anticipate later this year. In general these 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.

[Parish Council response below in *italic underline*].

Chapters 1-5

No comment, other than to say there is an error with the chapter numbering (i.e. chapter 5 landscape).

Response: Will be changed

5.3.5 We strongly recommend you provide a justification and a boundary for the airfield, in order to present it as a non-designated heritage asset. The justification does not have to be extensive, but proportionate to make the case for the constraint this presents. In terms of mapping the boundary, please do advise if you would benefit from any assistance on this - as we are keen to map NDHAs on our own GIS systems, this may be something we can assist with.

Response: We will cite the whole airfield as well as the airfield memorial. We have also included input from the Gloucestershire County Council Heritage Team. We are planning to produce a Register of NDHA but "to follow" the NDP.

Fig 4.6. The map shows "notable vistas" but does not indicate from exactly where the vista can be seen and looking in which direction, although there are photos. It would be helpful to confirm vistas are from publicly accessible locations e.g. a public footpath. When showing vistas it is common and good practice to show the direction and splay of

the view/vista. In simple terms incorporate arrows within figure 4 showing the view point to the asset/environment of interest. Without which it will be difficult for the Local Planning Authority to conserve (suggest the word 'protect' rather than 'conserve') notable vistas. Please ensure the correct figure is being quoted also. Policy states fig 3.6 but it appears to be fig 4.6.

Response: *Notable vistas will be identified with an arrow showing direction of view. All views are from public roads or footpaths.*

Policy LP2. We are not convinced the wording of the policy is quite correct, in terms of the implications of Local Green Space designation - this is an area where examiners have often made modifications, as the NPPF is very clear in terms of what LGS designation means - we'd note further that there is an instance where the courts have overruled a policy, while accepted that all the LGS themselves qualify. We would recommend you review the wording in the Local Plan Policy, and perhaps use this, to rely on the NPPF rather than risk an alternative interpretation. Without these changes it is likely the policy will not be in general conformity with the Local Plan and indeed national policy.

Response: *Wording has been changed to be more in line with CDC Local Plan policy EN3 by adding: "In accordance with Policy EN3 in Cotswold District Local Plan 2011-2031, 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. Particular attention will be paid to the evidence presented by the local community when assessing development proposals that are likely to affect a designated Local Green Space."*

Chapter 6 Infrastructure: Community and Leisure

CP1 Protection of Existing Community Facilities.

We welcome a policy that identifies valuable community assets. We wonder whether there is a missing word, in the clause immediately under the list of assets - 'when it is in accordance with relevant development **PLAN** and national planning policies.' It could be helpful if the Reasoned Justification (the supporting text for the policy, not the policy 'box') directed the reader towards 'INF2 of the Local Plan, or successor policies' to make it clear what development plan policies this refers to.

Response: *CP1 has been modified so that justification for INF2 is now outside the policy box.*

Chapter 8 Housing and Village Design

The title of this section refers to housing and design - while your focus is unsurprisingly on residential development, you may wish to make it clear that you have high design expectations of non-residential developments as well.

Response: *The heading will be changed to "Residential Housing and Non-Residential Design".*

p.51, 8.5 You mention listed buildings – as noted in previous comments, we would have liked to see a review of Non-Designated Heritage Assets. Neighbourhood Plans are a

great place to try to catalogue such – to try to afford them a bit more recognition through the planning system. That said, we are actively working on a Local Heritage List project, which will identify such assets outside of a neighbourhood plan, so there remains an opportunity to ensure such assets are identified in advance of development proposals.

Response: Gloucestershire County Council Heritage Team has been contacted and a very comprehensive list of non-designated heritage assets was received. These will be referenced these and a report “Historic Environment Record” prepared. In addition to the airfield memorial we have considered other possible non-heritage assets and have added the “bollards” near the Preacher’s Cross (a scheduled ancient monument); they are in fact the weights used on the old airfield in WWII to hold down the gliders.

HP1: Village Character and Housing Density

The Council encourages that this policy be reviewed, in particular to reflect on its purpose and the intended outcomes that it is trying to achieve. As written it is likely to not be in general conformity with nation policy and the local plan. This policy is far too prescriptive and is normally seen in the reverse within metropolitan authorities that seek to ensure a minimum density is achieved on sites. There are likely to be unintended consequences of this policy, for example it is likely to promote large houses over smaller houses, it will affect the delivery of affordable housing in the district (as strategic policy) and overall site viability. This policy is likely to promote unsustainable forms of development in the district and runs contrary to the Council’s transport decarbonisation strategies which seek to ensure good density and use of land in settlements to promote self sufficiency. National policy requires optimal use of land, the art is in the planning balance of various policies and material considerations ensuring densities protect and enhance the character of the area.

Response: Paragraph 8.4 and in 8.8.2 of the Plan references paragraph 124 of the NPPF which in particular in sub-paragraph (d) mentions the desirability of maintaining an area’s prevailing character and setting. This Policy reinforces this desirability. We do not agree that it will promote larger houses as low density does not necessarily imply larger houses; lower density can be achieved through public open space and green infrastructure. The purpose of the policy is to avoid a rural village being turned into an urban environment. We agree that “... the art is in the planning balance of various policies and material considerations ensuring densities protect and enhance the character of the area.” That is exactly what the policy is trying to achieve but the precise wording of the Policy allows for flexibility.

HP2 House Types: Inevitably, developers will seek to meet their smaller property quota through the affordable dwellings. It risks underserving evidenced local need - as it increases the risk that development doesn’t provide family sized affordable dwellings. It should be noted that policy HP1 is likely to make the delivery of this policy difficult. The wording of the policy may not provide sufficient certainty - the use of ‘shall generally’ and provision of a guide of up to 65%, coupled with a gentle exhortation to provide bungalows, means that the policy provides direction, but lacks clarity on the circumstances where these expectations might not apply.

Response: Policy HP2 will be reworded to better reflect the community’s aspirations for the proportions of types of dwellings suitable for Down Ampney.

HP3 Affordable Housing: This policy is superfluous, and thus we suspect would be recommended for deletion, by failing to meet the requirements of paragraph 16 of the NPPF. We suggest that if the authors of the plan feel it necessary to flag that the Local Plan policy stands, this should be done in the supporting text or another device, but not a policy 'box'.

We note that affordable housing and key worker housing are two distinct and separate tenures – although plenty of key workers will qualify for various affordable tenures

Response: *This Policy will be removed and the text will be altered. Subsequent policies will be renumbered.*

HP4 Maintaining Housing for People with a Local Connection: The policy and the NDP does not offer a definition for the concept of Local Connection. However, we suspect this would generally mean a direct connection with the village - residency, work, family connection - and often cascades out to surrounding parishes. However, such an interpretation would not be in general conformity with the strategic policies of the Local Plan. Principal settlements, of which Down Ampney is one, accommodate a share of district housing need, fulfilling a role wider than accommodating local needs only. It should be noted that policy HP1 is likely to make the delivery of this policy difficult

By way of assurance, Cotswold District and its housing partners operate a choice based letting process, which has proved an effective tool at matching people's housing needs with a location that suits.

Affordable housing cannot be secured in perpetuity except in very particular circumstances, as occupants have a right to buy/right to acquire (the first applying to Local authority owned properties, the second to properties owned by a registered social landlord).

Response: *This Policy will be removed but further discussion will be added in the general text. Subsequent policies will be renumbered.*

HP5: Design of New Development in Down Ampney

We have some doubt over whether the final section of the policy really works - how would it be used at the application stage? Do you expect all the usual details that are dealt with by condition (e.g. landscape scheme) to form part of the initial application submission? We endorse the position of not diluting the quality of development as the planning process progresses, and direct you to para 135 in the NPPF that seeks to address this.

Response: *There have been several instances where planning permission has been granted showing beautiful layouts and design. After approval the design has been changed to save costs. Example is a development with stone walling and block paved which immediately after approval changed to wood fencing and stone ballast drive. This is the reason for this policy which is in accordance with paragraph 135 of the NPPF. If the details are dealt with by condition then it would be expected that approval of that condition would be approved by the Parish Council in conjunction with CDC.*

Design Guide

We note that the Cotswold Design Code will be extensively updated and extended as part of the partial review of the local plan.

2.3.1 A more detailed analysis of the landscape in that area can be found in the CWP integrated landscape character assessment - <https://www.cotswold.gov.uk/planning-and-building/landscape/landscape-character/>

Response: *Text will be amended to include reference to landscape character assessment. The additional text has resulted in subsequent amendments to the layout.*

2.3.1 It should be noted that the Zone of Influence for North Meadow is currently being reviewed.

Response: *Text will be amended to include note that the SAC Zone of Influence was under review at the time of preparing the design guide.*

p.25 Under built form - it states "The historic estates vary in building height..." It would be helpful to clarify whether this means 'housing estates', as the term could equally be read as a reference to grander houses and their grounds. We're unsure of the intention behind the HE website reference.

Response: *Text will be amended to refer to historic buildings, except for the church spire, which is the tallest structure.*

p.42 para 03 We would recommend amended the reference to "low maintenance gardens" - you can have a low maintenance garden which is wildlife friendly. It would be better to recommend the avoidance of extensive hard surfaces.

Response: *The intent of avoiding low maintenance gardens is to discourage homogenous planting palettes. Text will be amended to refer to the avoidance of limited planting palettes and hard surfaces, which do not support biodiversity and wildlife.*

We welcome the encouragement this guide provides on sustainable design, and the well-sourced detail on the existing buildings, but we wonder whether the guide could provide more direction on how these can work together. There's some positive mention of biodiversity opportunities, and we note that shortly biodiversity net gain will in fact be mandatory. The checklist is helpful.

Response: *The design guide supports sustainable design and provides an overview of the key design considerations for the neighbourhood area. There is additional sustainable development guidance at a district and national level, which the design guide seeks to avoid duplication to ensure its effective implementation.*

Table 2a. Down Ampney First Regulation 14 Consultation – Summary of Comments from Residents

(Full Comments are on the [Parish NDP Website](https://www.downampneyvillage.co.uk/the-plan.html) [https://www.downampneyvillage.co.uk/the-plan.html])

No. of Residents	Policy or area of comment	Comment	Response
119 Residents commented on the Regulation 14 consultation of the emerging Down Ampney Neighbourhood Development Plan: 117 supported the Plan and 2 supported with minor change.			
36	LP1 - Key vistas	36 residents specifically support	Although this is supported as stands, more work will be carried out to further justify this section.
43	LP2 - Local Green Space	43 residents specifically support and 19 specifically cite area 1	
25	IP1 - Land Drainage	25 residents specifically support	
25	IP2 - Sewerage	25 residents specifically support	
24	IP3 - SuDS	24 residents specifically support	The question of SuDS is more to do with Building Regulations. This policy will be reviewed.
21	IR1 - Speed, traffic calming, and weight limits	5 residents specifically support, but 21 mentioned traffic speed as a problem	
1	Weight limit	I STRONGLY DISAGREE regarding the 7.5 tonne weight limit as this would open up the centre of the village to large agricultural vehicles going through the village to the Farmcare facilities on the old Airfield. Currently they have to access this area off the Kempford Road as they cannot legally cross our current 18 tonne limit to access the airfield lane which is 7.5 tonne limit.	There is merit to this objection. A solution could be to impose a 7.5 tonne limit through the village but end it not at the Kempford Road as is current but move it just to the north of the access to the Farmcare facilities near Castle Hill Farm, leaving the section from the Kempford Road to just south of Castle Hill Farm as unrestricted.
18	HP1 - Size of dwellings	18 residents specifically support	

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No. of residents	Policy area of comment	Comment	Response
18	HP2 - Design	18 residents specifically support	
5	HP4 – Affordable housing	5 residents specifically support	
5	HP4 – Affordable housing and change of occupant	5 residents specifically support	
28	HP5 – Green Infrastructure	28 residents specifically support	
14	Paragraph 7.7 and Design Guide - Limit housing density	14 residents specifically support	

Table 2b. Down Ampney Second Regulation 14 Consultation – Summary of Comments from Residents

(Full Comments are on the [Parish NDP Website](https://www.downampneyvillage.co.uk/the-second-plan.html) [https://www.downampneyvillage.co.uk/the-second-plan.html])

No. of residents	Policy area of comment	Comment	Response
19 Residents responded: 18 Residents supported the second plan; 1 supported with change			
6	Design Guidance Document	6 residents specifically support	
1	Support with change	<p>1) I am fully supportive of the plan however I feel an important element of "Infrastructure" could do with enhancement. This is in regard to footpaths; specifically lack of roadside footpaths and /or their condition. Today, following the C19 Pandemic the road traffic flow through the village seems to have increased markedly in volume, timespan each day, number and size of lorries and, particularly speed and danger presented to pedestrians and cyclists. This remains a significant risk through the village.</p> <p>2) The potential introduction of a 20 mph limit and speed deterrent devices may mitigate some of this risk however this remains to be achieved and demonstrated. In the meantime there is a clear lack of amenity and safety at either end of the village settlement boundary on the main road where it is necessary to "run the gauntlet" when walking the short sections necessary to reach:</p> <p>a) The Ampney Brook Bridge and beyond from the Meeting Cross to the two PRW, one turning North to Home Farm on Ermin St and the second</p>	Regrettably points 1 and 2 cover matters that are not planning matters. The NDP makes certain recommendations on these points that the Parish Council might follow up. Lobbying the PC directly for implementation would be the course to follow.

		<p>turning South to Latton. b) From the Poulton turn at Linden Lea east past Rooktree Farm and beyond to the Marston Meysey turning and routes beyond; Castle Hill Farm included.</p> <p>Both stretches of road are intrinsic to being able to achieve circular routes and safety and amenity are currently almost completely lacking due to lack of pavement, damaged gully carriageway, proximity to deep drainage ditches and speeding traffic on roads which incorporate bends and obstructed views. The route beyond the first bridge after the Meeting Cross also has an "unlimited" speed limit.</p> <p>3) In respect of the foundations for the above comments a further point about the responses to the village questionnaire on Infrastructure, Section 6.5.3. also needs qualifying. The results showed a response of 68% Yes vs 26% No when questioned about sufficient access to the countryside. The reality is that we already live in a small village in the middle of the countryside and from where we live are able to stand in the countryside, in many cases on a public footpath with countryside views by moving at most 100 m. Accordingly some respondents may have answered this question from that perspective, others, due overwhelming need to to drive or cycle anywhere significant in the district, may have answered from a different perspective. This response may therefore not be an accurate</p>	<p>It is impractical to issue another questionnaire to address ambiguities in the first one.</p>
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Down Ampney Neighbourhood Development Plan Consultation Statement, June 2023

		reflection of some people's views w.r.t. Access to the Countryside. The fact that 18 out of 59% ticked Lack of Circular Footpaths and 13 of 59% ticked State of Condition of Paths may also be an underestimate for the same reasons of perspective.	
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Table 3a. Organisation Representations and Parish Council Comments/Response (in *bold, italic, underline*) to the First Regulation 14 Issue (only those representations that require response have been shown: the full representations are on the [Parish NDP Website](https://www.downampneyvillage.co.uk/the-plan.html) [https://www.downampneyvillage.co.uk/the-plan.html])

<p>Mr Robert Niblett Organisation: Gloucestershire CC</p>	<p>Thank you for consulting Gloucestershire County Council (GCC) on the draft Down Ampney Neighbourhood Development Plan (NDP). I have the following officer comments to make.</p> <p>Response from GCC Libraries and Information Services</p> <p>Comment on Section 5: ‘Infrastructure – Community and Leisure’</p> <p>GCC (‘the Library Authority’) operates local library services that will attract users from new housing developments in the Neighbourhood Planning Area (NPA). New users in the NPA will place additional pressure on these services, and this in turn could require mitigation in some form, proportionate to the scale of growth proposed.</p> <p>The Library Authority therefore requests that the impact of new housing development on existing community infrastructure outside the NPA, including libraries, is also addressed in the NDP. Specifically, the Library Authority recommends that reference is made at Section 5 of the NDP to the need for new housing development to comply with Cotswold District Local Plan 2011-2031 Policy INF1 (‘Infrastructure Delivery’), the first paragraph of which states the following: ‘Development will be permitted where infrastructure requirements identified to make the proposal acceptable in planning terms can be met. Provision of infrastructure will be secured having regard to regulatory and national policy requirements relating to developer contributions...’.</p> <p><u>PC Comment/Response: Will include CDC INF1 in this section</u></p> <p>Ecology (Biodiversity) Comments SEA/HRA Screening advice for the Plan</p> <p>In October officers informed Cotswold District Council that in taking the topic of biodiversity (ecology) alone the need for a Strategic Environmental Assessment (SEA) and/or Habitats Regulations Assessment (HRA) of the Neighbourhood Plan appeared unnecessary. This accorded with the Screening Report conclusion. Natural England and the Environment Agency should be able to give a definitive view on these matters if not already.</p> <p>The Plan Content</p> <p>Section 3.3.1 identifies the main designated sites just beyond the parish which have some relevance to the plan.</p> <p><u>PC Comment/Response: Will include references to Cotswold AONB, the Cotswold Water Park and nearby habitats such as North Meadow, Cricklade.</u></p>
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	<p>Figure 3.7 on Local Green Spaces shows some ‘designated’ woodland areas. Section 7.7.1 on Green Infrastructure makes brief reference to wildlife corridors.</p> <p>The objectives and resulting policies of the plan (summarised at Section 8) make no direct reference to the conservation and enhancement of local biodiversity. Such policy cover is not essential as the District, Waste and Minerals Local Plans cover such matters sufficiently. Overall, there are no compelling ecological reasons to recommend any change to the wording of the NDP policies.</p>
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<p>Mr Robert Niblett Organisation: Gloucestershire CC</p>	<p>Good afternoon</p> <p>Further to my last email, I have received the following additional officer comments relating to the Historic Environment.</p> <p>Our only comment is that the NDP should include information from the Historic Environment Record in section 3.3.4 Other Historic Sites and Non-Designated Heritage Assets. There are many more non-designated heritage assets with archaeological interest on the Historic Environment Record that should be included and details about requesting HER for data can be found in this link https://www.gloucestershire.gov.uk/planning-andenvironment/archaeology/request-archaeological-data-from-gloucestershires-historic-environment-record-her/.</p> <p><u>PC Comment/Response: Have requested information from HER and will include it.</u></p> <p>Historic England provide general guidance on the historic environment and neighbourhood planning https://historicengland.org.uk/images-books/publications/neighbourhood-planning-and-the-historicenvironment/.</p> <p><u>PC Comment/Response: Will study information available.</u></p> <p>Rob Niblett Senior Planning Officer</p>
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<p>McCloughlin Planning on behalf of Cotswold Homes</p>	<p>2.0 NDP Representation</p> <p>2.1. The reference numbers provided in the subheadings below reflect the references provided in the NDP for ease of reference and completeness.</p> <p>Section 3.5 (Landscape)</p> <p>2.2. It is considered that the proposed language used under Objective LO1 conflicts with the objectives set out in the Cotswold District Local Plan and paragraph 16(b) of the NPPF due to its restrictive wording.</p> <p>2.3. The proposed objective would prevent development from coming forward in the village, as Down Ampney can be considered rural in its entirety. Therefore, it is requested that Objective LO1 is reworded to comply with Objective 1 of the Cotswold Local Plan, which states: ‘Protect the open countryside against sporadic development, while also avoiding coalescence of settlements’.</p> <p><u>PC Comment/Response: 2.2 and 2.3. There is no conflict with NPPF paragraph 16 in its entirety. The NDP follows the CDC Local Plan in its aspirations for Down Ampney up to 2031. However we are content to add “... against sporadic development, while also avoiding coalescence of settlements” to the Objective.</u></p> <p>2.4. Whilst we raise no objections to the supporting proposed policies LP1 and LP2, we query why the notable vista point 2 on the supporting plan (figure 3.6) is directed from the western corner east, rather than from the eastern corner toward the church spire. Further detail on why the notable vistas are “notable” in the policy documents supporting text would be welcomed to help future applicants understand their relevance.</p> <p><u>PC Comment/Response: 2.4 Further work is being carried out on the area of notable vistas.</u></p>
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Section 4.5 (Infrastructure)

2.5. Cotswold Homes has no objection to the objectives of the NDP to promote sustainable transport and ensure surface water drainage and foul drainage is effectively managed to allow for planned growth.

2.6. However, the associated proposed planning policies are considered to conflict with Local Planning Policy INF8, in their strict wording and are considered to unintentionally result in a conflict with paragraph 16(b) of the NPPF.

PC Comment/Response: 2.6 CDC Policy INF8 paragraph 1 a. States:

“1. Proposals will be permitted that:

a. take into account the capacity of existing off-site water and wastewater infrastructure and the impact of development on it, and make satisfactory provision for improvement where a need is identified that is related to the proposal. In addition, proposals should not result in a deterioration in water quality. Where a need for improvement or a risk of deterioration in water quality is identified, the Council will require satisfactory improvement or mitigation measures to be implemented in full prior to occupation of the development;”

The NDP policies are not in conflict with CDC policy INF8, but seek to localise that policy with respect to Down Ampney.

2.7. Policy IP1 states that larger developments consist of 5 or more dwellings. However, to ensure consistency with the Cotswold Local Plan and Town and Country (Development Management procedure) (England) Order 2015 defines larger (major) development for residential developments as 10 or dwellings.

PC Comment/Response: To avoid confusion with definitions elsewhere we will remove “larger” from IP1.

2.8. The requirement to consider “greater storminess” is not a terminology which can be quantified or measured in support of future planning applications. It is considered that the policy should be re-worded to reflect Local Plan policy INF8, the definitions of risk provided by the Environment Agency and PPG guidance on critical drainage areas and survey requirements.

PC Comment/Response: “Storminess” is a term used by the Meteorological Office, but we are prepared to remove the words from the Policy. The NDP Policy IP1 is not in conflict with CDC policy INF8, but seeks to localise that policy with respect to Down Ampney. Note also CDC paragraph 11.8.9.

2.9. The wording under Policy IP2 is also not compliant with paragraph 16(b)(d) of the NPPF in that it is not clearly worded and goes beyond a policy framework in directing new development.

**PC Comment/Response: Policy IP2 Paragraphs 16(b) and (d) state:
“(b) be prepared positively, in a way that is aspirational but deliverable;
“(d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;”**

The NDP wording complies with both sub-paragraphs.

2.10. The current wording reflects a planning condition, rather than a planning policy and is considered overly restrictive. The requirement to restrict development prior to occupancy should remain reserved for the decision-making process and be dictated depending on the individual cases necessity to provide further information on drainage where it is considered to result an impact the wider network.

PC Comment/Response: Consideration will be given to changing the wording of IP1 and IP2 to state that “No planning application will be approved until the applicant has...”

2.11. Determining whether sewage which goes to Ampney St Peters is discharged into Ampney Brook is also not measurable and therefore unenforceable through the planning process. The requirements of the policy as currently written fall under control mechanisms which are outside of the planning system and therefore are not appropriate in planning policy.

PC Comment/Response: Both CDC INF8 1a and paragraph 11.8.9 require developers to consider both on-site and off-site capacity. Policy IP2 builds on this requirement to ensure there is no detrimental effect on Down Ampney.

2.12. Whilst we raise no objections to the principles and objectives of Policy IP3, it is considered that the policy does not provide sufficient flexibility for developments where SuDs may not be appropriate, restricting future deliverability in conflict with paragraph 16 of the NPPF.

PC Comment/Response: IP3 to be deleted.

2.13. In responding to the concerns with Policies IP2 and IP3, the NDP should review and choose wording better reflecting the requirements of Policy INF8 of the Local Plan, where greater flexibility has been incorporated into the language of the policy to ensure compliance with the NPPF.

PC Comment/Response: It is considered that the NDP wording complies with both the NPPF and the CDC Local Plan but seeks to localise the issues to Down Ampney.

Section 7.4 (Housing Density)

2.14. Cotswold Homes has no objection to the NDP's aspiration to ensure new developments reflect the general character of the village and prevailing local context.

PC Comment/Response: 2.14:- Good to hear and to date Cotswold Homes have been good to work with and hope this continues.

2.15. However, we have serious concerns about using density figures as a means to manage new development, as this conflicts with the NPPF and Local Plan in supporting the efficient use of developable land (paragraph 124 & 125) and stifles opportunities for good design in conflict with the National Design Guide (i.e. higher density development does not automatically result in poor design).

PC Comment/Response: 2.15:- Density figures are important to a rural village. There is sufficient land in the area that the rural village feeling can be maintained. The road, sewage and surface water infrastructure is not suitable for further development without a lot of upgrading. Would agree with CH that linked properties in a barn style conversion design would probably be suitable. Example is the linked bungalows which are proposed for Rooktree Farm site. The balance between density and design can be discussed between developers and the village preferably at the pre-application stage. Appropriate Densities are discussed in NPPF paragraphs 124 and 125 as stated but note the caveats in 124 c) and d). Clearly higher density does not necessarily result in poor design. Note paragraph 81 of the National Design Guide in relation to Down Ampney

2.16. The NDP is instead encouraged to use up-to-date area-based character assessments and design guides to help manage new developments design and overall appearance in the wider setting and context. This would accord with the Local Plan and Chapter 12 of the NPPF.

PC Comment/Response: 2.16:- We have produced a Design Guide which will stand alongside the CDC Local Plan design guide. The Down Ampney design guide highlights the special design features of the village. This is being updated.

2.17. If the NDP continues to reference density, then it should ensure accordance with paragraph 125(b) of the NPPF, in that the figures used are **minimum** density figures with an allowance for higher density development, subject to good design.

PC Comment/Response: 2.17:- Comments to 2.15 above answers the comments in 2.17. Note also first paragraph of NPPF paragraph 125. When the time comes for additional development over and above that identified up to 2031, there will be no shortage of land for housing needs around Down Ampney and therefore no need to increase densities beyond that which is the average for the village as it stands.

Policy HP1

2.18. Proposed NDP policy HP1 is considered to conflict with Local Plan Policy H1, in support a mix of housing influenced by needs and demands in both the market and affordable housing sectors identified through the Strategic Housing Market Assessment.

PC Comment/Response: 2.18:- The village Response to the questionnaire indicates that more one and two bedroom dwellings should be built. We have many 4 bedroom and above developments but the survey shows a request for more 1 to 3 bedroom dwellings. We cannot ignore the results of the questionnaire.

2.19. It is considered that the percentage requirements listed (i.e. 65% of homes shall be between one and three bedrooms) does not allow for market forces to dictate the demand and need as it fluctuates during the lifetime of the NDP and therefore conflicts with paragraph 16 of the NPPF.

PC Comment/Response: 2.19:- Developers can put forward what mix they prefer and then it is up to the planning process to determine outcome. Again comes back to the same argument to discuss at a very early stage.

2.20. The same issue applies for the minimum 5% requirement for dwellings to be bungalows, which is likely to result in a longer-term risk on the deliverability of sites, in conflict with paragraph 69 of the NPPF.

PC Comment/Response: 2.20:- One bungalow per 20 dwellings does not seem unreasonable. There seems a lot of interest in bungalows in the village.

2.21. Notwithstanding, Cotswold Homes does not object to the aspiration of policy HP1 to provide homes suitable to meet the need of all generations. Therefore, it is recommended that proposed planning policy HP1 is re-worded to require all new homes to meet lifetime home standards.

PC Comment/Response: 2.21:- Good comment and looking forward in working together. Will reword to incorporate lifetime home standards.

2.22. These standards were introduced as a means of ensuring homes are designed to be functional for all occupants and visitors, including those with less agility and mobility. The standards set five overarching principles, which would need to be followed by developers to ensure future homes meet the needs of all.

PC Comment/Response: Agreed.

2.23. In addition, consideration should be given to the wording of Local Plan policy H1, part 1 and supporting paragraph 8.1.3.

PC Comment/Response: 2.23:- Agreed but developers must note CDC Local Plan policy H1 number 3.

Policy HP2

2.24. Cotswold Homes has no objection to the principle of proposed policy HP2 in ensuring that new developments accord with the Cotswold Design Guide. Regarding the use of the 1995 Down Ampney Design Guide, this is significantly out of date and the principles would be covered by the Cotswold Design Guide and the National Design Guide.

PC Comment/Response: 2.24:- The 1995 Design Guide will be up-dated and reissued.

Policy HP3

2.25. Cotswold Homes has no objection to the provision of policy to require affordable housing in accordance with the Local Plan.

PC Comment/Response: 2.25:- The rules for affordable housing requirements are very clear in the CDC Local Plan.

2.26. However, planning policy cannot prescribe who can have access to the affordable housing, as this is managed by housing officers to ensure affordable housing is initially offered to local residents before moving further afield to provide for others in the District.

PC Comment/Response: 2.26:- There is no reason why there could not be more dialogue between the village and housings officers. At present they just impose. Causes considerable friction in the village.

2.27. The proposed policy as written is unenforceable and conflicts with paragraph 16 & 34 of the NPPF. Furthermore, the policy conflicts with Local Plan Policy H2 (part 5), in ensuring the provision of affordable housing meets the needs of those throughout the District. The allocation of “who” gets the affordable housing is a matter controlled outside of the planning process by local housing officers and therefore not appropriate to include in planning policies.

PC Comment/Response: See comment to 2.26.

2.28. There is also no definition of “key worker” in both the National Planning Policy or the Local Plan and therefore the terminology is not considered enforceable. Again, this is a matter controlled outside of the planning process.

PC Comment/Response: 2.28:- Will ask for a definition of “key worker” to be put in the up-dated Local Plan.

Policy HP4

2.29. The Policy fails paragraph 16 of the NPPF in going beyond an aspiration and being undeliverable. The policy seeks to control matters which go beyond the planning system (i.e. the future occupants of affordable housing), which is specifically managed by housing officers after planning permission is granted.

PC Comment/Response: 2.29:- There has to be a dialogue with CDC on this issue. Will leave as it is for the present time.

2.30. The Policy would also conflict with the Local Plan, policy H2. It is strongly recommended that this Policy is removed from the NDP to ensure soundness.

PC Comment/Response: 2.30:- HP4 is not in conflict with CDC policy H2.

Policy HP5

2.31. Cotswold Homes agrees that the provision of Green Infrastructure is important when designing and implementing new developments, in the interest of preserving local character and encouraging biodiversity net gain.

PC Comment/Response: Agreed.

2.32. However, the proposed policy fails to comply with the requirements of paragraph 16 of the NPPF, as the policy risks the deliverability of future developments by restricting opportunities for applicants to amend planning permissions.

PC Comment/Response: 2.32:- HP5 is not in conflict with NPPF paragraph 16 and, in particular, sub-section c) stresses the need for early, proportionate and effective engagement between all parties. HP5 does not risk any deliverability issues but requires proper thought at the start of the process.

2.33. Furthermore, applicants have the right to apply for variations to planning permissions, particularly if amendments are required to ensure the deliverability of a development proposal. The Policy also has a negative connotation and implies that any variations are likely to result in a negative impact (in conflict with paragraph 16 of the NPPF). For example, amendments could be submitted which in fact improve the green infrastructure which this policy wording would not permit.

PC Comment/Response: 2.33:- It is not agreed that because of inferior estimating that developers have the right to change items to reduce costs and increase their profits. See Response to 2.32 for comments on NPPF paragraph 16. More relevant is NPPF paragraph 135, that we whole-heartedly agree with, which states that LAs should seek to ensure that the quality of approved development is not materially diminished between permission and completion. We will amend the policy to reflect the NPPF.

2.34. The principle of applicant's applying for variations to planning permissions cannot be restricted through planning policy, rather policies should seek to ensure any amendments can be managed to ensure compliance with social, economic, and environmental requirements (three strands of sustainability).

PC Comment/Response: 2.34:- Don't see why not. Any changes must go through a process.

2.35. It is requested that this planning policy as currently drafted is removed and replaced with a planning policy which closely reflects the requirement of Policy EN4 of the Local Plan to ensure soundness of the NDP.

PC Comment/Response: 2.35:- No plan to remove HP5. Policy HP5 is in accordance with the principles of Policy

EN4 of the CDC Local Plan but looks to lock in local aspects to Down Ampney.

Section 8.2.1 (Landscape)

Policy LP1

2.36. Cotswold Homes raises no objections to proposed planning policy on protected key vistas and views.

PC Comment/Response: See earlier comments.

Policy LP2

2.37. Cotswold Homes raises no objections to the allocation of local green spaces in the village.

PC Comment/Response: Noted.

	<p>Section 8.2.2 (Infrastructure & Housing)</p> <p>2.38. Cotswold Homes notes that the policies provided under 8.2.2 and 8.2.3 are a repetition of the policies provided under section 4.5 and section 7.4 (already addressed above).</p> <p><u>PC Comment/Response: Section 8 is a summary of Objectives, Policies, and Recommendations contained in the earlier Chapters.</u></p> <p>2.39. In the interest of compliance with paragraph 16 of the NPPF, it is recommended one of these sections is removed to ensure only one copy of the policies is within the document.</p> <p><u>PC Comment/Response: Section 8 is a summary of Objectives, Policies, and Recommendations contained in the earlier Chapters.</u></p>
<p>Pegasus Group on Behalf of the Co-Operative Group</p>	<p>1.4 The Co-op also control a number of sites within the Settlement Boundary of the village where the principle of development and redevelopment is acceptable (subject to compliance with other relevant Development Plan policies). An outline planning application is currently being progressed for 8no. dwellings on land south of Charlham Way (21/04185/OUT).</p> <p><u>PC Comment/Response: The planning application is misnamed. One would have thought that after over 100 years involvement in the village that the Co-op would know that Charlham Way refers only to five houses to the west of the village. The road through the village is usually noted as the main street. The application has since been dismissed at appeal.</u></p> <p>1.6 These representations are structured around the Chapters presented in the Neighbourhood Plan document. Below we provide a summary of the points raised in Response to each chapter.</p> <p><u>PC Comment/Response: The summaries are responded to in the detailed comments later in this document.</u></p>

1.7 In addition to the above, we have also provided an overview of land around the village which could be considered for future development in this Neighbourhood Plan, or a subsequent review, following the completion of the Cotswold Local Plan Partial Update or its subsequent Local Plan Review.

PC Comment/Response: In the future after the CDC Local Plan is updated or beyond 2031, development outside the settlement area may be necessary. At present Down Ampney is content with its development target set by CDC.

2. CHAPTER 3 – LANDSCAPE

2.2 Neither the NP, nor the supporting documents on the Parish Council websites, suggest that the Landscape Chapter is supported by any recent technical work, such as a Landscape Visual Appraisal.

PC Comment/Response: The description of the landscape is based on map, geological and other evidence in the public domain noted or referenced in the text.

Identification of Important Vistas and Policy LP1

2.6 After setting out the above background information, the Landscape Chapter identifies vistas of particular significance in Figure 3.6. This figure is provided below for reference. Proposed Policy LP1 states that development which would have an unacceptable impact on these identified vistas will not be supported.

2.7 However, there is little justification or technical analysis behind the identification of these vistas. If important vistas are to be identified, this should be done through a robust Landscape Visual Assessment (LVA). However, no such assessment has been undertaken.

PC Comment/Response: Further work is ongoing to give robust reasons for identifying particular vistas of importance.

2.12 Pegasus Group have undertaken their own analysis of the identified Vista 2 within a Landscape Statement to understand its significance. The conclusion of that analysis set out at paragraphs 3.18-3.21 is provided below and the detailed Landscape Statement is appended to these representations for reference.

"No justification, technical analysis or criteria that identifies the distinctive features of the site, historic significance and/or interrelationship between the school and the site, or other merit of the particular significance of the view have been presented in the NP. The reasoning as to why the proposed origin point for the 'key view' is not stated, i.e. why this particular location is significant or why it was selected.

Primary access to the school has migrated to the north and east following the establishment of the village hub. Incidental views from limited areas of the school's southern playground have therefore been diluted further by the new access.

PC Comment/Response: This is factually incorrect. Primary access to the school is and always has been from Down Ampney Road across the playground.

Reference to the site being a 'Green' is misleading as it comprises an unremarkable and undesignated private parcel of farmland surrounded by 20th century housing. Views from the school playground are limited by neighbouring development and boundary treatments to localised areas. Such views are drawn to the housing that surrounds and encloses the site, rather than of the site itself, and are frequently viewed across a foreground of parked cars and other vehicles that occupy the immediate foreground adjacent to the boundary of the playground.

PC Comment/Response: The very fact that it is a field within the Village draws one's eyes to the field and the livestock when it is there and not to the surrounding houses.

Notably a Co-op document dated 2003 identifies the field as a "Potential New Village Green". Many residents since then have identified it as just that.

The Co-op document is reproduced in the Appendix. 2003 may seem quite a long time ago but for a village with a relatively low turnover of residents it is not long

In conclusion, the importance and value of the school playground and views from it toward and of the site are unfounded and so there is no reasoned justification for the designation of a 'Notable Vista' from the school playground to the site and it should be removed from the NP."

PC Comment/Response: The PC disagree with this conclusion.

Proposed Local Green Space Designations

2.19 However, paragraph 101 indicates that the designation of Local Green Space (LGS) needs to contribute to the delivery of sustainable development and complement investment in sufficient homes, jobs and other essential services. In other words, the designation of land as LGS should not hinder the wider objectives of delivering sustainable development, meeting housing needs, facilitating economic growth and delivering important services and facilities.

PC Comment/Response: None of the Local Green Spaces proposed hinder the delivering of sustainable development, meeting housing needs, etc. Indeed a pleasant green area in the village (Area 1) will enhance the desirability of living in Down Ampney when more development arises after 2031. Thus it meets paragraph 101.

2.22 However, the NP has not shown that any of the land identified is demonstrably special to the local community and holds a particular local significance. This is because the decision to designate this land is derived from the results of the survey circulated to residents in September 2019 ('the survey'). However, neither the framing of the question nor the Responses from residents show that any of the sites identified are **demonstrably significant** to the local community.

PC Comment/Response: See comments on 2.25 and 2.26.

2.24 We note that the NP has concluded that the Responses to the survey indicate strong levels of support for the proposed LGS designations. However, we consider this to be somewhat premature. The NP has based this conclusion partly on the basis that 90% of residents indicated that they were happy with the 'current green spaces' and expressed a desire for these to be protected from development. However, 78% of these Responses simply stated that all green spaces should be protected. As the NP indicates, the definition of 'open green space' in this

context had a very broad definition and could have easily applied to all undeveloped land within and around the fringes of the village. It does not assist in the identification of specific areas which are valued by the community.

PC Comment/Response: As can be seen from the results of the survey, there was overwhelming support for protecting green spaces in the village. There are few green spaces left within the village and therefore the identification is not particularly difficult.

2.25 Indeed, only around 43% of respondents identified specific sites they would like to see protected. Unfortunately, the detailed comments identifying these sites are not provided within the Excel spreadsheet summarising the results of the survey (*Footnote: 1 These were requested from the Parish Council on 4th January and at the time of submitting these representations had not been received.*) As such, it is not clear what level of support there was for the proposed LGS sites or why the sites identified are considered to be important.

PC Comment/Response: The comments were available to Pegasus from the 10th January on the website. A further email was received on 4th February stating that Pegasus could not find the comments. This was replied to on 4th February giving the web address for the comments and also attaching a further copy the Excel spreadsheet to the email reply. A copy of the email exchange is included in the Appendix.

2.26 In any event, one can reasonably assume that not all Responses supported every potential site and with only 43% of respondents identifying one or more sites, it does not suggest that there is overwhelming support for the LGS designation on any of the proposed sites.

PC Comment/Response: If Pegasus had read the comments that were available to them, it would have seen that virtually all the respondents who commented specifically wanted Area 1 protected with fewer numbers specifying other areas. However, as is stated in the Response to 2.24, there are not many green areas and so many residents would have felt that the general answer to question 5A was sufficient.

2.29 We strongly object to the designation of Site 1 as Local Green Space.

The NP is attempting to justify the inclusion of this land based on:

- The Survey Responses suggested it be protected (which we are unable to verify); and

- It is akin to a 'village green' which is daily visible to all as a tranquil spot very often containing grazing livestock.

PC Comment/Response: As noted before, Pegasus had the information with which to verify the survey Responses.

In addition, the objections to the planning application for the field and the protests that followed, clearly indicate the strength of feeling that this area remains a green field. Evidence is available from CDC and the local papers.

2.30 Our supporting Landscape Statement (paragraph 3.49) considers whether the proposed LGS designation meets the tests set out in Paragraph 102 of the NPPF. It concludes that the site fails to meet the criteria of bullet b) on the basis that:

- It is unremarkable and has unremarkable inherent natural beauty;
- Is recent in origin being enclosed and defined by neighbouring 20th Century developments and has no historic significance;
- Is in private ownership and so has no recreational value to the community;
- Reference to the site as a 'village green' is misleading as it comprises an unremarkable and undesignated private parcel of farmland surrounded by 20th century housing;
- Is subject to disturbance from neighbouring developments and traffic and cannot be considered tranquil; and
- Possesses habitats of limited ecological interest and biodiversity.

PC Comment/Response: It is remarkable in that it is the only green space left within the village and is situated in the very centre of the village. It may be surrounded but it is not defined by developments. It is defined by the fact that it is the only green field in the centre of the village.

Recreation does not stop at physical access: there is recreational benefit in seeing a field and livestock in the centre of the village.

The reference to a "village green" comes from a pamphlet produced by the Co-op in 2003 in which the field is described as "Potential New Village Green". Nothing has changed since 2003. Many residents since then have

identified it as just that and some even believed that it was owned by the parish. See also the Response on page 3.

2.31 The proposed designation of the site does not accord with paragraph 102 of the NPPF and so Policy LP2 should remove LGS Site 1 accordingly. Otherwise, the NP does not accord with National Policy and fails the basic conditions test as a result.

PC Comment/Response: Paragraph 102 of the NPPF states:

“The Local Green Space designation should only be used where the green space is:

a) in reasonably close proximity to the community it serves;

b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and

c) local in character and is not an extensive tract of land.” Area 1 meets all these criteria in that it is:

a) In the middle of the community;

b) Is demonstrably special to the community as evidenced by the Responses to the survey, the support for the policy, and the very vocal objections and protests at the planning application; and holds a particular local significance in that it is the only green field remaining in what is a rural village.

It is in accordance with NPPF paragraph 102 and it does not fail the basic test. The representation is firmly rejected.

3. CHAPTER 4 – INFRASTRUCTURE: ROADS, TRANSPORT AND DRAINAGE

3.4 We appreciate that Recommendation IR2 is just a recommendation; however, there is an element of putting the cart before the horse in encouraging public transport use without delivering the critical mass required to support it. If the NP is serious about improving local public transport services, then it needs to support additional development at the village to deliver the requisite critical mass to deliver this.

PC Comment/Response: Public transport should come before development particularly for affordable homes. The “horse” is transport, the “cart” is housing.

3.5 At **Section 4.3**, we note residents' concerns regarding drainage infrastructure within the village; however, it is important to note that this should not preclude development. Indeed, it is a requirement of new development to ensure that there is a betterment in terms of surface water drainage within the site and to ensure that there is no adverse impact on the surrounding area. New development would actually address surface water drainage issues, rather than exacerbate them.

PC Comment/Response: This is what the policy states. What is not agreed is that development would be able to address surface water drainage issues at an appropriate time. It must demonstrate convincingly that it can.

3.6 The same principle applies to foul water drainage and additional development can help to facilitate improvements to the network, assuming it is demonstrated that this would be necessary to mitigate the impacts of new development.

PC Comment/Response: When the local sewage treatment plant is 50% undersized (note the references quoted in paragraph 4.4.2 of the consultation document), new development will not drive improvement, only degradation of the system and the quality of life for residents who like to walk beside and enjoy Ampney Brook.

4. CHAPTER 5 – INFRASTRUCTURE: COMMUNITY AND LEISURE

4.1 Chapter 5 begins by identifying the various services and facilities within the village and summarising their level of use by those who responded to the survey.

4.2 We note that the village hall, village shop and post office were the most used facilities, with the parish church also well used. It is important to ensure that these services continue to be supported. Growth in the village and the overall population can ensure that the requisite critical mass is maintained to support these services, particularly the village shop.

4.3 This principle also applies to the local primary school which will need to continue to enrol a minimum number of pupils to justify its operation, or face the risk of closure.

PC Comment/Response: *These facilities will continue to be supported and thrive by the current and future agreed developments (e.g. Broadway Farm). After 2031 with possible further development the facilities may well grow.*

4.4 Paragraph 5.2.2 also notes the strong desire for a village pub. Again, the village needs to develop a sufficient critical mass and/or develop a strategy to bring in external trade to support this service if this is to be delivered and sustained over the long-term.

PC Comment/Response: *The desire for a pub in the village has long been held. As the Co-op with over 100 years of involvement in the village should know, a pub is not possible.*

4.5 Facilitating new development can both support existing services and deliver others as the overall population expands and local expenditure increases.

PC Comment/Response: *See Response to paragraph 4.2.*

4.6 At paragraphs 5.4.2-5.4.3, the NP confirms that the majority of residents (68%) are broadly satisfied with their access to the countryside. However, concerns have been raised regarding signage, the condition of footpaths, lack of cycle appropriate routes, lack of circular routes and accessibility issues due to styles or gates.

4.7 Many of these issues could be addressed through the provision of well-designed and thoughtfully planned public open space in any new development which, depending on its scale, could deliver improved opportunities for walking/cycling by creating new footpaths and connectivity between established routes as pieces of a jigsaw to ultimately provide circular walks around the village.

4.8 Land around the north and north-west of the village where a permissive path already exists could be a potential candidate for improvement and facilitated by additional development in this location (e.g. as an extension to the Broadway Farm scheme and/or Chestnut Close development).

PC Comment/Response: Paragraphs 4.7 and 4.8 make specious arguments – people like to walk in the countryside, not within a housing estate.

5. CHAPTER 6 - ECONOMY, EMPLOYMENT AND TOURISM

5.1 We agree with the supportive approach to new employment and tourism development within the village. Indeed, improving the number of visitors to the village (both frequent and infrequent) could help support the delivery of additional facilities and services within it (e.g. a destination pub).

5.2 As suggested above, the delivery of additional open space and walking routes could draw visitors to the village (e.g. dog walkers, young families) who may then use the village shop or a public house afterward.

5.3 Whilst efforts to improve the information available to visitors about Down Ampney's history are supported, the NP could be more ambitious in its efforts to boost tourism and businesses within the village.

PC Comment/Response: These comments are purely about how the Co-op could benefit from selling its holdings for housing; they ignore the fact that residents are on the whole content with the level of development up to 2031. It is hard to see how open space within housing developments could attract visitors as is mooted by paragraph 5.2.

5.4 The Parish should consider the potential benefits of additional housing development of varying scales in helping to deliver additional services and facilities which can have knock on benefits for the local community.

PC Comment/Response: The local community live in Down Ampney because they enjoy being in a village as noted in the Questionnaire survey under strengths. They accept that facilities will not be the same as living in a town.

4. CHAPTER 7 - HOUSING

5.

6.1 The NPPF (Footnote 18) and Planning Practice Guidance (PPG) confirm that NPs must be in general conformity with the strategic policies contained in any development plan that covers their geographical area. This principle extends to the delivery of housing and the purpose of NPs is not to arbitrarily constrain the supply of housing. In fact, their purpose is to help facilitate the delivery of additional housing to meet local and district wide needs, whilst steering it to the most appropriate locations.

PC Comment/Response: 6.1. the Neighbourhood Plan does conform with the CDC Local Plan 2011 - 2031. It also takes into account the proposed updating of the Local Plan.

6.2 In addressing housing needs through the NP, the starting point is to assess whether existing commitments support the district's needs and if local needs are being met. These are considered in turn below. Meeting district-wide housing needs.

PC Comment/Response: 6.2. Down Ampney will be providing 22 affordable dwellings on the Broadway Farm estate. This is 50% of the dwellings to be built on this estate.

6.3 The adopted Local Plan identifies an annual requirement of 420 dwellings per annum (8,400 dwellings over the plan period to 2031). This requirement will be largely met through development at the 'Principal Settlements', of which Down Ampney is one. Development beyond the Principal Settlements is supported in certain specific circumstances but is not to be relied upon to deliver this overall housing requirement.

PC Comment/Response: 6.3. As stated in 6.2 above Down Ampney is providing 22 affordable dwellings. To achieve the required numbers stated in the Local Plan does require that the approved development is actually built. In the case of Broadway Farm planning approval was given over 3 years ago and the construction not yet started. All part of the "land bank" of 900,000 dwelling approvals given but not yet built.

6.4 Policy S4 of the adopted Local Plan identifies three site allocations to deliver 28 dwellings at Down Ampney (Dukes Field, Rooktree Farm and Land adjacent to Broadleaze). In addition to this, 44 dwellings were previously approved on Land at Broadway Farm. This means that there are commitments to deliver 72 dwellings within the village over the plan period. This will be supplemented through further windfall development, residential conversions and subdivisions etc. At present, it is likely that somewhere in the region of 75-90 dwellings will be completed within the village and surrounding parish before the end of the plan period (2031). This equates to around 1% of the housing requirement expected to be delivered at the Principal Settlements over the plan period.

PC Comment/Response: 6.4. Duke's Field and Rooktree Farm are at various planning application stages. With Broadway Farm this would give a total of 63 new dwellings which is an increase in the village of over 25%.

6.5 As the NP notes, Down Ampney contributes only around 1.4% of the population of all principal settlements. As such, the NP considers that Down Ampney has largely met its housing requirement under the adopted Local Plan and significant growth beyond this is not required.

PC Comment/Response: 6.5. We believe this is a true statement and has been accepted in the proposed update to the Local Plan.

6.6 Furthermore, the District Council can currently demonstrate an up-to-date supply of housing land and, when one considers the supply of housing at the Principal Settlements as a whole, there appears to be no immediate need to allocate additional land in the NP to meet the Local Plan target. To summarise, the Council's housing

trajectory indicates that there is a supply of 10,115 dwellings over the plan period, against a requirement of 8,400 dwellings.

PC Comment/Response: 6.6. Agree with statement, so no further comment.

6.7 However, the Council are progressing a Partial Update to the Local Plan, consultation on which started in February 2022 (Regulation 18: Issues and Options). In this consultation, the Council has identified a need to deliver a further 900 dwellings to ensure a five-year housing land supply is maintained over the remainder of the plan period to 2031. The Topic Paper on Housing Need, Requirement, Land Supply and Delivery confirms that sites will be allocated from a shortlist of potential development sites from the SHELAA in line with the adopted Local Plan's spatial strategy which distributed this among the Principal Settlements.

PC Comment/Response: The latest SHELAA consultation carried out by CDC has rejected all the areas that the Co-op put forward for Down Ampney. Clearly it is happy with its ability to meet the latest requirements without additional development beyond what is already identified for Down Ampney.

6.8 Furthermore, given the shift upwards in the Council's annual housing requirement, it is possible that a Local Plan Inspector will no longer allow the Council to 'bank' its past oversupply to reduce its housing requirement for the purposes of five-year housing land supply calculations. This could uplift the residual requirement that would need to be planned for under the Local Plan Partial Update still higher.

6.9 Regardless of what the residual requirement will be, Down Ampney is a Principal Settlement and will need to contribute toward housing delivery. On the basis that Down Ampney makes up around 1.4% of the population of the Principal Settlements, this could require it to contribute at least 10-154 additional dwellings beyond its current Local Plan allocations and commitments to 2031.

6.10 Taken together, it is considered that Down Ampney will still need to deliver further development beyond that allocated in the adopted Local Plan and with planning permission to meet the District's wider housing needs up until the end of the current Plan period in 2031. The current NP should, therefore, look to allocate land for development at this scale **as a minimum**.

PC Comment/Response: Paragraphs 6.8 to 6.10 are merely speculative.

6.11 In preparing a NP, one would typically expect a Local Housing Needs Survey (LHNS) to be prepared to understand the level of need and demand for housing within the locality of the Plan area. This can also identify specific types of housing that may be required which would, in turn, inform housing mix policies. A LHNS has not been prepared in support of the NP. However, residents were asked their thoughts on the principle of additional development, the type of homes they would like to see delivered and where this should be delivered. This provides a useful starting point in identifying potential demand for housing but does not constitute a comprehensive LHNS as one would typically expect to support a NP.

PC Comment/Response: Paragraphs 6.11 to 6.26 are all aimed at suggesting that Down Ampney should carry out a Local Housing Needs Survey.

Down Ampney is content with the current view of CDC with regards to housing needs in Down Ampney to 2031. This based on CDC's LHNS and therefore it is not necessary to carry a further survey at this time.

6.12 47% of respondents (96 in total) supported the delivery of new housing whilst 46% opposed it. Whilst respondents were admittedly divided, this is a strong indication that there is a need/demand for additional housing in the village from a number of residents.

PC Comment/Response: 6.12. There will be at least an additional 63 dwellings during the plan period to 2031. In addition there will be a further two from "windfall" sites and one extra on the Rooktree Tree Farm development.

6.13 Question 9 of the survey asked respondents what type of housing is required within the village. In Response to this question there was more than 50% support for affordable housing, housing for key workers and small houses for purchase. Whilst this is not stated explicitly, those supporting additional development within the

village are likely to be those who are unable to afford to currently buy/rent a property in the locality, or those who can afford to live in the area, but are in unsuitable accommodation (e.g. elderly residents looking to downsize or families wanting larger accommodation).

PC Comment/Response: Question 9 was framed as “If new homes were to be provided ...”. It is therefore misleading to attribute that more than 50% want more housing.

6.14 There was also strong support for rental properties in the village in the survey as well as specialist housing for older people and some larger houses for purchase. Whilst we note that there were a greater number of respondents actively opposing these types of housing, there was still considerable support for these types of housing. One can reasonably assume that some of these respondents are in need of this type of housing.

PC Comment/Response: The Response to this paragraph is the same as the Response to paragraph 6.13.

6.15 Whilst the survey has fallen short in terms of properly identifying Local Housing Needs, it is clear that there are housing needs among residents that are not being met by existing development. This is reflected in the broader support for more housing and the type that residents are suggesting is needed.

PC Comment/Response: 6.15. As stated before the village will be getting at least a further 63 dwellings.

6.16 However, this current evidence base is insufficient to understand the actual needs of residents within the parish. We would strongly encourage the preparation of a Local Housing Needs survey to establish the full needs of residents, what impact committed development will have on meeting those needs and what additional development may be required.

PC Comment/Response: As was stated against paragraph 6.11, Down Ampney is content with the current view of CDC with regards to housing needs in Down Ampney to 2031. This based on CDC’s LHNS and therefore it is not necessary to carry a further survey at this time.

Green Infrastructure

6.27 Within the Housing Chapter, there is some commentary on the need for Green Infrastructure to be delivered within the village. Suggestions on where this should be provided are presented in Figure 7.9. This figure is provided below for reference.

PC Comment/Response: No comment.

6.28 Whilst we support the delivery of high-quality Green Infrastructure within new development as a general principle, attempting to guide where this should be located in the NP is not appropriate. The location of Green Infrastructure within new development needs to be determined based on a review of site-specific constraints and opportunities.

PC Comment/Response: 6.28. A consultation on Green Infrastructure and Green Spaces was recently held by CDC. The green infrastructure shown in the Neighbourhood Plan is to give a green break between developments to endeavour to keep some semblance of a rural village and not a suburb of Cirencester. It also acts as a wildlife corridor, helps surface water drainage and gives potential routes for footpaths and cycle routes. It would be appreciated if developers had a dialogue with the village at an early proposal stage.

6.29 The identification of the location and extent of these specific areas has not been supported by any technical work and so it would not be justified to enshrine it in any formal policy. Indeed, we note that the NP does not seek to do this, with Policy HP5 confirming that the provision of Green Infrastructure will be addressed at the planning application stage. In the absence of any supporting technical work, we consider that the NP should not go beyond expressing support for the provision of high-quality Green Infrastructure in new development and not identify any particular parcels of land.

PC Comment/Response: As is noted, the NDP does not seek to make this a policy but only makes a recommendation. It seems perfectly reasonable bearing in mind what the Co-op has put forward in the SHELAA consultations and past submissions to present ideas for Green Infrastructure to assist developers in their early planning.

	<p>7. POTENTIAL HOUSING DEVELOPMENT SITES</p> <p>7.1 For the reasons stated above, the NP should consider additional residential development and a number of parcels of land which are within the Co-op's ownership are set out below for consideration for allocation, in whole or in part, to meet future housing requirements in the shorter term to 2031. Site location plans for the individual sites are appended to these representations.</p> <p><u>PC Comment/Response: As has been stated earlier in these Responses, the CDC assessment of housing needs is considered adequate and acceptable to Down Ampney Parish.</u></p> <p><u>The whole of this section is purely speculative.</u></p>
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Appendix to Representations from Pegasus Group on Behalf of the Co-Operative Group

From: DownAmpney Neighbourhood-Plan <Down.Ampney.NDP@outlook.com>
Sent: 07 January 2022 10:13
To: Daniel Millward <Daniel.Millward@pegasusgroup.co.uk>
Subject: Re: Down Ampney Neighbourhood Plan Consultation Query

Thank you for your email.
The information you seek will be on the website within a few days.

Steering Group
Down Ampney Neighbourhood Development Plan

From: DanielMillward <Daniel.Millward@pegasusgroup.co.uk>
Sent: 04 January 2022 16:07
To: Down.Ampney.NDP@outlook.com <Down.Ampney.NDP@outlook.com>
Subject: DownAmpney Neighbourhood Plan Consultation Query

Dear Sir/Madam,

I am currently preparing some representations to the Neighbourhood Plan consultation. As part of this, I would like to be able to view the comments made in response to survey Question 5 C. The Excel Spreadsheet only appears to state whether additional comments were received or not. It does not provide the detailed comments provided by residents. It is the detailed comments that I would like to review if possible.

If you can send this information to me it would be much appreciated.

Kind regards,

Daniel Millward
Principal Planner

Pegasus Group

PLANNING | DESIGN | ENVIRONMENT | ECONOMICS | HERITAGE

First Floor | South Wing | Equinox North | Great Park Road | Almondsbury | Bristol | BS32 4QL

T 01454 625945 | E Daniel.Millward@pegasusgroup.co.uk

M 07899 895369 | DD 01454 453545 | EXT 2036

Birmingham | Bristol | Cambridge | Cirencester | Dublin | East Midlands | Edinburgh | Leeds | Liverpool | London | Manchester | Newcastle | Peterborough | Solent

  www.pegasusgroup.co.uk

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I MPORTANT INFORMATION REGARDING PEGASUS GROUP & CORONAVIRUS / COVID-19



Re: Down Ampney Neighbourhood Plan Consultation Query

Down Ampney Neighbourhood-Plan <Down.Ampney.NDP@outlook.com>
Fri 04/02/2022 17:02
To: Daniel Millward <Daniel.Millward@pegasusgroup.co.uk>

 1 attachments (62 KB)
Questionnaire Comments.xlsx;

Hi Daniel,
The information is on the Questionnaire page at:
https://www.downampneyvillage.co.uk/images/planning/Questionnaire_Comments.xlsx

Alternatively, I have attached the file.

Regards
Steering Group

From: DanielMillward <Daniel.Millward@pegasusgroup.co.uk>
Sent: 04 February 2022 13:01
To: Down.Ampney.NDP@outlook.com <Down.Ampney.NDP@outlook.com>
Subject: RE: Down Ampney Neighbourhood Plan Consultation Query

Hi,

Further to the below, I cannot locate the information requested. Can you advise where this is and/or forward the information to me directly so I can complete my representations to the Local Plan?

Thanks in advance for your time,

Daniel Millward
Principal Planner

Pegasus Group

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Village Issues

- Vacant housing/gardens etc.
- Village play area extension
- Village Green
- Circular walks/footpaths
- Permanent site/building for the village shop
- Heavy vehicles in the village
- Traffic calming
- Loss of livestock in paddocks surrounding the village
- Starter homes/down sizing for the elderly
- Local employment
- Broadway Farm (Redundant Farm Buildings)
- Rooktree Farm (Redundant Farm Buildings)
- Old Estate Yard (Redundant Farm Buildings)
- Mineral extraction

Our proposal is to produce a comprehensive village plan to allow CG and the village to prepare for change with local involvement. We aim to reach an agreed way forward on problem sites and issues within the village in a manner which meets both the village and CG's aspirations.

Have Your Say

A comprehensive package of interlinked proposals would enhance the level of services and facilities in Down Ampney. The viability of the village as a place to live and work could also be improved through the provision of some workspace alongside new homes to meet local needs.

CG wishes to continue to define its proposals for Down Ampney in consultation with village residents. We would therefore welcome your comments on the proposals set out in this consultation document.

To comment please return the comments form to:

Debbie Chesworth-Fowles
Clerk to Down Ampney Parish Council
Westhouse
Laines Farm
Down Ampney
GL7 5QR

www.downampneyvillagehall.co.uk



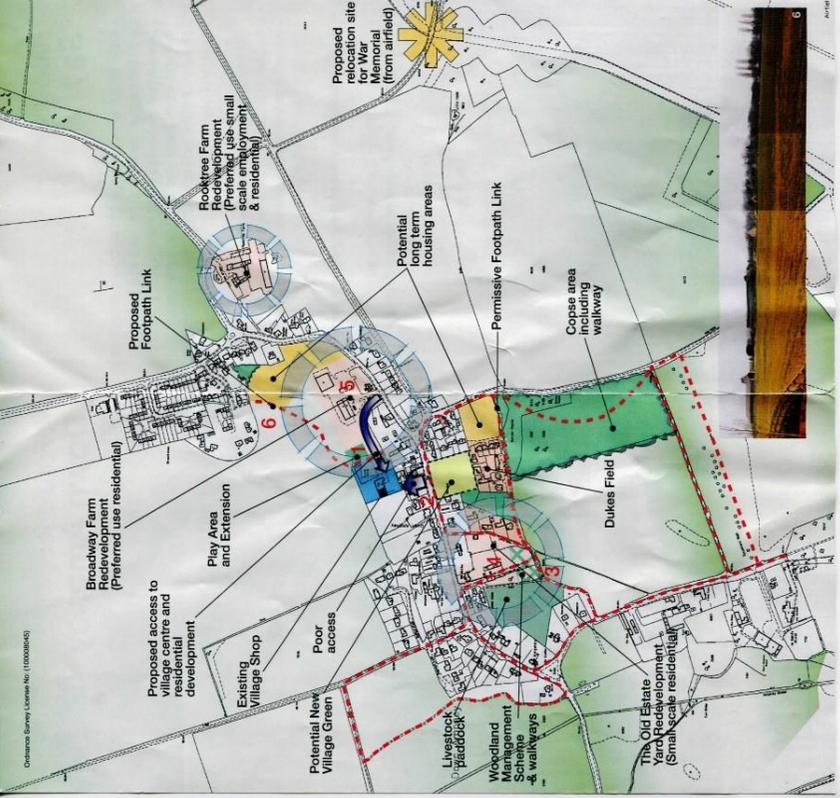
A Future for Down Ampney



Village Plan

April 2003





Down Ampney Village Plan

In 1991 a Village Appraisal was undertaken by Down Ampney Parish Council in consultation with its residents. At the time, the Village Appraisal was among the first to be produced in the country.

The 1991 Village Appraisal and subsequent Village Design Statement has been influential in determining where development should take place in Down Ampney. Cotswold District Council is now in the process of reviewing the District Local Plan. It is therefore an appropriate time for the residents of Down Ampney to consider again how the village might evolve over the next 5, 10 or even 20 years.

In 2002 CG commissioned consultants to undertake discussions with the Parish Council and residents to identify the key issues to be addressed in a new Village Plan. At a public meeting in November 2002 there was unanimous support for the principle of producing a new Village Plan. This plan is the first step towards reaching an agreed Village Plan and delivering new facilities through community supported development.







Natural England	<p>Thank you for your consultation on the above dated 13 December 2021.</p> <p>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.</p> <p>Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.</p> <p>Natural England does not have any specific comments on the draft Down Ampney Neighbourhood Plan.</p> <p><u>PC Comment/Response: Noted.</u></p>
Historic England	<p>Thank you for your Regulation 14 consultation on the Pre-Submission version of the Down Ampney Neighbourhood Plan.</p> <p>I can confirm that there are no issues associated with the Plan upon which we wish to comment.</p> <p>Our congratulations to your community on its progress to date, and our best wishes for the eventual making of its Plan.</p> <p><u>PC Comment/Response: Noted.</u></p>

Table 3b. Organisation Representations and Parish Council Comments/Response (in *bold, italic, underline*) to the Second Regulation 14 Issue (only those representations that require response have been shown: the full representations are on the [Parish NDP Website](https://www.downampneyvillage.co.uk/the-second-plan.html) [https://www.downampneyvillage.co.uk/the-second-plan.html])

Mr Robert Niblett
Organisation:
Gloucestershire CC

RE: Down Ampney Neighbourhood Plan - Second Regulation 14 Consultation

Good morning

Thank you for consulting Gloucestershire County Council on this matter. The only additional officer comments we have to make are as follows.

It appears that our previous comments haven't been incorporated as we can't see any data from the Historic Environment Record incorporated into the plan or mentioned, as Historic England guidance suggests (link previously supplied). This can be provided by contacting the Historic Environment Record, her@gloucestershire.gov.uk

PC Comment/Response: We apologise for this oversight. We did contact Gloucestershire County Council Heritage Team and received a very comprehensive reply with which we compiled a report but forgot to reference it the Plan. We will correct this error.

We have looked at the new Design Guidance and Codes document and note at 2.3 a section on landscape and ecology. At 2.3.2 (Green Infrastructure) the fourth bullet point should just refer to priority habitat areas and delete phrase "UK Biodiversity Action Plan (BAP)". This is because the UK BAP is no longer an active document but under Section 41 of the NERC Act 2006 wood-pasture and parkland is still a habitat of principal importance in England (English List).

PC Comment/Response: The reference to "UK Biodiversity Action Plan (BAP)" will be omitted.

**McCloughlin Planning
on behalf of Cotswold
Homes**

SECTION 1

2.11 It is Cotswold Homes position that, despite positive progressing the NDP since the previous consultation period, that the Regulation 14 NDP currently meets the general terms of the basic conditions set out above other than point (c) which needs to be addressed to ensure the NDP reaches an adoptable standard.

Response: The Down Ampney Neighbourhood Plan (DANP) is in general conformity with the CDC Local Plan 2011-2031. All development sites identified in the plan for Down Ampney are either under construction or in the planning application system at CDC. The question of housing density is answered under 2.15

SECTION 2

2.3 It is considered that the proposed language used under Objective LO1 continues to conflict with the objectives set out in the Cotswold District Local Plan and paragraph 16(b) of the NPPF due to its restrictive wording.

2.4. The proposed objective would prevent development from coming forward in the village, as Down Ampney can be considered rural in its entirety. Therefore, it is requested that Objective LO1 is reworded to comply with Objective 1 of the Cotswold Local Plan, which states:
'Protect the open countryside against sporadic development, while also avoiding coalescence of settlements'.

Response: Down Ampney is fulfilling its allocated development stated in the CDC Local Plan 2011-2031. It is not putting forward any additional sites for development during the plan period.

2.10. However, like our previous comments, it is considered the drainage policies proposed conflict with Local Planning Policy INF8, in their strict wording. Therefore, it is considered to result in a conflict with paragraph 16(b) of the NPPF.

2.11 Policy IP1 states that larger developments consist of 5 or more dwellings. However, to ensure consistency with the Cotswold Local Plan and Town and Country (Development Management procedure) (England) Order 2015 defines larger (major) development for residential developments as 10 or dwellings. Therefore, there is inconsistency in policy requirements with no supporting evidence to justify this change.

Response: Down Ampney owing to ground being clay in several areas has a serious problem with ground water absorption. The local fields regularly flood and we have an extensive selection of photos

highlighting this issue if required. We believe the problem is so serious and should be highlighted and therefore reduced the number of dwellings to 5. This is not inconsistent as the policy is not related to “larger” developments.

- 2.12 Proposed planning policy IP2 is considered to also conflict with the requirements of paragraph 16(b) in that the policy is restrictively and negatively worded. Furthermore, the policy includes reference to regulations and requirements which fall outside of the management of the planning system and therefore is not considered applicable or reasonable.

Response: Developers must be made aware of the serious sewage issues that have an impact on the village. The sewage plant serving Down Ampney is at Ampney St Peter. Owing to lack of capacity at the plant regular raw sewage discharges are made into Ampney Brook. The amount of discharge and frequency can be seen on the Thames Water web site. Following extensive media coverage, MP, CDC, and Cotswold Flyfishers involvement. There is now a planned upgrade to the treatment works by end of 2026. Previous programme dates given have been delayed. The policy aims for a positive outcome, is aspirational and deliverable as required by NPPF paragraph 16(b).

- 2.13 In responding to the concerns with Policies IP1 and IP2, the NDP should be reviewed, and wording provided which better reflects the requirements of Policy INF8 of the Local Plan to ensure compliance with the NPPF and consistency with the Local Plan.

Response: Policies are fully supportive of CDC Policy INF8 and in particular 1a. At the time of writing the CDC Local Plan it was believed that the treatment works in Ampney St Peter were assessed as having capacity to accommodate planned growth CDC Local Plan (11.8.8). This is no longer true. 11.8.9 also applies which states:-“11.8.9 Developers will be required to demonstrate that there is adequate water management capacity both on and off the site to serve the development and that the development will not lead to problems for existing users in this regard. In some circumstances it may be necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing infrastructure. Where there is a capacity problem the District Council will require the necessary improvements to be completed prior to occupation of the development.”

Policy HP1

- 2.15 We maintain serious concerns about using density figures to manage new development, as this conflicts with the NPPF and Local Plan in supporting the efficient use of developable land (paragraph 124 & 125) and stifles opportunities for good design in conflict with the National Design Guide (i.e. higher density development does not automatically result in poor design).

Response: Paragraph 8.4 and in 8.8.2 of the Plan references paragraph 124 of the NPPF which in particular in sub-paragraph (d) mentions the desirability of maintaining an area's prevailing character and setting. This Policy reinforces this desirability. The purpose of the policy is to avoid a rural village being turned into an urban environment. NPPF para 124e also applies which states " the importance of securing well-designed, attractive and healthy places". Where there are higher density developments in the village there is no green infrastructure, play areas, wildlife corridors and inadequate on-road parking. Down Ampney is a rural village, not a suburban or urban environment. NPPF paragraph 125 has a proviso "Where there is an existing or anticipated shortage of land for meeting identified housing needs". There is no existing or shortage of land for meeting housing needs in Down Ampney. The precise wording of Policy HP1 allows for flexibility.

- 2.16. The NDP is instead encouraged to use up-to-date area-based character assessments and design guides to help manage new developments design and overall appearance in the wider setting and context. This would accord with the Local Plan and Chapter 12 of the NPPF.

Response: The NDP has fully taken into account Chapter 12 of the NPPF and especially paragraph 127 which states " Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. 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, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers”.

- 2.17. If the NDP continues to reference density, then it should ensure accordance with paragraph 125(b) of the NPPF, in that the figures used are **minimum** density figures with an allowance for higher density development, subject to good design. It is considered the re-wording to reference “about 12.5 hectare” does not accomplish this and is unmeasurable. For example, how can an applicant be confident that the proposed development is “about” 12.5 per hectares?

Response: As stated in the response to 2.15 the policy complies with paragraphs 124 and 125. Relating to NPPF paragraph 125, sub-paragraph (a) states that “plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate”. Note the qualification “should include the use of minimum density standards for city and town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate”. The area is neither a city nor town centre nor well served by public transport. The NDP sets out why there are strong reasons that high densities are inappropriate, although the policy wording does allow for flexibility.

- 2.18. An example of the above is the recent appeal decision at Duke’s Field in Down Ampney. In assessing the character and appearance of the area, the Inspector did not reference density in this prescriptive manner. Whilst the Inspector acknowledged that the density would be higher than the Pheasantry to the north, they concluded that it would not be visually discernible to those passing by and would remain significantly lower than what is typical of urban and suburban areas. This demonstrates that higher density does not automatically result in a planning harm.

Response: In the CDC decision notice of 21/00949/FUL to refuse the application it stated:- “The application site is located on the periphery of the settlement, where it would be reasonable to expect a visual transition from the built form of the village to the open countryside beyond. Notwithstanding that the site is allocated for development in the Local Plan, by virtue of the scale, form and layout of the scheme, it is considered that the proposed development would fail to reflect the local context of the site and would therefore cause harm to the character and appearance of the locality and the setting of the village. It is acknowledged that public benefits would arise from the development, most notably the provision of affordable housing, but notwithstanding this, the harm as identified, is considered, in the balance, to outweigh the public benefits of the scheme. The proposed development is contrary to Local Plan Policies EN1 and EN2 and paragraph 127 of the NPPF”. We are unsure about the relevance of the Inspector’s comment in Planning Appeal Reference APP/F1610/W/22/329604 that the density “would remain significantly lower than what is typical of urban and suburban areas” as the area is neither urban nor suburban.

- 2.19. There is also no supporting evidence which demonstrates that the density of 12.5 hectares is appropriate or reasonable. Whilst the existing village may have an average density of 12.5 hectares (based on the NDP’s supporting text), a higher density can complement the character of the village if the wider design approach is acceptable (as evidenced through the above appeal decision).

Response: Covered in the response to 2.17 and 2.18 as well as discussed in detail in the Plan section 8.4

- 2.20. Furthermore, restricting the density of development would conflict with the Frameworks objective to make efficient use of land for development (paragraph 124). Therefore, it is considered that there is a significant conflict with paragraph 16(b) of the NPPF.

Response: There is no conflict with 16(b) of the NPPF or paragraph 124 (note particularly 124(d)). Also see earlier responses to “density”.

2.21. Cotswold Homes raises objections to the wording of the proposed policy. HP2 is considered to conflict with Local Plan Policy H1, in support a mix of housing influenced by needs and demands in both the market and affordable housing sectors identified through the Strategic Housing Market Assessment.

Response: : Policy HP2 will be reworded to better reflect the community's aspirations for the proportions of types of dwellings suitable for Down Ampney.

2.22. It is considered that the percentage requirements listed (i.e. 65% of homes shall be between one and three bedrooms) does not allow for market forces to dictate the demand and need as it fluctuates during the lifetime of the NDP and therefore conflicts with paragraph 16 of the NPPF.

Response: There is no conflict with 16(b) of the NPPF which does not state that market forces should dictate demand but in (d) states that Plans should "be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;"

2.23. The same issue applies for the minimum 5% requirement for dwellings to be bungalows, which is likely to result in a longer-term risk on the deliverability of sites, in conflict with paragraph 69 of the NPPF and the overall objective of the Framework to boost the supply of housing.

Response: There is no conflict with paragraph 69 of the NPPF. Bungalows may have a take-up of land larger than two-storey buildings, but it is hard to conceive that the NPPF in any way discriminates against older or disabled residents who cannot easily manage stairs.

2.24. Whilst Cotswold Homes does not raise any objections to the aspiration to provide homes suitable to meet the need of all generation, it is recommended that Policy HP2 is re-worded to address the above concerns, instead referencing the need to meet lifetime home standards to support the NDP's aspirations.

Response: The Plan fully supports dwellings built to Lifetime Home Standards.

Policies HP3 and HP4

2.26 to 2.29

Response: These policies will be removed and the text will be altered. Subsequent policies will be renumbered.

Policy HP5

2.31. However, we raise objections to the final paragraph of the policy requiring applicants to ensure development does not materially diminish after planning permission is granted.

Response: There have been several instances where planning permission has been granted showing beautiful layouts and design. After approval the design has been changed to save costs. Example is a development with stone walling and block paved which immediately after approval changed to wood fencing and stone ballast drive. This is the reason for this policy which is in accordance with paragraph 135 of the NPPF.

2.32 The wording is obscure and unmeasurable. What does it mean to “materially diminish”? As such a planning condition could not be included in a planning decision (as it would conflict with paragraph 57 of the Framework) it is considered the requirement of the policy is unenforceable and conflicts with paragraph 16 of the Framework.

Response: The wording is entirely consistent with paragraph 135 of the NPPF which uses the phrase “... not materially diminished”.

2.33. To accomplish the objective of the above paragraph in the policy, it is considered that instead the policy should state that materials and landscaping should comply with the details submitted and approved as part of the planning application.

Response: The purpose of Policy HP5 is perfectly captured in its present wording.

<p>Pegasus on behalf of CWS Ltd</p>	<p>SECTION 1</p> <p>1.7. Notably, since the previous representations submitted in February 2021, planning application 21/04185/OUT (Land South of Charlham Way, Down Ampney), relating to the proposed erection of 8no. dwellings, has been refused by Cotswold District Council and a subsequent appeal (ref. APP/F1610/W/22/3292635) dismissed in October 2022.</p> <p><u>Response: It is a pity that the CWS having owned the Down Ampney Estate for many decades cannot get the name of the road through Down Ampney correct. It is not Charlham Way.</u></p> <p>2.2 This exercise has resulted in the previous plan showing four directional view cone vistas identified around the central core of the village being replaced by a new, non-directional plan doubling the number of ‘Key Vistas’ to eight, as shown below.</p> <p><u>Response: Directional arrows have been added to each of the views. All vistas are from a public road or footpath.</u></p> <p>2.3. Confusingly, the plan is dated October 2021 and, also having regard to the supporting text, it is unclear exactly when, how and with what degree of critical scrutiny the plan has been prepared for inclusion within the current, second Regulation 14 plan.</p> <p><u>Response: The date is when the base mapping was obtained from ParishOnline.</u></p> <p>2.4. We set out in our previous representations that a simple ‘nominations’ process is not an appropriate or reliable means of formulating policy in of itself, and that a robust, independent Landscape Visual Assessment/Appraisal (LVA) would be an essential precursor to any protectionist policies arising in this regard.</p>
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	<p>2.5. It is not apparent that any such exercise has been carried out in this instance, and therefore our concerns at this lack of diligence must only be amplified with the introduction of an additional 100% of such vistas.</p> <p>2.6. It is also of considerable concern that the identified vistas show neither a viewing direction nor distance and that they lack clarity on whether the circled numbers represent the point from which the view receptor is stood (several of which are not publicly accessible) or the subject of the view. Some appear to be capable of being both, but this is altogether unclear.</p> <p>2.7. Similarly confusing, although couched in the context of a 'landscape' policy, is that the photograph used to illustrate Notable Vista no.2 'Church Lane' shows a view along the road which, although framed by a verdant setting, is chiefly informed by the quality of its historic built environment, as the image shows.</p> <p>2.8. Noting that this resource is already protected by the considerable statutory designation in the form of a Conservation Area, this becomes something of a jarring inclusion within the draft policy's scope and is likely to further confuse consideration of future development proposals against the plan when adopted.</p> <p>2.9. The supporting text at Paragraph 5.5.2 states, inter alia, that "To maintain the close connection between village and countryside, any new development must seek to ensure that not only do the new houses benefit from views across fields but all existing houses close connection with the countryside is not affected or compromised."</p> <p>2.10. In practice, this becomes a near impossibility, and it is wholly unclear why all new development should require such views when purchasers would exercise their own judgement as to the kind of property – and view – they wished to possess.</p> <p>2.11. Likewise, by its very nature new development on the edge of any rural village will inevitably affect other dwellings' connection with the countryside, whether positively, negatively or neutrally, and so as a policy aspiration this is plainly unrealistic if the plan seeks to deliver growth, however sensitively designed and located.</p>
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	<p>2.12. Draft Policy LP1, ‘Notable Vistas’, states in full:</p> <p><i>“The notable vistas (identified on Figure 3.6) should be conserved.</i></p> <p><i>Development affecting the notable vistas should be designed in such a way so as not to have a significant adverse impact on their visual quality and amenity.</i></p> <p><i>Where such an impact is identified, applicants may have to demonstrate, through a Landscape Visual Impact Assessment, how these impacts have been identified, the degree of impact and how negative impacts can be avoided or mitigated.”</i></p> <p>2.13. We assume the reference to ‘Figure 3.6’ is intended to refer to Figure 4.6 and the ‘Notable Vistas’ plan. It is notable that the policy’s wording has been strengthened relative to its predecessor from the earlier Regulation 14 Plan which stated:</p> <p><i>“Development proposals should take account of the identified key vistas (Figure 3.6) and be designed and located to safeguard their integrity. Any proposal which would have an unacceptable impact on an identified key vista will not be supported.”</i></p> <p>2.14. In policy terms, the need to ‘take account’ of key vistas and to safeguard their ‘integrity’ represent different tests to avoiding any ‘significant adverse impact’. Given how vaguely defined the identified ‘notable vistas’ are, lacking even the simple view cones indicated on the early ‘key vistas’ plan and with no meaningful analysis of what makes them ‘notable’, the policy considerably lacks precision.</p> <p>2.15. The likely result is that the policy, in its present form, would prove unworkable, as it does not define the qualities of the vistas that it seeks to protect, other than ‘visual quality and amenity’ and does not identify any physical extent over which the policy applies.</p> <p>2.16. Coupled with the increased number of Notable Vistas and other shortcomings of their identification and further critical assessment, the policy as currently worded does not present a clear test against which</p>
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	<p>proposals may be considered, particularly where these are accompanied by their own LVA/LVIA and is likely to cause frustration to all parties engaging with the decision-making process.</p> <p>2.17. As set out in our previous representations, in the absence of a robust evidence base to support the identification of these vistas, Policy LP1 and the relevant supporting text should be removed from the Plan.</p> <p><u>Response: 2.8 to 2.17: Despite the points in paragraphs 2.8 to 2.16 the Plan will remain unchanged in this respect as it represents the views of the residents who live in the parish not an entity that is far removed from the area.</u></p> <p>2.18. Alternatively, we would suggest that a Landscape Visual Appraisal/Assessment is prepared to identify and robustly assess vistas within the village that are genuinely worthy of protection. The NHP could then identify these and set out policies to secure their protection based upon evidence.</p> <p><u>Response: The Neighbourhood Plan is driven by the opinions of residents. If residents are of the opinion that certain vistas are worth preserving it is patronising to suggest that further professional input in the form of a Landscape Assessment is needed.</u></p> <p>2.19. In respect of proposed Local Green Space (LGS) designations, we have made representations previously in this respect and welcome the reduction in number of proposed designations from three (with the third being split across parcels 3a and 3b).</p> <p>2.20. Notwithstanding, we remain firmly opposed to the designation of 'Site 1, identified as the Field Opposite School, in front of Duke's Field (also indicated as 'Duke's Meadow'), as shown below, as LGS.</p> <p><i><u>{Plan Omitted}</u></i></p> <p>2.21. Our reasoning for opposing this designation remains as before, namely that the proposal fails against Criterion (b) of Paragraph 102 of the Framework in that no compelling evidence has been presented suggesting:</p>
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	<p><i>“The LGS is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife”.</i></p> <p>2.22. As previously set out within the Landscape Statement submitted with the previous representations, LGS designation is inappropriate in respect of Site 1 because it:</p> <ul style="list-style-type: none">• Is unremarkable and has unremarkable inherent natural beauty;• Is recent in origin being enclosed and defined by neighbouring 20th Century developments and has no historic significance;• Is in private ownership and so has no recreational value to the community;• Reference to the site as a 'village green' is misleading as it comprises an unremarkable and undesignated private parcel of farmland surrounded by 20th century housing;• Is subject to disturbance from neighbouring developments and traffic and cannot be considered tranquil; and• Possesses habitats of limited ecological interest and biodiversity. <p>2.23. Again, no clear evidence has been provided to suggest that the local community takes a vastly different view, with the draft policy’s supporting text stating:</p> <p><i>“The Field is the last remaining green space in the village. In 2003 CG Property (part of the Co-operative Group) produced a pamphlet entitled "A Future for Down Ampney" to encourage comment and discussion. In this document The Field was described as "Potential New Village Green" and one of the issues was "Village Green". Much else described in the pamphlet has occurred or is in progress, for example The Old Estate Yard, "Broadway Farm", the extension to Duke's Field, and Rooktree Farm development.</i></p>
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	<p><i>Although there is no physical access to The Field, despite what was indicated during the planning application for the original Duke's Field development, recreation does not stop at physical access: there is benefit in the visual impact of the field and livestock in the centre of the village. This last remaining village open space contributes significantly to the character of the village."</i></p> <p>2.24. Any resemblance to a 'village green' therefore appears to be predicated on speculative statements about the land's potential role by developers some considerable time ago, rather than any recognition of this specifically by local residents, as we set out in our previous representations.</p> <p>2.25. In respect of indications that the land functions as a 'visual village green' or 'virtual village green', it cannot be overlooked that these do not recognise that public access – as a pleasant meeting place, venue for local events, remembrance, etc. – is perhaps (alongside being 'green') the primary defining characteristic of a village green; a characteristic conspicuously absent in this instance.</p> <p>2.26. The draft Plan's inference that, although inaccessible, to the public the field nonetheless offers recreational value on the basis of its visibility is tenuous at best; any value in this regard is more likely to be incidental to some other genuine recreational activity such as walking/cycling along neighbouring routes, rather than an independent exercise in looking at a field in and of itself.</p> <p>2.27. It should also be noted that, although not an exhaustive list, contribution to 'character' is not one of the considerations identified at Criterion (b) and sits apart from the more readily quantifiable attributes set out therein. Even if taken as contributing to some prevailing local character, there are already policies in place to protect this at a national and district level, with recourse to LGS designation a considerable overreach.</p> <p>2.28. The supporting assessment goes on to state:</p> <p><i>"As part of the Neighbourhood Plan production a questionnaire was produced to gauge residents' views. One question entitled "Our Natural Environment" sort [sic] views on the green and open areas in and around the village.</i></p>
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	<p><i>Seventy-eight percent of respondents wanted all spaces to be protected while about 44% wanted some spaces to be protected. The comment section was filled in on 90 questionnaires of which 31 specifically mentioned The Field.”</i></p> <p><u><i>Response: Thank you for pointing out a typographical error.</i></u></p> <p>2.29. Again, these comments are not representative of a particular local significance, nor is the fact that the proposed LGS has some support locally a firm indicator in this regard. It is suggested that this is a matter of ‘putting the cart before the horse’, and we would suggest that justification cannot simply be retrofitted in this manner.</p> <p><u><i>Response: 2.19 to 2.29: On reading the representations in the paragraphs on Local Green Space it is hard to ascertain whether the consultee has read the justifications for designating the field as Local Green Space. It should be noted that in the first round of representations Pegasus did not trouble to read the comments made in the questionnaire attempting to suggest that they were not made available. See the response to paragraph 2.25 in the CWS submission on the 1st Regulation 14 submission.</i></u></p> <p>2.30. Appendix 4 now contains further justification for the proposed designation of the land as LGS, citing previous development proposals, ultimately dismissed at appeal (ref. APP/F1610/W/22/3292635), and the Inspector’s commentary in relation the role and function of the land.</p> <p>2.31. It is telling that any reflection on any particular demonstrable value to the local community arising from the land is altogether absent from the Inspector’s judgement, which focuses instead on the characteristics of the site in context. It is in our view wrong to infer some separate importance to the community from the decision and from the Inspector’s words.</p> <p><u><i>Response: 2.30 to 2.31: The Inspector was ruling on a planning appeal not on whether the area should be Local Green Space and thus it is not surprising that he made no mention of it. There is no inference of separate importance to the community arising from the Inspector’s words. The importance to the</i></u></p>
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	<p><u>community was communicated before there was an appeal. It manifested itself in the answers to the questionnaire and the reaction to the planning application put forward by CWS.</u></p> <p>2.32. Likewise, it is noted that the 31 comments specifically mentioning the field are not included within Appendix 4 and therefore cannot be verified, and you will note our previous comment that if 78% of respondents wanted all spaces protected, this runs contrary to the notion that this field specifically is of exceptional local significance.</p> <p><u>Response: Verification may be obtained by studying the document “Questionnaire Comments Fields” (https://www.downampneyvillage.co.uk/images/planning/Questionnaire Comments.xlsx) which has been available since 10 January 2022.</u></p> <p>2.33. Accordingly, we reiterate that Site 1 should not be designated as Local Green Space, or ‘Green Belt by the back door’ as it is often referred to. Proceeding to seek to designate LGS as currently proposed would result in the emerging plan’s conflict with national policy failing to meet the basic conditions test as a consequence.</p> <p><u>Response: It is clear from the comment ‘Green Belt by the back door’ the contempt that the consultee has for an important planning concept.</u></p> <p>SECTION 3</p> <p>3.3. Turning to draft Policy IP2, it should be noted that the statutory undertaker for sewerage has a responsibility to make provision for suitable infrastructure, and perceived current shortcomings in this respect should not be seen as precluding new development.</p> <p><u>Response: There is a difference between “perceived” and “actual” shortcomings. Statutory undertakers should be made to prove that there are no shortcomings in the system.</u></p>
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	<p>3.4. In this respect, we would reiterate our earlier observation that accommodating a degree of growth at rural settlements is often an effective means of prompting sometimes long overdue system upgrades to infrastructure such as sewerage.</p> <p><u>Response: Regrettably a wholly specious argument as past experience shows.</u></p> <p>SECTION 4</p> <p>4.2. New draft Policy HP1, 'Village Character and Housing Density' states, in full, as follows:</p> <p><i>"To maintain the village's prevailing character and setting new developments should achieve an overall density of about 12.5 dwellings per hectare. Exceptions to this will only be supported on small infill sites within the village development boundary; and on other sites where the applicant can demonstrate a clear need for higher densities when house type, housing need, site constraints and available infrastructure and services indicate such densities can be accommodated without significantly having a detrimental impact on village character"</i></p> <p>4.3. We strongly oppose the policy's identification of such a low density target, as presently drafted, and consider this conflicts fundamentally with national planning policy, which advocates making efficient use of land as a priority, having regard to factors such as local character, rather than the reverse.</p> <p>4.4. This is made clear at Paragraph 125 of the Framework, which states, inter alia, that:</p> <p><i>"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site."</i></p> <p>4.5. We consider it is important to take a precautionary approach to allow development to come forward at a reasonable, although by no means especially high, density in the future, faced with a considerable demand for housing of all types, while nonetheless having regard to the prevailing local character.</p>
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	<p>4.6. To this end, the likely consequence of adopting an unreasonably low density target such as 12.5 dph is that more land has to be released for development as other, preferred, sites either only deliver a small number of homes or are not built out at all due to a lack of viability.</p> <p>4.7. Importantly, at this density, the pattern of new development would not reflect the existing density of development in the village and would restrict the residential site allocations to be built out at the quantum of dwellings required by the Local Plan. This would lead to a conflict between the Local Plan policy and draft Policy HP1 and the consequence is that further land would be required to meet the identified housing need in the village.</p> <p>4.8. The delivery of homes making efficient use of land, while nonetheless integrating these sympathetically with the local context, will by contrast ensure the village gains the homes it needs while reducing the need to release additional land or expose itself to the threat of unplanned, ‘speculative’ development proposals.</p> <p>4.9. Accordingly, we would recommend that the policy is omitted and development proposals are assessed on the basis of informed design policies, both local and national, within the ambit of which matters of density will naturally fall in any event.</p> <p><u>Response: Paragraph 8.4 and in 8.8.2 of the Plan references paragraph 124 of the NPPF which in particular in sub-paragraph (d) mentions the desirability of maintaining an area’s prevailing character and setting. This Policy reinforces this desirability. The purpose of the policy is to avoid a rural village being turned into an urban environment. NPPF para 124e also applies which states “ the importance of securing well-designed, attractive and healthy places”. Where there are higher density developments in the village there is no green infrastructure, play areas, wildlife corridors and inadequate on-road parking. Down Ampney is a rural village, not a suburban or urban environment. NPPF paragraph 125 has a proviso “Where there is an existing or anticipated shortage of land for meeting identified housing needs”. There is no existing or shortage of land for meeting housing needs in Down Ampney. The precise wording of Policy HP1 allows for flexibility.</u></p>
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	<p>4.17. It is acknowledged that views, landmarks and characteristic connections to the open countryside, where applicable, are important considerations in the design process. However, we consider that the apparent intention to preserve these at any cost, on the basis of potentially a single nomination for protection, is an unsound approach that would lead to contrived outcomes in practice.</p> <p>4.18. This is echoed at Code SL 03 ‘Village Edge’, point 02, which appears to advocate the limiting of densities in order to preserve views from existing properties to the countryside in the event that they are enclosed by new development. This is in our view an inappropriate response in circumstances where the village edge has inevitably moved, and such a transition should rationally be taken from the newly-created edge.</p> <p style="text-align: center;"><u>Response: 4.17 & 4.18: It must be remembered that Down Ampney is a rural village and would expect to have views over fields, and this can be achieved by linear development.</u></p> <p>4.19. It is also questionable whether the objectives of point 01 would be achievable in practice, where an approach whereby new dwellings back on to the open countryside is seemingly advocated; in reality, the desire for privacy and security is likely to prompt some homeowners to seek a more robust boundary treatment, such that planting of more substantial hedgerow by developers should be considered acceptable, for instance.</p> <p style="text-align: center;"><u>Response: SL03.1 para 01 does state encouraged. The view from upstairs would be over countryside.</u></p> <p>4.22. It is noted that the Codes and Guidance repeats at 4.4 ‘Sustainable Futures’ the Cotswold Local Plan objective that new development should exceed the Building Regulations in general, but presumably in this context in terms of energy and resource efficiency.</p> <p>4.23. Not only is this inappropriate given that the Buildings Regulations represent de facto the standards the Government seeks to achieve, and that government could make them more exacting if they wanted to, but also fails to take into account that the Building Regulations themselves have increased the levels of energy efficiency required of new development since the Local Plan has been adopted.</p>
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	<p>4.24. This objective is therefore inappropriate and would, in practice, mean that, at all times over the plan period, the Development Plan would require something not aligned with the Government’s expressly stated expectations in this matter.</p> <p><u>Response: 4.22 to 4.24: The Building Regulations are always behind the announcements by Government. There is nothing stopping developers aiming higher/better than existing Building Regulations. High standards would be encouraged.</u></p> <p>4.27. Amended draft Policy HP6, ‘Green Infrastructure’, states in full:</p> <p><i>“The network of Green Infrastructure (GI) within the neighbourhood plan area will be protected for its recreation, open space and wildlife value.</i></p> <p><i>New GI, particularly where it creates links to the existing GI network and improves access to the countryside for informal recreation and net gains in biodiversity will be supported. Development will only be permitted where it retains/protects/enhances the recreational, biodiversity, water management and other functions of the GI network.</i></p> <p><i>New development should enhance linkages to the wider existing GI network and improve access to the countryside for informal recreation, where appropriate.”</i></p> <p>4.28. The plan included at Figure 8.9 of the emerging Plan identifies key designations, committed and allocated development, and proposes specific areas of land as future Green Infrastructure.</p> <p>4.29. We have made representations previously in respect of this approach, and in our view while the delivery of high-quality Green Infrastructure within new development is supported as a general principle, attempting to guide where this should be located in the NHP is not appropriate.</p> <p>4.30. The location of Green Infrastructure within new development needs to be determined based on a review of site-specific constraints and opportunities, and indeed the previous wording of draft Policy HP5 acknowledged that the provision of Green Infrastructure would need to be addressed at the planning application stage.</p>
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	<p>4.31. We therefore object strongly to the strengthening of protection of proposed designated Green Infrastructure as indicated in the first paragraph of new draft Policy HP6. It is unclear whether this is with the intention of conserving or preserving whatever GI attributes the subject land may have, however it is probable that in practice this approach would either clash with or duplicate the general presumption that new development should provide an element of good quality GI.</p> <p>4.32. To that end, it is recommended that the Plan should omit formal designation of GI – not least because the presumption may then become that other, undesignated, areas of GI are not worthy of enhancement – together with the first paragraph of HP6.</p> <p>4.33. The remainder of the draft policy then becomes a laudable objective aligned with national and local planning policy and capable of operating – as it should do – as part of an effective development management process striving for positive outcomes based on the individual merits of any one site and any one development proposal.</p> <p><u>Response: 4.27 to 4.33: It is considered that the sites indicated are in the optimum position to “break up” developments so that there are not long rows of housing fronting the local roads. This gives breaks for wildlife movement, walking and sitting areas resulting in a more rural environment. Developers can surely live within these restraints particularly if proper consultation and working together is followed.</u></p> <p>4.34. As an overarching point, we remain of the view that the NHP should allocate land for housing. We have previously made representations in this respect, including the relationship to Paragraph 14 of the Framework and the ‘added protection’ from which NHP areas may benefit in certain circumstances.</p> <p>4.35. It is noteworthy that the current proposed changes to the Framework suggest this protection will be strengthened further, as shown below with proposed changes shown in purple:</p>
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	<p>14. In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply¹⁰:</p> <p>a) the neighbourhood plan became part of the development plan two-five years or less before the date on which the decision is made; and</p> <p>b) the neighbourhood plan contains policies and allocations to meet its identified housing requirements;</p> <p>c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and</p> <p>d) the local planning authority's housing delivery was at least 45% of that required¹¹ over the previous three years.</p> <p style="text-align: right;">Figure 4: Excerpt from NPPF Draft Text</p> <p>4.36. As shown, the proposed changes would increase the length of time a Neighbourhood Plan benefits from Paragraph 14 from two to five years, and omits the dependency on the Local Planning Authority's land supply and historic housing delivery. Critically, however, these provisions <u>still require that Neighbourhood Plans allocate housing</u>, quite rightly, in our view.</p> <p>4.37. The allocation of an appropriate level of housing for the village (see our previous representations) would therefore increase the robustness of the emerging NHP considerably, as well as enabling genuine plan-led growth and the protections offered by Paragraph 14 of the Framework.</p> <p style="text-align: center;"><u>Response: 4.34 to 4.37: No new developments are proposed other than those stated in the CDC Local Plan 2011-2031. All sites indicated in the CDC Local Plan are either being built or at various stages within the planning procedure.</u></p>
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	<p>SECTION 5</p> <p><u><i>Response: These are all covered in previous responses</i></u></p>
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Appendix 1. Businesses Consulted

The Wellcome Trust (Farmcare Limited)

The Co-operative Wholesale Society

Poulton Hill Vineyard

Kempsford Farms Ltd

Cotswold Homes Ltd

Hills Group Limited

Bromford Housing

Appendix 2. Statutory Bodies and Others Consulted

Cotswold District Council

Ward Councillor Lisa Spivey

Wiltshire Council

Swindon Town Council

Adjoining Parish Councils:

Driffield

Latton

Meysey Hampton

Poulton

Ampney St Peter

Marston Meysey

Gloucestershire Police

Gloucestershire Highways

Natural England

Historic England

Gloucestershire County Council

Environment Agency

Gloucestershire Local Enterprise Partnership

Local Nature Partnership

Cotswold Water Park

Thames Water

Clinical Commissioning Group

MOD

Cotswold Canals Trust

Electricity Board

Appendix 3. Regulation 14 Response Form

Down Ampney Neighbourhood Development Plan 2022-2031

Regulation 14 Notice and Comment response form

Dear Villager/Consultee,

Down Ampney Parish Council invites your comments on its Draft Neighbourhood Plan which, in accordance with Regulation 14 of The Neighbourhood Planning (General) Regulations 2012, is now available for consultation from **11th December 2021 until 25 February 2022**. This is longer than the statutory six weeks to allow for the Christmas and New Year holidays.

Copies of the Draft Plan, Appendices, and Annexes and supporting documents (and response form) are available to view/download on the Parish Council website at <https://www.downampneyvillage.co.uk/down-ampney-neighbourhood-plan.html>

Several hard copies of the Draft Plan, Appendices, and Annexes are available to view and borrow for limited periods at the Village Shop or a personal copy may be purchased for £12.00 on request from the Down Ampney Neighbourhood Development Plan Steering Group, 53 Down Ampney, Cirencester, GL7 5QW.

All comments must be received by **5.00pm on 25 February 2022**.

Please submit your comments preferably online or completing the attached form and either: emailing it to down.ampney.ndp@outlook.com, or posting it to:

The Chairman, Down Ampney Parish Council, 54 Down Ampney, Cirencester, GL7 5QW.

Thank you for your feedback.

Down Ampney Parish Council.

**Down Ampney Neighbourhood Development Plan 2022-2031
REGULATION 14 ISSUE FOR COMMENT**

You may make comments on any aspect of this plan. These will be assessed and will be responded to at the end of the consultation period and displayed online. We will not display any personal details. However, the comments must not be made anonymously.

Title:	
Full Name:	
Address	
Postcode	
Tel. No.	
Email Address:	
Organisation (if applicable)	

Support	Support with Change	Oppose
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Comments (use further sheets if necessary)

Data Protection – A summary of all comments will be publicly available. Please note that any personal information provided will be confidential and processed in line with the Data Protection Act 1998 and General Data Protection Regulations. Down Ampney Parish Council will process your details in relation to the preparation of this document only. In addition, please confirm that you are happy for the Parish Council to pass on your contact details (name, address/email address) to Cotswold District Council (CDC) so that they can contact you at Regulation 16 consultation (on the final plan).

Please tick the box to confirm that you give consent for CDC to contact you directly at the next stage of the process.

Kirkwells

The Planning People

For more information on the contents of this document contact:
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