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## CHAPTER 0 - GENERAL AND WHOLE PLAN

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### PREAMBLE

0.1 Before addressing general objections to the whole Plan, I set out here some matters which, while not the subject of objections, require explanation and/or are the subject of suggestions to the Council.

### Objection numbering

0.2 In this report, objection numbers are given in the short form 123/4. The first number is the objector's unique reference and the second is the sequential number of the particular objection. In some cases objections originally given a single number have been subdivided. This is indicated by addition of A, B etc after the number.

0.3 'R' after the objection number indicates an objection to the revised deposit Plan. Those without this relate to the first deposit Plan but, having not been withdrawn following publication of the revised deposit Plan, still stand.

### Objection details

0.4 In each section of this report I list the relevant objections and the policies or paragraphs to which they relate. These may differ from those stated on the original objection, for one or both of two reasons:

- i) Where the wording of the objection and any other material submitted indicates that the concern actually relates to a different paragraph to that cited by the objector; or
- ii) Because there are numerous discrepancies between the paragraph numbers in the first and revised Deposit versions of the Plan. If the numbers are the same, a single reference is given. Otherwise:
  - Where paragraph numbers differ, the references are generally given in the form 1.3.4 (1.3.3). The first figure is the paragraph number in the revised deposit Plan, followed in parenthesis by the equivalent in the first deposit Plan.
  - If the paragraph concerned is an entirely new one inserted into the revised deposit version, the reference is given as 1.3.3 (-).
  - Where a paragraph in the first deposit Plan has been deleted at Revised Deposit stage, the reference appears as – (3.3.7).

0.5 To avoid confusion in the adopted Plan **I suggest** that the Council pays careful attention to paragraph numbering, including the elimination of gaps and internal duplication.

0.6 The policy numbers remain consistent between the Plan stages. However, policy TET.1 of the first deposit Plan and its supporting text, relating to land north of Shepherd's Mead, was deleted at revised deposit stage and replaced with a new policy with different supporting text relating to the former Matbro site. The new policy and supporting paragraphs were given the same numbers as those they replaced. To differentiate between them I have used the suffixes SM or M as appropriate in references to the policy and supporting paragraphs. It should be unnecessary to make this distinction in the final version of the Plan.

### Numbering of sections, criteria etc within policies

0.7 There is inconsistency within the Plan in this respect, especially following alterations at revised deposit stage. For ease of reference, numbering of sections, criteria etc within policies is useful, and I **suggest** that in preparing the final Plan for adoption the Council gives consideration to the use of a comprehensive, consistent system throughout the policies.

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## GENERAL OBJECTIONS - THE FORMAT OF THE PLAN

### Objections

176/11	The National Farmers Union	General Whole Plan <sup>1</sup>
187/1	Barratt Bristol	General Whole Plan
228/36	Batsford Estates (1983) Company Ltd	General Whole Plan
333/2	Cygnets Investments Ltd	General Whole Plan
334/12	Bathurst Estate Younger Descendants' Trust	General Whole Plan
352/1	Government Office for the South West	General Whole Plan

### Issues

- a. Whether key issues should be the subject of dedicated chapters;
- b. Whether there is unnecessary repetition of national, regional and Structure Plan policy/guidance;
- c. Whether there is unnecessary repetition of policy criteria;
- d. Whether all housing allocations, including those proposed as part of mixed use developments should be set out in a single policy; and
- e. The status of notes for guidance.

### Reasoning and conclusions

0.8 Issue a – Most local plans contain separate chapters for matters such as strategy, housing economic development and leisure and community facilities. These are combined into a single chapter in this Plan, but are set out as discrete sections within it. To my mind the practical difference between the two formats is negligible, and they are equally logical and clear.

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<sup>1</sup> Expressed as an objection to paragraph 1.5.8, but the change sought is removal of the notes for guidance from the shaded (policy) boxes.

- 0.9 Issue b - I acknowledge the need for local plans to be slimmer, succinct and more focused and to avoid repeating large sections of national guidance, as indicated in PPG 12. However, the PPG does not suggest that such matters should be avoided altogether. It seems to me that in order for the Plan to be comprehensible to a range of users, including those who might not be familiar with the relevant policy and guidance it is necessary to make brief references to it to set the context for the Local Plan policies and proposals. National and regional guidance and the Structure Plan are principally outlined in less than 2 pages at the beginning of chapter 3 of the Plan with brief, more specific, references elsewhere.
- 0.10 I note that the objection by GOSW accepts that the Plan largely reflects the guidance in this respect. In the context of the Plan as a whole, it seems to me that the extent to which national, regional and Structure Plan policy/guidance are rehearsed is necessary and reasonable.
- 0.11 Issue c – The Council has accepted that there is scope for rationalisation of the policy criteria to avoid unnecessary repetition. Bearing in mind the footnote on every page of the plan pointing out that the Plan must be read as a whole and that proposals will be considered against all relevant policies, I concur with this.
- 0.12 However, neither CDC nor any of the objectors has suggested how this might be achieved. I note that policies 1-17 in Chapter 2 of the Plan ('The Cotswold Environment') are the most generally applicable, and some of their provisions are indeed repeated in the topic, area and site-specific policies in subsequent chapters. It seems to me that the Council should carefully review all subsequent policies with a view to deleting elements in them that simply repeat those in policies 1-17. In addition, any criteria that do not appear there but are frequently repeated subsequently should be moved to the appropriate policies in chapter 2.
- 0.13 Issue d – As several objectors point out, the housing allocations are set out partly in policy 22 and partly in the subsequent chapters relating to Cirencester (7) and the principal settlements (8 & 9). However, I do not accept that this makes it difficult to understand what is being proposed in each settlement. The policies have in any case have to be read together, and I do not consider it unduly onerous to look at policy 22 and the specific policies relating to a settlement to gain an overall understanding of the proposals there. Assistance can also be gained from the relevant inset to the proposals map, which shows the all the allocated sites, and the table in appendix 7 to the plan, added at Revised Deposit stage, which sets out a summary of the housing figures for each main settlement. I do not consider that any modification is required in this respect.
- 0.14 Issue e – PPG 12 advises (para 3.14) that policies in development plans should concentrate on those matters that are likely to provide the basis for considering planning applications or for determining conditions to be attached to planning permissions. It further advises that local authorities should consider the use of supplementary planning guidance as a means

of setting out more detailed guidance on the way in which the policies in the plan will be applied in particular circumstances or areas.

- 0.15 In my opinion the notes for guidance to policies in this Plan each fulfil one or more of 3 basic roles. Firstly, I agree with the Council that some provide helpful interpretation of the policies. Those falling into this category are exemplified by those that simply explain terms used in the policy, eg. note 3 to policy 23 in the First Deposit Plan which defines 'local need' (but see the next paragraph). It seems to me that such notes should be retained as they are.
- 0.16 Secondly, some notes add to the policies to which they relate, for example by setting out specific additional considerations or steps that the Council will take. Examples of the former are note 2 to policy 26, which sets out matters to which regard will be had in making decisions on a particular use, and the text added at Revised Deposit stage to note 3 to policy 23 (referred to above), which sets out a consideration for addressing proposals. Also, note 2 to policy 24 seems to me to represent a significant extrapolation of the policy. The latter is exemplified by note 7 to policy 23, which indicates a condition that will be attached to certain planning permissions. To my mind such matters should be included in the relevant policies themselves.
- 0.17 Finally, some notes add very detailed policy guidance. To illustrate this, despite the fact that note 10 to policy 23 indicates the Council's intention to produce guidance that sets out the details of its requirements for affordable housing, some of the other notes themselves go into considerable detail on the matter. Bearing in mind the further advice in the PPG that excessive detail should be avoided I agree with the objectors that such matters would more appropriately be included in supplementary planning guidance.
- 0.18 In the First Deposit Plan the notes for guidance were included within the same shaded boxes as the policies to which they related. I agree that this made their status unclear. However, this has been remedied in the Revised Deposit Plan by placing them in separate, unshaded, boxes that are clearly separate from the policies.
- 0.19 It should be noted that, having addressed this matter here, in reporting on subsequent objections concerning notes for guidance I simply deal with the merits of the point made. If the recommendation I make here is accepted by the Council it will be necessary to take it into account in making any further modifications to the notes for guidance.

## Recommendation

### 0.20 **I recommend:**

- i) That the policies in the Plan be reviewed and modified by:
  - a. deletion of those elements in policies in Chapter 3 onwards that repeat those in policies 1-17; and

- b. by moving to the appropriate policies in chapter 2 any criteria that do not appear there but are frequently repeated subsequently.
- ii) That the notes for guidance to the policies be reviewed and modified by:
- a. moving into the policies themselves those matters that are likely to provide the basis for considering planning applications or for determining conditions to be attached to planning permissions; and
  - b. deletion of those that set out more detailed guidance on the way in which the policies in the plan will be applied in particular circumstances or areas, with consideration being given to their incorporation in supplementary planning guidance.

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## GENERAL OBJECTION – SYNCHRONISATION WITH THE EMERGING STRUCTURE PLAN

### Objection

53/8

Campaign to Protect Rural England

General Whole Plan

### Issue

Whether the Plan should be synchronised with the emerging Third Alteration of the Structure Plan (SP3).

### Reasoning and conclusions

- 0.21 The Local Plan was prepared in the context of, and certified as being in general conformity with, the adopted Gloucestershire Structure Plan Second Review (SP2). The Third Alterations (SP3) were under preparation broadly in parallel with the Local Plan, and at the time of the Inquiry were at a late stage (the EiP Panel Report had been received) but had not been adopted.
- 0.22 At the Inquiry the objector made it clear that it was not suggested that the period of the Local Plan (2001-2011) be extended to coincide with that of SP3 (2001-2016). It was agreed that to make such a change now would cause undesirable delay to the adoption of the Local Plan, a pragmatic view shared by many objectors who commented on this matter in the context of the strategy and housing numbers at other sessions. I note also Gloucestershire County Council's express support for basing the Local Plan strategy and proposals on the adopted Structure Plan to 2011<sup>1</sup>, and the view of the Government Office for the South West (GOSW) that

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<sup>1</sup> LPA 15 annexes B & C

'the Local Plan should include specific, measurable housing provision to 2011, the Plan period'<sup>1</sup>.

- 0.23 While a 2016 end date would more closely accord with the advice in PPG12 (para 6.8) that a local plan should run for 10 years from its forecast adoption date, I accept that the advantages of having this Plan adopted as soon as possible outweigh those of a longer plan period. Nevertheless, at the Inquiry CDC accepted that the relatively short remaining time span of the Plan highlights the need for an early review.
- 0.24 The objector's main concern in this respect is the need to avoid inconsistencies between the Local Plan and SP3. However, it was unable to suggest any specific areas where these arise. I address some matters such as housing numbers elsewhere in this report, but share the view of the Council that the recommendations in the EiP Panel Report are broadly compatible with the provisions of the Local Plan up to 2011.

### Recommendation

- 0.25 **I recommend** no modification to the Plan.

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## GENERAL OBJECTION – POPULATION FIGURES

### Objection

53/4

Campaign to Protect Rural England

General Whole Plan

### Issue

The population figures uses in the Plan are out of date.

### Reasoning and conclusions

- 0.26 This objection, made at first deposit stage was accepted by the Council, which undertook to update the population figures to mid-2001 figures. Although that was in the event not done in the revised deposit Plan, the Council has reiterated its acceptance of the point. I agree that the figures should be consistent with the 2001 base date for the Plan.

### Recommendation

- 0.27 **I recommend** that the Plan be modified by updating all population data to 2001 figures.

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<sup>1</sup> LPA 15 annex A

## GENERAL OBJECTION - THE WHOLE PLAN

### Objection

330/1

Mickleton Parish Council

General Whole Plan

### Issues

Whether the Plan places too much emphasis on keeping the Cotswolds 'sacred'.

### Reasoning and conclusions

0.28 Much of the Cotswolds is designated as an Area of Outstanding Natural Beauty (AONB). National planning policy in PPS 7 : *Sustainable Development in Rural Areas* emphasises that such nationally designated areas have the highest status in relation to landscape and scenic beauty. It states that the conservation of the natural beauty of the landscape and countryside should be given great weight in planning policies, and that the conservation of wildlife and the cultural heritage are important considerations. In my view, taking the Plan as a whole, the emphasis placed on these aspects is consistent with national policy.

### Recommendation

0.29 **I recommend** no modification to the Plan.

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## GENERAL OBJECTION - ERRATA

### Objection

219/22R

Gloucestershire County Council

General - minor errors

### Issue

Minor grammatical, typographical and other errors.

### Reasoning and conclusions

0.30 As I have indicated in the covering letter to this report, I have taken the Plan as incorporating the list of errata set out in a sheet published with the Revised Deposit Plan. The County Council has submitted a list of further minor errors. These have been accepted by CDC, and indeed most are covered by proposed amendments. I agree that they should be corrected.

### Recommendation

0.31 **I recommend** that the Plan be modified in accordance with proposed amendments nos. 2, 3, 4, 7, 21, 23, 32, 33, and 34 [CD/C/30/38], and that the other minor errors listed in this objection be corrected.

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**'NO OBJECTION'****Objection**

107/1

Wiltshire County Council

General Whole Plan

**Issue** – (None)**Reasoning and conclusions**

0.32 This representation states without caveat that 'the County Council has no objections' to the First Deposit Plan, but CDC has nonetheless deemed it to be a duly made objection. I have seen nothing to suggest that any modification to the Plan is sought or required.

**Recommendation**

0.33 **I recommend** no modification to the Plan.

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