



COTSWOLD
DISTRICT COUNCIL

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



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



1. EXECUTIVE SUMMARY

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

2. BACKGROUND

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

3. MAIN POINTS

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



4. ALTERNATIVE OPTIONS

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

5. CONCLUSIONS

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

6. FINANCIAL IMPLICATIONS

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

7. LEGAL IMPLICATIONS

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

8. RISK ASSESSMENT

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

9. EQUALITIES IMPACT

- 9.1 Not required for this decision.



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10. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

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

11. BACKGROUND PAPERS

11.1 None.

(END)