



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	CABINET MEMBER FOR PLANNING AND REGULATORY SERVICES DECISION MEETING – 27 SEPTEMBER 2023
Subject	NEIGHBOURHOOD PLANNING: REPRESENTATION TO THE REGULATION 16 CONSULTATION ON THE DOWN AMPNEY NEIGHBOURHOOD DEVELOPMENT PLAN
Wards affected	The Ampneys and Hampton
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 Down Ampney Neighbourhood Development Plan.
Annexes	Annex A: Down Ampney Neighbourhood Plan A1: Down Ampney Neighbourhood Plan Regulation 16 Draft A2: Appendices A3: Annexes A4: Design Code A5: Basic Conditions Statement A6: Consultation Statement A7: 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



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Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>The plan has been consulted on by the Parish 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 Down Ampney Neighbourhood Development Plan, attached at Annex A, and the rationale for submitting a representation, the draft of which is attached at Annex B.

2. BACKGROUND

- 2.1 Down Ampney Parish Council (DAPC) applied to this Council in late 2018 to designate a Neighbourhood Area. The area applied for, and subsequently approved, was the entirety of the civil parish. Since then, a steering group of local residents, with support from expert consultants, has prepared the Down Ampney Neighbourhood Development Plan (DANDP). The Plan was duly consulted upon in Spring 2023 – a consultation to which this Council responded – and representations have been considered in preparing a submission draft, recently received by this Council. This 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 25 August 2023, closing on 6 October 2023.

3. MAIN POINTS

- 3.1 This consultation gives Cotswold District Council a further opportunity to seek to influence the content of the DANDP. Should a neighbourhood plan proceed through examination, and subsequent referendum, and be made by this Council, it will become part of the Local 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 DANDP steering group, and through the Council’s representation to the Regulation 14 consultation, the Council has had earlier opportunity to share its perspective on the policies proposed by the DANDP. This consultation provides an opportunity to update that view in light on 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, a reasonable commentary on the DANDP. Subject to the examiner's review and opinion, amendments as suggested could improve the application of the proposed plan, without significantly impacting on the ambitions of DAPC in promoting this document.

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 DANDP

8. RISK ASSESSMENT

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

8. EQUALITIES IMPACT

- 8.1 Not required for this decision.

9 CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 9.1 None directly for this decision, as it is purely a consultation response. The DANDP 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.

10 BACKGROUND PAPERS

- 10.1 None. (END)