



**COTSWOLD  
DISTRICT COUNCIL**

Mr Andrew Ashcroft  
Independent Examiner  
Fairford Neighbourhood Plan

*Our Ref: CDC-FNP-HS*

*7th September 2016*

**Fairford Neighbourhood Plan  
Independent Examination - Hearing - 14th of September 2017  
Matters 1 to 4**

**Hearing Statement on behalf of Cotswold District Council**

**1.0 Introduction**

- 1.1 The Fairford Neighbourhood Plan (Regulation 16 Submission Version) has been prepared for the Fairford neighbourhood area, which is situated within Cotswold District. This Hearing Statement has been prepared on behalf of Cotswold District Council (CDC) as the local planning authority.
- 1.2 CDC has previously made written representations in relation to the Fairford Neighbourhood Plan (Regulation 16 Submission Version) (hereinafter referred to as the emerging NP). This Hearing Statement is submitted in response to the Independent Examiner's questions pertaining to Matters 1, 2, 3 and 4 for the hearing on the 14th of September 2017.

**2.0 Matter 1: The SEA/SA process**

**Does the revised SA (incorporating SEA) meet the requirements of the SEA Directive?**

- 2.1 CDC remains to be convinced that the revised SA (incorporating SEA) meets the requirements of the SEA Directive. Although the appraisal of reasonable alternatives has been explained in more detail than in the original SA, CDC remains concerned that it contains inconsistencies in some respects. While the revised SA includes additional summaries of the assessment, CDC remains to be convinced that the combined effects of the emerging NP policies are fully considered in terms of significant environmental effects.

- 2.2 CDC raised its concerns about the original SA in its written representations in relation to the emerging NP and again at the Clarification Meeting, in April and May 2017 respectively. Following submission of the revised SA, CDC took further specialist advice on whether the revisions were sufficient to properly address the previously identified deficiencies. Although CDC concluded that the SA contains inconsistencies it took the view that further consultation and independent examination of the emerging NP was the most appropriate way to address the outstanding concerns.
- 2.3 In reaching this view CDC was mindful of relevant national Planning practice guidance (PPG). PPG makes it clear that while a local planning authority has to be satisfied that a basic condition statement has been submitted with a neighbourhood plan, it is not required to consider whether the draft plan or order meets the basic conditions. It is only after the independent examination has taken place and after the examiner's report has been received that the local planning authority comes to its formal view on whether the draft neighbourhood plan meets the basic conditions<sup>1</sup>. CDC's approach was to provide Fairford Town Council (FTC) with constructive comments on the SA and emerging NP, giving FTC the opportunity to fully address potential issues that might be raised at examination and beyond.

**Has it assessed reasonable alternatives in an appropriate fashion?**

- 2.4 The revised SA provides further detail on the sites chosen as reasonable alternatives; e.g. they have been mapped. However, there remains a lack of clarity about the relative capacities of the various sites or site packages considered as reasonable alternatives. In terms of the appraisal findings, a summary appraisal presented under each SA theme is provided, focusing on the sites where issues have been identified. The separate Site Assessment Report is also referenced. CDC remains concerned that this is a rather lightweight approach, which does not directly consider the relative merits of each option.
- 2.5 In view of its continuing concerns over the headline questions above, CDC respectfully asks the Independent Examiner to consider:
- a) whether the revised SA properly considers the housing allocations for Fairford described in Policy S5 of the emerging Cotswold District Local Plan 2011-2031 (hereinafter referred to as the emerging Local Plan) as a reasonable alternative; and,
  - b) whether the SA provides a proportionate and robust evidence base for the expectation set out in paragraph 3.11 of the emerging Neighbourhood Plan; i.e. that the housing allocations in Policy S5 ought to be deleted in favour of provisions in the Neighbourhood Plan.

CDC remains to be convinced on both points.

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<sup>1</sup> Planning Practice Guidance (Paragraph: 053 Reference ID: 41-053-20140306)

### **3.0 Matter 2: The proposed allocation of land for residential use at Leaffield Road (FNP16)**

#### **Would the proposed housing site contribute towards the achievement of the social and the environmental dimensions of sustainable development?**

- 3.1 CDC is not convinced that the proposed housing allocation at Leaffield Road would contribute towards the achievement of the social and the environmental dimensions of sustainable development. CDC considers that the housing allocations in Policy S5 ought to be the preferred option for supplying the housing required to meet local needs, taking into account the evidence base; i.e. including that to support the emerging Local Plan.
- 3.2 CDC's concerns with regard to environmental considerations were set out in its written representations on the emerging LP. In essence those concerns relate to making allocations without due regard to the available evidence base. For example, the proposed allocation at FNP16 was not promoted through the SHLAA process and has not therefore been the subject of a thorough landscape analysis. All proposed allocations in the emerging Local Plan are supported by appropriate landscape analysis. CDC considers that in this regard there may be a lack of consistency between the proposed allocation at FNP16 and criterion 2 of FNP14.
- 3.3 The supporting text to Policy FNP16 states that *"...the social benefit is an essential part of the justification for supporting the allocation of land for housing development."* (Page 41, par 5.55). However, CDC considers that there is a lack of clarity about the nature, extent and need for the social benefit referred to. Moreover, CDC remains to be convinced that there is robust and proportionate evidence to demonstrate that the constituent parts of Policy FNP16 are deliverable on the proposed allocation, particularly given this lack of clarity.
- 3.4 The revised SA describes how none of the other sites assessed are in the right location to address the most pressing infrastructure issues (Revised SA, page 41, pars 9.5 and 9.6). CDC is concerned, however, that the assessment of reasonable alternatives does not appear to have considered the possibility of providing the "social benefit" at FNP16 without also allocating land for housing; i.e. using funds secured through planning obligations, CIL or other funding streams.

#### **What is the significance of the sixth criterion of the policy (the potential for a link between Leaffield Road and Hatherop Road) and the associated paragraph 5.58 in the supporting text?**

- 3.5 Given par 5.58 of the supporting text to FNP16, CDC interprets criterion 6 as a measure to safeguard potential for further development to the east of the proposed allocation at some point in the future. The emerging NP's acknowledgement of this potential only adds to CDC's concerns above; i.e. with regard to environmental considerations and appropriate site analysis.

### **4.0 Matter 3: The proposed Fairford-Horcott Local Gap (FNP11)**

#### **Does the policy have regard to national policy in general terms and to paragraph ID:50-001-20160519 of Planning Practice Guidance in particular?**

#### **To what extent is its designation supported by appropriate evidence?**

- 4.1 While CDC appreciates that all settlements can play a role in delivering sustainable development in rural areas, potential allocations and planning applications must also be considered in light of evidenced landscape concerns. In this context CDC supports the objective of maintaining an appropriate green gap between Fairford and Horcott, where that objective is supported by

appropriate landscape analysis e.g. The Study of Land Surrounding Key Settlements by White Consultants (Submitted Local Plan evidence base EB045 to EB048 <sup>2</sup>).

## **5.0 Matter 4: The proposed Area of Special Landscape Value (FNP12)**

**Does the policy have regard to national policy and is it in general conformity with the strategic policies in the development plan?**

- 5.1 CDC has already set out its view on Policy FNP12 and its responsiveness to national planning policy, in its written representations on the emerging NP.

**To what extent is its designation supported by robust evidence?**

- 5.2 CDC has already set out its view on the evidence cited in formulating Policy FNP12, in its written representations on the emerging NP.

**Cotswold District Council**

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<sup>2</sup> <http://www.cotswold.gov.uk/residents/planning-building/planning-policy/emerging-local-plan/local-plan-examination/local-plan-core-documents/evidence-base-supporting-documents/>