



COTSWOLD
DISTRICT COUNCIL

Down Ampney Regulation 14 draft: CDC Officer Comment.

August 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 the Independent examiner's review of this plan. 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.

Chapter 4 Landscape

p.22 Policy LP2. The final sentence in this policy adds a new dimension to the assessment of a development proposal affecting the Local Green Space, and so may not be consistent with the NPPF. We would welcome simpler wording.

Chapter 5 Infrastructure – Roads, Transport, and Drainage

We support and welcome policies IP1 and IP2 to form part of the local development framework.

Chapter 6 Infrastructure: Community and Leisure

CP1 Protection of Existing Community Facilities.

We welcome a policy that identifies valuable community assets.

It could be helpful if the Reasoned Justification directs the reader towards 'INF2 of the Local Plan, or successor policies' to accommodate any future edits of the Local Plan.

The Church and school are grade I and II listed, respectively, and their specific functions properly confer a degree of protection of use besides. We wonder therefore whether this policy goes as far as existing constraints in protecting the community interest, but we have no objection in principle.

Chapter 7 Economy and Employment, and Tourism

This section contains no proposed policies, but instead provides local context and a reassurance that the Neighbourhood Plan has developed from a holistic review of local evidence.

Chapter 8 Residential Housing and Non-Residential Building Design

p.50, section 8.4, Density.

The calculation of current density does not follow the industry norm, so suggests a lower current density than is the case following an established methodology (the calculation appears to be a 'gross' figure for the settlement, including roads, etc, whereas the industry norm, and the figure that would need to be used on a development site is 'net'). Using this miscalculated figure as an aspiration for the future is flawed, and does not accord with national guidance on best use of land.

In addition to this, we note that the 12.5 dwelling per hectare density is calculated on the basis of the *"current number of houses plus the 44 houses planned for at Broadway Farm divided by the Local Plan defined settlement area."*

The Local Plan Development Boundary incorporates the land allocated for development in the Local Plan. However, the calculation does not factor in the number of dwellings that can reasonably be accommodated on these sites. In particular, [CDC's Housing Land Supply Report \(Appendix 1\)](#) confirms that the site allocations in Down Ampney continue to be developable and provides to the indicative capacities based on the most recent data available:

- DA_2 Dukes Field (**10 dwellings net**) - a planning application for 10 dwellings is awaiting a decision (ref: 22/03992/FUL)
- DA_5A Buildings at Rooktree Farm (**9 dwellings net**) - planning permission has now been granted for 9 dwellings
- DA_8 Land adjacent to Broadleaze (**15 dwellings net**)

The capacity of these sites should be factored into the calculation.

The calculation also incorporates one site with planning permission (Broadway Farm). However, it excludes one further site with planning permission within the Development Boundary, which should be included for consistency (The yard, Rear of The Brambles, ref: 19/03065/FUL).

For clarity, it would also be useful for the text to specify the number of dwellings in the village and the size of the land in hectares that the calculation uses.

HP1: Village Character and Housing Density

The Council advises that this policy should be amended. The policy is currently unlikely to be in general conformity with national policy nor the local plan. Local Plan Policy DS1 identifies Down Ampney as a Principal Settlement. The village is a location where the Local Plan supports the principle of development (Policy DS2). This includes windfall developments inside the Development Boundary, which are a vital component of the Local Plan housing land supply.

Policy HP1 is far too prescriptive and tries to address an issue normally seen in the reverse within metropolitan authorities that seek to ensure a minimum density is achieved on sites. As drafted it would mean the allocated sites in the village will undershoot on the expected numbers of dwellings, which would lead to undersupply or further allocations. It is also overly constraining on windfall developments.

The Local Plan already does the job that this policy is trying to achieve, in particular, Local Plan Policies EN1 and EN2. In addition, developments should respond positively to their surroundings. Setting a maximum density risks opportunities being missed to do so.

There are also 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 (a strategic policy); and overall site viability.

The proposed policy is also likely to promote unsustainable forms / densities of development in the district and runs contrary to the Council's transport decarbonisation strategies, which seek to ensure suitable or higher density and use of land in settlements to promote self sufficiency and the viability of services. 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.

The supporting text comments, *"If more houses are required for the village, these inevitably will be outside the Local Plan defined settlement boundary [Note: any references to Settlement Boundary should be changed to Development Boundary for consistency with the terminology used in Local Plan Policy DS2]. New development should, therefore, keep the housing density to no more than the current average level of 12.5 dwellings per hectare. This is not to disallow a few small developments of terraced houses of the type shown in Figure 8.4."*

If any homes are permitted inside the development boundary, it would increase the average density of the village above 12.5 dph. The 12.5 dph limit is therefore somewhat illogical.

The NDP consultation document correctly identifies that NPPF (2021) paragraph 124 (Achieving Appropriate Densities) states that "Planning policies and decisions should support development that makes efficient use of land". Development sites in Cotswold District are difficult to find and, where there are sites available, particularly outside the Cotswolds AONB, it is really important that the development supports an efficient use of land. We cannot see how a 12.5 dph density achieves this. For context, the calculation of the indicative capacity of Local Plan site allocations of up to 0.5 hectares is 30 dph.

The response to Question 10 of the consultation document also indicates *"very strong or strong support for "a range of small-scale developments (4 - 9 units) at 66%, and 61% for "one or two dwellings, filling gaps between houses in existing built-up areas". There was less than 10% support for developments larger than 9 units, and less support for developments concentrated in one area of the village."* This would suggest there is support for increasing the housing density within the Down Ampney Development Boundary above an average of 12.5 dph.

HP2 House Types: The wording of the policy does not provide sufficient certainty. The guidance of 'some 60%', coupled with a gentle exhortation to provide bungalows, means that the policy provides some direction, but lacks clarity on the circumstances where these expectations might not apply.

Inevitably, developers will seek to meet their smaller property quota through the affordable dwellings. It therefore risks underserving evidenced local need - as it increases the risk that the affordable portion of a development doesn't provide family sized affordable dwellings. It should be noted that policy HP1, as drafted above, is likely to make the delivery of this policy difficult.

HP3: 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? Would 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, noting that para 135 in the NPPF seeks to address this.

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/>

2.3.1 It should be noted that the Zone of Influence for North Meadow has been reviewed. There are now two Zols for North Meadow, an Inner zone 0 – 4.2km from the SAC and an Outer zone 4.2 – 9.4km from the SAC. Down Ampney Village, and virtually the entirety of the parish sit within the Inner Zone. See [Habitats regulations assessment - Cotswold District Council](#).

p.26 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.

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.

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