

Representation to the Cirencester Neighbourhood Plan

Regulation 14 consultation

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

CDC acknowledges the work that has been put in by the team behind this Plan and commend the team on a well presented and attractive document, which should engage residents and other stakeholders.

The following comments, observations and suggested amendments have been written to try to identify either points which 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 hope these suggestions will enhance the policies and the plan.

Front page. Neighbourhood Plans need to be clear on the plan period – it is a common modification from examiners to specify that the plan period be added to the front cover, so we would suggest that future drafts add this point. On review, the Plan itself is not explicit about the Plan period. Neighbourhood plans to date in Cotswold District have chosen to run their plan period to the expiry of the adopted Local Plan, 2031. Running the Plan to the same timeframe ensures that there is an established strategic context for the Neighbourhood Plan. While there is an attraction to a longer timeframe, particularly in the context of Cotswold District Council's recent decision to commence work on a full Local Plan Review, we note that no plan is likely to remain current against the evolving landscape of planning policy and indeed the changing townscape for a prolonged period of time. We endorse an end date of 2031, and encourage a review in the late 2020s, if not earlier.

p.18, Para 2.39 CDC suggest this paragraph could benefit from review – the ambitions are admirable, but there's rather too much going on, and it feels like it overloads 'design and landscaping statements' with responsibility beyond their influence in the planning system.

p.18, para 2.41. The first sentence of this paragraph should be amended. It is not clear what is meant by 'Growth by default', but CDC notes that any growth, with or without the neighbourhood plan or indeed an up-to-date Local Plan would still need to conform to planning requirements and building regulations. Further, the sentence references 'green belt'. While in this instance it is not capitalised and may not be intended as a reference to Greenbelt as a formal designation, it risks adding to the general misconceptions about this term. The only 'Greenbelt' land within Cotswold District is a small part of the Greenbelt surrounding Cheltenham, and thus the term is not relevant to Cirencester.

p.25. Policies TC1 Town Centre (General Development) and TC2 Town Centre (Areas of Change).

CDC welcomes the approach taken here to complement the Cirencester Town Centre Masterplan, and reiterate its thanks to the community volunteers and Cirencester Town Council for their contributions to the Masterplan.

Aside from the geography, is there really a difference between being 'in accordance with' in TC1 and 'not compromise, conflict or are in any other way incompatible' in TC2? We wonder whether these two could be simplified to one, rather less nuanced requirement? This would avoid challenge or uncertainty should the 'Areas of Change' change as the Masterplan progresses.

It is noted that the NDP seeks to alter the TC boundary as presented in the adopted Local Plan, it will be important to justify these changes and to be cognisant of the iterative nature of plan-making, which includes taking account of evidence supporting the emerging local plan update and town centre masterplan.

Pg 27, general principles, CDC supports the proposed principles listed on page 27. However, it should be noted that these principles are subject to the 'planning balance', which may mean needing to determine applications that may be in conflict with stated principles and policies. This is an accepted and normal function of the English planning system. For example, some trees may need to be removed to facilitate wider regeneration – although it is helped by other local and national policies that seek to ensure a minimum of 10% biodiversity net gain.

p.26, paragraph 5.8, introduces the Integrated Mobility Hub, and a three-letter acronym, IMH. We wonder whether the use of this acronym thereafter, rather than reference in full or as 'the Hub' or similar, reduces the accessibility of the document. It requires the casual reader to find the first reference to understand the acronym.

p.26, paragraph 5.8, The NDP states "The preferred site for the IMH is unknown at this time. CDC has previously shared Cirencester Area Public Transport Study - Potential Public Transport Hub for Cirencester (ITP, Jan 2023), which provides an indication of possible suitable locations with the Forum and Brewery sites achieving the highest score. The paragraph further explains, "...but criteria to indicate the most viable location is set out in the supporting information to Policy AM 4." AM4 criteria include a requirement for the IMH to be a terminus for a light railway between Kemble and Cirencester. It will be important that CTC demonstrate the deliverability of this requirement so CDC recommends considering the following options study available on the council's website - <https://www.cotswold.gov.uk/media/lrrd1zej/cirencester-area-public-transport-study-cirencester-kemble-public-transport-options-study.pdf>

p.27 clause 21 encourages modern methods of construction – however we note that the use of more traditional methods and materials may actually be an alternative or better way of reaching net zero, for example the use of straw-based buildings. We suggest perhaps 'innovative methods of construction should be encouraged in order to help deliver net zero' rather than 'modern'.

p.29. para 6.3. For the avoidance of doubt, the LCWIP is a publication of Gloucestershire County Council, although CDC sought to play a full and active role in its development.

p.29. Policy AM1 The Cirencester Spoke and Wheel Network.

Encouraging active transport is a key component to tackling climate change in our area, and moreover has significant health and wellbeing benefits for residents.

However, we fear that there are technical issues that have not been fully appreciated in the drafting process. Whilst starting and finishing within the neighbourhood area, route a) passes through Siddington Parish, outside the boundary. Neighbourhood Plans cannot have policy weight on land outside the neighbourhood boundary. Therefore, this aspiration, while clearly part of a coherent strategy, must only have the status of a community ambition rather than policy. On a similar note, the upgrade of a footpath to a bridleway is not a land use planning matter but an issue for Gloucestershire County Council's Rights of Way team. We would suggest the policy concludes at the end of the first paragraph, with the additional points including as explanation/community ambition.

p.33. Policy AM3 The Pedestrian Experience.

We support the aspiration to enhance the pedestrian experience and view this as vital to encouraging active travel and reducing pollution and CO2 emissions from road traffic.

As drafted, we question how this policy operates as a mechanism to determine planning applications. At examination, it could well be 'downgraded' as a community action. The policy could be given planning 'teeth' by a redraft, along the lines of: **'Development proposals which bring forward measures to enhance the pedestrian experience will be supported. These measures include....'**

It would be good to see an additional clause in here about making pedestrian routes more attractive and biodiversity-rich in order to encourage pedestrians to actually use them. We should avoid new or "improved" cycle and pedestrian routes that are fine in terms of surfacing etc but that are not welcoming and that do not deliver on their potential to increase biodiversity connectivity.

p.33. Policy AM4 Integrated Mobility Hub (IMH).

As a planning policy, designed to support the development of a particular facility, we wonder why many of the criteria in the policy itself are 'operational' rather than physical - surely a hub does not 'include' the long-distance coaches, but the infrastructure to enable this? This is explored in the supporting text, which talks about ease of access and ability to accommodate, but not really picked up in the policy wording. CDC supports the proposition of a new IMH to be the focus of long-distance drop offs but this may not be deliverable – see <https://www.cotswold.gov.uk/media/nhebyw1i/cirencester-area-public-transport-study-potential-public-transport-hub-for-cirencester-itp-jan-2023.pdf>. CDC wishes to work with CTC to establish the best policy mechanism for determining the selection criteria and location for an IMH: Given the strategic nature of the infrastructure to the district it may be that the council's Local Plan Update and GCC's Local Transport Plan are better placed. Be that as it

may, CDC seeks to work closely with CTC to alight on an agreed set of criteria and a preferred location.

p.33 Policy AM5 Strategic Connections & Transport Links.

We don't disagree with the ambition but struggle to see how this can be interpreted as planning policy. Consider something like (new text in bold) '**Development which creates or enhances effective connections through public transport links with towns which are economically important to Cirencester will be supported.**'

p.37 7.13. There are a number of references within the NDP to planting more trees, which is to be welcomed but we note that there are areas of the town where it is a real challenge to plant trees as scheduled monument consent is required – making it even more important to retain the trees that are already present in those areas.

Para 7.14 We would suggest more reference could be made to the Town Council's own public realm design guide - <https://static1.squarespace.com/static/563789b6e4b03c7ded1a9ff2/t/591981723e00be506919c13a/1494843896685/Cirencester+Town+Centre+Design+Code+2017.pdf>

p.37. Policy DBE1 Design Quality.

The first clause is a little explanatory, rather than purely directional. The wording at the start of the policy is slightly confusing and it implies that the policy is about public realm. This makes it long, and arguably harder to interpret. We note that many of the design issues picked up here are more easily applied to the development of multiple units – we invite the qualifying body to consider whether it feels this policy and all its sub-clauses could work for single unit infills for example or whether it might consider introducing a unit number threshold.

There is a clause about the design checklist – however please note that we would struggle to refuse an application solely on the grounds that they have not “had regard” to the checklist. The checklist appears more to be a validation requirement, rather than policy but it is not possible to have possible or practical to have separate validation requirements for one settlement.

There is no reference in this section to the existing or emerging Cotswold Design Code, although it is mentioned earlier in the NDP at p.23.

p.40 Policy DBE2 Protection of Landscape / Townscape Views.

As drafted, the requirement imposed by this policy does not appear to exclude development proposals which have no relation to the protected views – we assume this is not the intention, as this would be unduly onerous. The reference to where impacts on views (i.e. DAS or visual impact assessment) is not required. There are various types of documents where this could be shown, it would be better if the first clause of the policy was amended:

Development proposals should demonstrate ~~through a Design and Access Statement or Visual Impact Statement~~ how they will protect and enhance the following views, identified as important to the landscape and townscape of Cirencester:

p.41 Policy DBE3 Conversion of Existing Properties.

Clause (a) Conservation areas are designated heritage assets, and thus the planning test that must be met is set out in the NPPF, paragraphs 200 through to 202.

Clause (b) is problematic, as planning usually operates on use classes rather than more specific occupancy. The occupier or tenant could change at any moment, potentially undermining the argument for a permission just given, yet not empowering its removal. Retail premises could be merged to allow use by a pharmacist, for a vape shop to move in upon completion. We note that 'much needed services' is a subjective point.

Clause (d) Is there a risk this could undermine the HMO policy, DBE 7? Does it facilitate a landlord unable to get HMO permission to formally subdivide into separate flats instead, and thus circumvent?

p.42. Policy DBE4 Protection of Non-Designated Heritage Assets

Clause (a). We wonder whether this is compatible with the NPPF:

209. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Clause (b) refers to the setting of designated and undesignated heritage assets. 'Undesignated' heritage assets are not defined, so it would be better to use the phrase 'non-designated'. This is not quite in line with the NPPF for non-designated heritage assets. There is a need to balance (great weight being given to the conservation of designated heritage assets) with public benefits.

Clauses (c) and (d) are validation requirements not policy.

We suggest that this policy is re-drafted to state that those buildings and structures listed in appendix 5 should be considered as non-designated heritage assets and the appropriate local and national policies applied to them and note that further NDHAs may be identified subsequently; as noted in para 7.41, appendix 5 is not a definitive list. There is no need to add anything further.

Appendix 5

The layout is designed to be simple, and contains appropriate imagery, but on frequent occasions, the images have become separated from the text which describes them, impacting on comprehension, for example, the benches at the bottom on p.101, the images of the Drillmans Arms, and the various dwellinghouses on pp.106-108. Images at the bottom on p.109 are mislabelled as being on the Gloucester Road.

Clearer maps to show the extent of the NDHAs would be useful, particularly in enabling them to be shown as constraints within the CDC's mapping systems.

p.43 7.32 Talks about the absence of a local list- there is what might be called a local list developing as more data comes forward.

7.33 We question how identification as a NDHA helps to prevent neglect of a building.

7.37 The absence of a comprehensive local list does not mean that NDHAs are not considered in determining planning applications – NDHAs are identified through the development management process. That said, it is obviously helpful to have a list, noting that a list of this type will never be complete so there will always be instances where “new” NDHAs are found. We suggest this paragraph is deleted or amended.

7.38 This paragraph refers to tightening the wording around planning applications and NDHAs, but surely any policy must still be in tune with the NPPF. The identification of NDHAs through an NDP, does not alter the strength of the policy, but makes it much more obvious which buildings or structures are NDHAs.

p.44 7.48 The wording states that already permitted (by outline app) developments should be net zero. While worded as a strong imperative, this cannot be “forced” if outline consent has already been granted, so risks building false expectations on current permissions.

p.44 Policy DBE5 Net-Zero & Energy Efficiency Measures in the Design & Construction Process

This is a notably tricky policy area, where we have seen alternate support and restriction from government policy and ministerial statements, leading to inconsistency in how the Planning Inspectorate have been dealing with this, and similarly a degree of inconsistency within neighbourhood plans. In broad ambition CDC is supportive, but we'd advise you keep abreast of how similar approaches are received in other emerging plans – we will endeavour to share this information.

There is no mention of embodied carbon, with the policy much more focused on energy efficiency.

Clause (e) states carbon offsetting is not permitted. We assume this means ‘as a way of meeting the environmental requirements of the policy’ – we would assume that where a development proposal has sought to minimise impact, and still sought to offset any residual environmental harm, say from construction traffic, the Plan would welcome that commitment. Please see Policy CC3f Energy Offsetting in our Emerging Plan.

p.45 Policy DBE6 Energy Use in New Buildings.

CDC supports the ambition – see the Climate Change policies in our Emerging Local Plan. However, please note the Written Ministerial Statement from 13 December 2023 - [Written statements - Written questions, answers and statements - UK Parliament](#). Whilst for the time being this statement potentially constrains ambitious plan-makers, we advocate proceeding on the basis that such policy approaches will be necessary to stay true to the vision for the Neighbourhood Plan, for the United Kingdom to meet its international Carbon Reduction commitments.

e) 'On-site renewable energy should meet all the energy consumption needs of new residential buildings'. We're not sure what is meant by 'energy consumption needs of new buildings'? High performing buildings with on-site renewables, may meet heating and lighting requirements, but we imagine the occupant's needs may still outstrip local production if they include, for example electric car charging, home working ICT, cooking, cleaning and laundry.

p.46 Design Checklist. Although there is a policy 'hook' in DBE1, it is not clear how this is to be used. What is its status? Is it a sort of validation requirement? It reads more like policy than a checklist, with the use of "should". Alternatively, is it simply a helpful list of things for applicants to consider? A good example is that the checklist states that support will be given for upward extensions, of traditional or contemporary design; these can be quite problematic with over-looking and over-shadowing, character etc. This concept is not covered in the design policy itself. It would be useful to establish the status of this checklist and potentially, if it is to be an expansion of policy or mini design code, we believe needs more work to ensure that it can be used effectively and flexibly to reflect the different character areas and different architectural approaches in Cirencester.

It talks about street sections emulating medieval street patterns – is that appropriate in the outer suburbs of the town? Many of the points in the checklist seem to reflect the town centre but may be of less relevance towards the outside of the town, e.g. clause on building heights and use of fourth stories. We are concerned that it is very focused on design and requirements of the town centre, and the surrounding streets within the ring road. It doesn't seem to fully reflect the mostly 20th Century context of Cirencester's suburbs and out of town industrial area.

There are quite a few points in this checklist which could cause issues in determining applications if it is to be considered as policy. e.g. 'The size, proportion, materials and detailing of replacement windows should reflect the original within Conservation Areas and those listed as Non-Designated Heritage Assets.' What happens if those windows are within a contemporary extension, where we would not want them to necessarily look like the windows in the original part of the building. Similarly, 'Windows and doors should be setback behind the wall face to create a 100mm reveal, and stone cills with a 50mm overhang. This creates a shadow to the reveal and creates a sense of solidity.' Is the setback a minimum or a specific measurement - and how does it apply to the range of possible uses and designs we might see? It presupposes stone cills on all development, yet as drafted applies across Cirencester, from the town centre through to Love Lane industrial estate.

Street and Spaces, bullet four. The second line of this is only really appropriate for the town centre.

Materials and details - specifies, at para 5, that buildings should respond to the Cotswold vernacular and to the distinctive Cirencester context. Vernacular means "architecture

concerned with domestic and functional rather than public or monumental buildings." Cirencester is certainly somewhere that has grander buildings, so unless a character area approach is undertaken, we would suggest simply referencing the Cirencester context, encouraging developers to take design cues directly from the town.

It states that concrete "will be resisted" – does that mean that applications using concrete materials should be refused?

Bullet six is highly specific as to the location of parking in new development - while the approach suggested may be appropriate on larger sites, it is probably too prescriptive, for smaller developments and in-fill where the design may need to better reflect existing properties.

p.51. 8.15. This paragraph seems to cover multiple issues from signage to use of limestone and would benefit from being separated out. The points raised about signage are also ambiguous and could be more clearly drafted.

p.51 Policy QPR2 Quality Streets & Spaces.

Clause (a). In terms of detrimental impact - it might be useful to consider what constitutes 'unacceptable', as the current drafting risks this being a subjective matter.

Clause (b) raises the question - is the intention to expand the use of the Cirencester town centre Public Realm Design Code palette to the whole of the town? That would appear to be the effect, but we question whether that is truly appropriate – rather we'd expect development in the 20th and 21st century suburbs to reflect their immediate setting.

p.55 We're not sure that the explanatory text fully explains the two diagrams – it isn't wholly clear which text refers to the plan with polygons, versus the text for the plan indicating circles.

p.56 Policy TMN1 20 Minute Neighbourhoods

We note that many of requirements are more easily applied to the development of multiple units – we invite the qualifying body to consider whether it feels this policy could work for single unit infills for example or whether it might consider introducing a unit number threshold.

Clause a) The first sentence reads as though applications which support the 20-minute neighbourhood model – such as applications to add key facilities, will be supported. However, the second sentence potentially undermines this reading, as it rather introduces a reading of 'contribution' as being a financial contribution/contribution with a financial value attached. How does one determine what contribution is in scale?

The policy includes some strong support for enhancing cycle and pedestrian links. We fully recognise the importance of these links in enhancing 20-minute neighbourhoods, but we wonder whether perhaps the clarity of expectation - Proposals that remove barriers to cycling and walking across the Plan area will be supported – would sit better in the Access

and Movement section. We wonder whether having several slightly different references and expectations around cycling and pedestrian infrastructure throughout the plan undermines the clarity of message, versus focussing these requirements into a single policy.

TMN1(e) As a point regarding the wording, this clause does not fit the pattern of the other clauses, and requires some additional wording, such as 'New Developments should....'

p.59 Policy NE 1 Biodiversity Net Gain

This policy duplicates national regulatory provisions and therefore it is unlikely to be consistent with NPPF para 16(f), which seeks to ensure local plans and neighbourhood plans do not duplicate higher tier policies.

The draft policy NE1 refers to "Development" – this would imply that 10% BNG should apply to all developments, this goes beyond the mandatory requirements of the Environment Act. Is this the intention? Is there any evidence for why that is appropriate? e.g. for householder applications? The RJ does refer to the Act only covering certain types of development.

While the prioritisation of on-site is supported, we would like to see an amendment to the second expectation – our strategy with off-site net gain will be much more opportunity-focused to ensure the maximum uplift in nature recovery. It is important to ensure that any off or on-site BNG is delivered in a way that is ecologically meaningful, that reflects local habitats, delivers connectivity. The approach advocated by the policy risks the creation and enhancement of unconnected spaces, where an opportunity to enhance connected green infrastructure could be supported to much better effect. We suspect this policy as drafted inadvertently undermines the vision within Policy NE3 Wildlife Corridors.

NE2 It is unclear what is meant by re-wilding in the context of Cirencester, and how it is different to NE4. It may be more appropriate to refer to the creation of areas of natural or semi-natural habitat. The areas that are mentioned will still need to be managed, for example along the edges of play spaces, and often the concept of rewilding is considered to be around areas that will receive no management but be left to evolve on their own.

Paragraph 10.21 refers to a local nature recovery strategy – but does not specify where this strategy can be found. The LNRS required under law is being developed at a county level and is unlikely to go into the level of detail suggested in this paragraph. It also refers to the NDP's 'recommended off site opportunities' but these do not appear to have been identified. These would need to be agreed with the landowners and mechanisms put in place to deliver off site BNG in these locations.

Paragraph 10.23 This reads as policy but does not sit within a policy text. We note that this would present challenges, for example 10.23.3. requires consultation with local ecology experts – who and how? The focus for BNG is implied to be within the town on existing greenspaces but there are limitations to this in achieving sufficient BNG units given the potential level of disturbance from people and dogs etc.

p.61 Policy NE4 Green and Blue Infrastructure Protection & Enhancement.

Clause (d) Removal of Highway verge is a matter for the County Council. In most instances will not require consent from CDC, so is beyond the remit of the Neighbourhood Plan.

Clause (e) While CDC supports the ambition, and will encourage the same through its design policies, as drafted we consider this clause to be a community action not a policy.

Para 10.42 Please note that our Green Infrastructure Strategy is no longer draft.

p.62 Policy NE5 Flood Mitigation

Recognising this is clearly a significant and emotive issue in parts of Cirencester, we cannot see how this policy introduces anything not required by extant policy, falling foul of the expectations of Paragraph 16 of the NPPF discouraging policy duplication.

p.63 Local Green Space Designations

Clause (a) does not align directly with the approach to Local Green Space, as set out in the NPPF. Why the reference to 'built development'? We are aware in other instances that examiners have amended LGS policies to ensure that they do not create different conditions for consent than set out in the NPPF.

Clause (b) refers to 'community green or open spaces.' It is not clear from the wording or the context if these are 'local green spaces' or other spaces – not otherwise mapped or defined. If the intention is that this clause relates to development on designated Local Green Spaces, it is unnecessary - there is already an established approach, through Green Belt policy, to consider development proposals on Local Green Space. If the intention is to create a test for community green or open spaces, these spaces will need to be mapped and defined.

In terms of the sites proposed, CDC objects to the inclusion of a number of sites.

Ashcroft Roads Bowls Club
Brewery Court
Catalpa Square
Cricklade Street/West Way seating
Old Tesco Supermarket Seating Area
Market Place

The allocation of these sites would unduly constrain the town centre masterplan, and thus we believe they are not in general conformity. CDC recognises the value these sites currently provide as open areas and casual seating areas – but this value comes from their function in the current townscape. As the townscape evolves, the priority must be to provide this function in a way that makes sense for the new streetscene, not to unnecessarily constrain a design, i.e. the priority should be to create appropriate casual seating and bumping spaces that relate to the new street scene, not protect spaces that relate to the street scene as is.

We note that in fact, these spaces are not 'green areas', and thus may not qualify under a simple reading of the term 'Local Green Spaces'. At no point does the NPPF describe or suggest that Local Green Space covers town squares and smaller incidental urban space.

Building on this last point, we believe there are other spaces which do not qualify for this reason - the Cirencester Outdoor Swimming Pool is essentially a structure not a space and not green, and thus should not be designated as LGS. We contend the same is true of the Quiet Garden at the Quaker meeting House, which is ancillary to the building. As the Meeting house is a listed building, the garden is already subject to protective planning constraints.

Looking at other sites, it would be fair to observe that many of them, Abbey Grounds, the Amphitheatre, Allotments, Cemeteries and Churchyards, St Michaels Park, Cirencester Park, are already subject to strong constraints. We question whether designating these as Local Green Spaces does anything other than double down on these constraints. In planning terms this is unnecessary - if the existing constraint can be overcome, then the Local Green Space predicated on that same constraint will equally be satisfied and development would proceed.

As a final grouping, the Plan seeks to designate a number of sports pitches, both those linked to the town's schools and sports clubs. The amenity of these sites is already protected – their designation as Local Green spaces would prevent their development, even if alternative space could be found. This feels unduly onerous – in particular for the schools, which may find their opportunity for expansion on-site constrained, even if further space is found for sports pitches. We would advocate that sports pitches are best suited for LGS designation where they serve additional functions within the townscape – for example within the setting of heritage assets.

We do not understand the purpose of the final column denoting 'Local Community Space' – is this a subset, or a different designation, and what rationale underpins the data - e.g. how is Baunton Lane Playing Field –overseen by the town council, and hosting a children's play area and home ground to the Stratton Youth Football Club not a Local Community Space, but the privately owned Cirencester Park is?

p.69 Policy NE7 Green Gaps

The first clause restates a well-established principle of preventing coalescence between settlements. We do not disagree with the intention but cannot see how the policy would work in practice. Where Cirencester is closest to neighbouring settlements - for example at Preston and at Siddington, referenced in the Reasoned Justification, the gaps are outside of the parish boundary, and thus outside of the jurisdiction of the neighbourhood plan. We understand that this aspiration is shared by neighbouring settlements, so a more robust approach may be possible where these gaps sit within other neighbourhood areas.

It is hard to envisage how the second clause could work - in the event that a buffer is diminished in scale, the mitigation really needs to be in that location through some form of enhancement. The impact cannot be compensated for nor mitigated offsite.

p.72 Policy LE1 Protect & Enhance Economic Activity

It is not clear how this criterion conforms with NPPF para 16(d). I.e. how would the planning officer, applicant, planning committee use this policy? The first clause rather risks building unrealistic expectations. Permitted development rights and changes to use classes enable some significant changes without permission being required, thus the policy will not be engaged in many/most instances. Should the policy be retained, we would encourage the addition of some text to manage expectations, such as, 'Insofar as planning permission is required, ...'

The same points as above can be made for economic uses outside the town centre.

Noting the same point that in many instances, permission will not be required - where Clause (c) is engaged, in practice it is likely to be ineffectual. There is a limited range of economic use classes, and a well-developed range of such across the town, so it is likely in most instances that alternative premises will exist. It is not clear what criterion (d) is seeking to achieve, what is meant by 'flexible growth' and adaptation of existing employment areas, and does this only apply to Love Lane? It is not evident how a decision maker should react to this criterion.

Policy LE2 Provision for Innovative Work Spaces, New & Small Businesses

Clause (b)1 is directed at employment land, whereas Clause (b)2 would appear to be directed at residential extensions. We cannot really see how Clause (b)2 follows from the introductory text and would suggest that including a residential buildings clause in this section confuses rather than enables. Homeowners will often already enjoy permitted development rights to extend their properties, enabling homeworking.

Policy LE4 New Employment Premises & Design Quality

Clause (b) is awkwardly phrased. There are two sub-clauses referencing location, 'Where their location provides practical opportunities to do... ' and 'as appropriate to their scale and location,... ' which we think could be picked up in one sub-clause to enhance readability and understanding.

p.75 Policy WBC1 Air Quality

It is difficult to conceive of clauses (a) (c) and (f) as planning policy. We would suggest editing this policy and retaining these clauses as community actions/aspirations.

Policy WB2 Health Impact Assessments

In principle, we are very supportive of improving health and wellbeing. In order to implement this policy, however, there would need to be evidence of health implications from development proposals. We're not clear that the threshold in the policy is consistent with National Policy and regulation; for example, it needs to be consistent to the NPPG <https://www.gov.uk/guidance/making-an-application#Design-and-Access-Statement>; at this time it is not clear that the threshold is well-justified.

p.79 Policy WBC3 Equal Access to Green Spaces for All

Clause (b) considers access to new and existing green infrastructure. This presupposes GI is supposed to be publicly accessible, when GI encompasses a range of uses, including wildlife connectivity, and natural water management, where public footfall may not be wholly welcome or appropriate. Perhaps the policy should focus on public open space rather than GI.

p.79 Policy WBC4 Access to Play Spaces

Paragraph 12.38 suggests that support will be given to existing play spaces – but the requirement in the policy is to create new opportunities on sites of more than 10 houses, without reference to current availability within the locality. The policy expects the maintenance to be assured through social management plans, but other than this reference, there is no policy requirement for such agreements in either the Local Plan or the Neighbourhood Plan. We would suggest a more flexible mechanism – the district council is keen to see more public open space and other amenities transferred to parish and town councils as parties with a greater interest in their upkeep.

p.80 Policy WBC5 Community Facilities

Clause (a) We note that currently there are no designated Assets of Community Value within the Neighbourhood Area.

It is beyond the power of the neighbourhood plan to prevent an asset from closing – this is not a function of planning but a function of viability.

We contend it is not appropriate to propose a blanket ban of change of use: change of use may be permitted development – thus the policy builds unrealistic expectations; it removes the opportunity for a balanced judgement to be made, where circumstances change, but 'locks in' a use that may cease to be appropriate; and, change of use may well be necessary to preserve the fabric and amenity of building, and to enable an appropriate community use.

Clause (b). We would encourage you to refocus this on viability rather than demand. Demand can be unrealistic and economically unfeasible.

Clause (d). This clause reads rather like a restatement of the purpose of the Community Infrastructure Levy – 25% of which will accrue to Cirencester Town Council once the Neighbourhood Plan is made. The headroom for additional contributions will be limited, and subject to site specifics, such as highways access and improvements, flooding etc.

Policy WBC 6 Designing Out Crime

Clause (b) How do you envisage this interacts with DBE3, which seeks to apply stricter criteria to Upper Floor conversions?

p.81 Policy WBC7 Light Pollution

Clause (b). To manage expectation, we would suggestion the addition of 'Insofar as development consent is required...'

p.82 Policy WBC8 Noise Pollution

Much as we agree with the intention of **Clause (a)**, the likelihood is that such measures as this envisages are not going to be within land use planning, but instead in highways planning, through mechanisms such as Traffic Regulation Orders. As such, the clause may sit better as a community aspiration.