

Fairford Neighbourhood Plan

Examiner's Clarification Note

Below are the Fairford Neighbourhood Plan Steering Group responses:

FNP 3

Has the policy been tested for its viability?

FTC has had two meetings with developers to discuss the potential design of a development on this site, both to ensure that it is acceptable to FTC, but also viable to the developer. Account has been taken of the developer's comments at the Regulation 14 consultation stage and the design forms the basis of the specifications included in FNP 3.

In particular, have the implications of the first criterion been specifically tested in general terms and with the site owners in particular?

Yes, we have made it clear that our policy requirements must be accepted by the developers as a condition of our support for this development in the FNP. This is not because this housing scheme alone makes these requirements necessary, but because the land is in the right location to enable an infrastructure problem/opportunity to be addressed. No direct discussion has been undertaken directly by the FNP Steering Group with the land owner as all discussions have been held with the developer who is representing the land owner.

FNP 7

I can see the background to this policy in 5.29.

However how will the policy work in practice?

The existing situation does not work in practice and our intention with this policy is to draw greater attention to these matters by applicants, CDC and the statutory consultees alike. Recent events have shown that although there is an existing policy framework to manage development proposals and to enforce their conditions, it is not effective. And our community will expect our Plan to have something important to say about this matter.

We intend that the policy will prevent further pressure being put on already-full sewers, by delaying occupation until an effective scheme for additional capacity has not only been planned, but actually delivered.

It is our strong preference that the sewerage scheme is defined at a sufficiently early stage to enable Thames Water to plan ahead for its implementation. If this is not done, we would expect planning consent, (having regard to the developer's rights to connect to the public sewerage system) to include 'Grampian style' conditions. Unfortunately, recent past experience has been that CDC has great difficulty enforcing such Grampian conditions, firstly in ensuring that sufficient and appropriate design information is submitted to them for approval before the commencement of development, secondly, in ensuring that the scheme is implemented before occupation and connection of the new homes to the main sewer system, and thirdly ensuring that the scheme is effective and takes full account of surface water flows and groundwater ingress. Fairford now has 2 partly-built developments with houses occupied before the planned extra sewage storage capacity has been delivered. This has

resulted in sewage having to be collected on site and taken away by road tankers, with all the risks that entails. [Detailed evidence available]

We intend that for infrastructure other than sewerage, proposals must make similar provision to ensure that requirements are delivered in time to service the development.

Is the second component of the policy controlled by other legislation?

Under Section 94 of the Water Industry Act, Thames Water has responsibility to provide, improve, extend, cleanse and maintain a system of public sewers to effectually drain their area. However, this does not include surface and groundwater, and Thames Water has demonstrated that some of the problems in Fairford are caused by ingress of surface and groundwater into the sewer system. The Flood and Water Management Act 2010, (implemented April 2015) makes the Lead Local Flood Authority, (Glos.CC) responsible for managing flood risk from surface water, groundwater and ordinary watercourses. CDC as LPA has ultimate responsibility for giving planning consent and imposing and enforcing appropriate conditions, based on advice from the LLFA and TW. The Environment Agency is the statutory consultee on flooding issues, but is not concerned with sewage flooding, groundwater levels or flooding from minor watercourses, only with flooding from main rivers. EA is also responsible for dealing with pollution.

Section 106 of the Water Industry Act 1991 provides for a 'right to connect' at 21 days' notice, but it is recognised that this is not always practicable and therefore it is common practice for this situation to be covered by a 'Grampian style' condition. Example (model) conditions are given in Appendix A of DCLG Circular 11/95:

38. None of the dwellings shall be occupied until the sewage disposal/drainage works have been completed in accordance with the submitted plans. or

39. None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority.

Does the Town Council have any comments on the technical information supplied by Thames Water in its representation to the Plan?

We assume that this is referring to TW's comments in their proposed amendments to the supporting text for this policy:

“Comment [c1]: Although the population may have exceeded the theoretical design capacity forecast in 2006 (which we can not verify), what happens through a biological treatment process and due to variables in population and their water consumption means we need to use monitoring data at the STW to say whether there is an issue in reality over time. The site is currently operating within its consent although it's true that there is not a lot of headroom for growth, hence why we are investing in new assets this year and installing two additional nitrifying filters. This will essentially increase the biological treatment capacity of the STW”

This is tantamount to TW accepting that the design capacity has been exceeded and the required capacity is not currently there, even to meet existing demand.

Thames Water has a licence to operate a storm overflow system which permits discharge of highly diluted sewage into the river during storm events. The Town Council has requested records of the discharges but TW has not provided them, and we have also been referred to the Environment Agency for monitoring data (which we have been equally unsuccessful obtaining). There seems to be an

assumption that, when six times the estimated dry weather flow is exceeded, the effluent has been sufficiently diluted and it is acceptable to discharge it into the river without further treatment, which of course means that it can give rise to pollution.

“Comment [c2]: Thames Water does not agree with this comment and have not seen any evidence to support it.

The storm overflow is consented and compliant. And therefore as it stands without the required information substantiating this comment we would like to see this removed.”

The WILD project (Water with Integrated Local Delivery) is a partnership of primarily four organisations [Gloucestershire Farming and Wildlife Advisory Group, Gloucestershire Rural Community Council, Cotswold Water Park Trust, and the Countryside and Community Research Institute at the University of Gloucestershire] working together to improve water quality and bring about environmental improvements to the rivers and other watercourses of the Cotswold Water Park. TW may not agree with the statement in the WILD report that water quality in the river Coln has deteriorated in recent years, but this has nevertheless been made and published. It is accepted that part of the problem may be due to agricultural run-off and other sources, but this does not alter the fact that the discharges from the [four] STWs on the river Coln are also a contributing factor. This is a sensitive issue as Thames Water was recently subject to a large fine for discharging untreated sewage from 6 facilities in the Thames valley. A presentation at a recent TW open meeting in Cirencester also referred to installation of ‘phosphate stripping’ technology, but this has clearly not yet been implemented.

FNP 8

How would a developer understand the scale and nature of the additional parking requirements that would be required due to existing standards of public transport in the town?

It is accepted that the 2nd paragraph of FNP 8 confuses the issues concerning new housing developments and other developments in the town centre e.g. in-filling and conversions, in regard to the requirement for parking provision. We would therefore suggest that this policy might be clarified by replacing the 2nd paragraph with:

- *All new build and conversion proposals must demonstrate that they are able to successfully meet at least the development plan parking standards on site, taking account of realistic levels of household car ownership due to the need to use private cars, resulting from the poor levels of public transport in and around Fairford.*
- *All proposals should also recognise the need to minimise the impact of on-street parking on the existing, congested, road network; the need to improve safety and the potential harmful effects on heritage assets within the Parish. Where necessary this could be achieved by making a contribution towards the provision of additional off-road parking capacity in the vicinity.*

It is suggested that a developer would understand the need for adequate off-road parking in new developments (small and large) by observing and recognising the existing traffic congestion and parking on Fairford’s roads and in the town centre, and from residents comments to earlier development consultations. Also, recent reductions in public transport are evident from the reduced bus timetable.

Does this policy have the clarity required by the NPPF (paragraphs 17 and 154)?

With the above amendments we believe the policy meets the requirements of paragraph 17 of the NPPF through:

- *‘Enhancing and improving the places which people live their lives’ - by ensuring adequate off-road parking, introducing adequate foot/cycle paths and aiming to reduce traffic on the A417, through Fairford, especially HGVs.*
- *‘Promoting the vitality of our main urban areas’ – providing increased parking and access to the town centre via foot paths/cycle-ways and increasing disabled access.*
- *‘Reducing pollution’ – aim to limit HGVs from the town centre and on the A417 through Fairford and improve traffic flow at key junctions.*
- *‘Conserve heritage assets’ – reduce pollution, traffic flow and on-road parking.*
- *‘Make fullest use of walking and cycling’ – increased foot/cycle access to town centre from new developments.*

The policy meets the requirements of paragraph 154 of the NPPF as it is:

- *Realistic i.e. need for more parking and reducing traffic congestion, safety and pollution.*
- *Addresses the implications of social and environmental change i.e. since car use has increased due to reducing public transport, thereby requiring increased parking and increased use of cycle and footpaths.*
- *The policy is clear on stating what will and what will not be permitted and where e.g. adequate off-road parking, reducing on-road parking, improved and additional foot paths/cycle-ways.*
- *The policy (with revised wording – see above) clearly indicates what is required of the developer and how they should react.*

FNP 10

I looked at the proposed LGSs on my visit to the town. I have also read the Landscape and Local Green Space Study.

I recognise that the submitted Plan also proposes a Fairford-Horcott Local Gap. What is intended to be achieved by the overlap between the proposed Local Gap and the designation of LGSs (FNP 10 iii and iv)?

The Short Piece (FNP10 iii) and Coln House School Playing Field (FNP10 iv) have been proposed as LGSs partly because of their special archaeological value to the town – a town rich in history which has lost much of its archaeology to construction. We attach the Worcestershire Archaeology report and would note a) the limited nature of the surveys carried out and b) the extraordinarily speedy evaluation of the work, with the report published a bare 10 days after the last day on site.

These sites are distinct from each other, and from other land that makes up the proposed Local Gap. But not all the other land forming that Gap meets the NPPF §77 tests. In practice, this would mean that the principle of development of the two LGSs is by definition inappropriate, unless very special circumstances can be demonstrated. But in the remainder of the Gap, development may be appropriate provided it does not undermine the visual integrity of the Gap. Hence, the justifications for the LGSs and the Fairford-Horcott Local Gap are separate and it is felt that the arguments for each were sufficiently strong to stand on their own merits.

For FNP 10 iii please may I see a copy both of the Worcestershire Archaeology report (2016) and the County Archaeologist response to that report (both referred to in 2.3.6/2.3.7 of the Study).

Attached

I have looked at some of the details in relation to planning application 16/01766 (the Short Piece). The constraints information on the CDC website does not include any matters in relation to the archaeological importance of the site. Please could CDC confirm whether or not the site has any recognised archaeological importance.

The site is of archaeological importance for Fairford in view of important finds in the locality which suggest that The Short Piece is part of a wider prehistoric and Anglo-Saxon landscape: Anglo-Saxon settlement at Coln House to the east, a hengiform barrow to the west, Anglo-Saxon graves to the north showing evidence of significant Anglo-Saxon settlements. This latter was excavated during Victorian times and there is no doubt that had it been left untouched there is far more we could learn from the site today.

The Council for British Archaeology Best Practice states, 'All archaeological discoveries have the potential to add to our knowledge, but for this to happen, any new finds must be reported and recorded so that the information they offer can be shared. The CBA best practice guidelines show that as long as they remain safe then it is better to leave the evidence for future generations to investigate with better techniques and with better-informed questions to ask.' It is this principle which we hope will be applied in this case.

FNP 11

To what extent does this policy have regard to paragraph 50-001-20160519 of Planning Practice Guidance (third bullet point)?

Account has been taken of this guidance, but this is not a blanket policy restricting housing development in Fairford or preventing it from expanding in other, more sustainable directions, in the future. Rather, we are being positive about and directing development to localities which are the most sustainable and which will provide the best solutions for the parish.

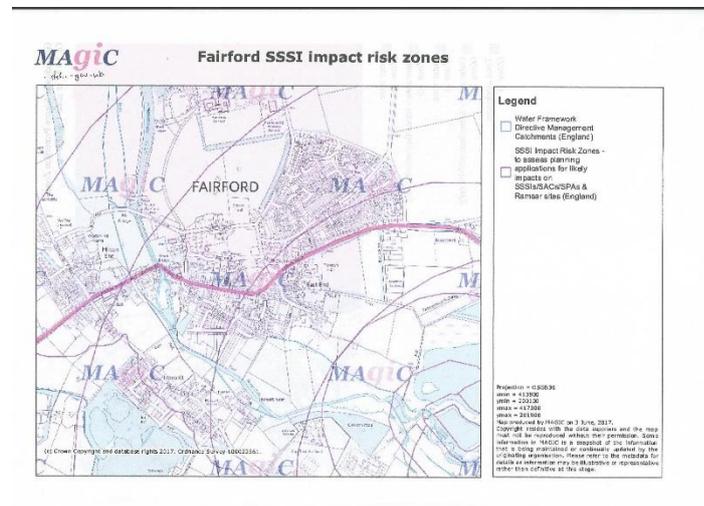
FNP 12

To what extent does this policy have regard to paragraph 50-001-20160519 of Planning Practice Guidance (third bullet point)?

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The Area of Special Landscape Value constitutes, in large part, part of the floodplain of the River Coln (unsuitable for development) including an area around Lake 104 which has already been subject to appeals (refused) and subsequent planning consents, with reserved matters now approved (we do not dispute these). Not only is this area largely within Flood zone 3, but it also suffers from high groundwater levels and is the area in which water from Fairford is held before draining into Lake 104, the River Coln and the Court Brook. In addition, much of the area in the east of the ASLV is within an SSSI Impact Risk Zone (map attached). It also includes a key wildlife site (Lake 104). Thus not only is

the ASLV only suitable for very limited types of development [in accordance with CWP policies], but it is vital as a water attenuation and management area, not only for Fairford but also because of the flood risk impact on settlements downstream from the town such as Whelford. Development here is not 'sustainable' and therefore the ASLV does not constitute 'a blanket policy restricting housing development'.



Does the Town Council have any observations on the representations made by Cygnet on the evidence base for an Area of Special Landscape Value (its 3.30/3.31) or its spatial extent (its 3.32.3.33)?

It is assumed that policy FNP13 will not have any impact on the planning permissions already granted to Cygnet. These permissions stand and we do not challenge them. It was for this reason that the landowners were not contacted – our proposals should not affect their plans in any way.

The proposed ASLV area extends to the eastern boundary of the Lake 104 area where some building (a leisure centre), parking and access roads have been consented. The whole lake and its margins were included in the ASLV as they are intrinsic to the overall landscape – it would seem incongruous to end a landscape designation in the middle of a lake, and we would also note that the CWP Zone designations relate to use (which must take account of the status of the lake as a Key Wildlife Site) rather than landscape considerations. Cygnet have always said that their aim is to protect wildlife at this site and it is hoped that this ASLV designation will help to achieve this.

Similarly, we saw support from rather than conflict with CDC Emerging Local Plan SP5 (see p.3 of attached document 'Saved Policy UT.1 Cotswold Water Park') and therefore felt no need to reference it. We apologise for the omission of the relevant Cotswold Water Park Trust policies from the Evidence Base and have remedied this. The document is Cotswold Water Park Master Plan 111 (CWP Stage III CWP Master Plan Final Report (PDF 2.5Mb))

Cotswold Water Park Trust has included the western half of Lake 104 (which is really the part most affected by the proposed ASLV) as Zone A ie. low intensity uses that enhance the quiet enjoyment of the countryside. The CWP Master Plan Stage 111 Final Report (p.18 para.4.5) states that physical and environmental initiatives should enable local residents 'to enjoy access to the countryside from their homes, with both existing lakes and future landscapes adjacent to settlements protected as an informal leisure and recreation amenity'.

It appears that Cygnet has misunderstood the degree to which this policy will restrict development. It merely requires applicants to demonstrate they have had regard to the open character of the land in making their proposals. The type of developments that are supported by Policy UT1 are all suited to a countryside location. Had we wished to be as restrictive as alleged, then the policy would have been written differently or we may have chosen to extend the Local Gap policy or propose one or more LGSs. Therefore we consider there is no conflict between the intentions of the proposed ASLV and the stated aims of Cygnet, Cotswold Water Park Trust and the CDC Emerging Local Plan.

FNP 13

What is the rationale behind the requirement for two replacement trees?

The UK has one of the lowest levels of woodland cover in Europe and current planting rates are failing to hit government targets. Fairford was very badly hit by Dutch Elm disease and has never really recovered the tree cover it once had. It is hoped that the requirement for 2 replacement trees will go some small way towards mitigating both these problems. Also, to be realistic and, in spite of the hope that developers will include a maintenance programme for all planting, there are likely to be failures and this measure will ensure that tree cover is maximised.

We understand that there will not always (or even often) be available space for replacement trees to be planted in close proximity to those felled and it is for that reason that we have stated that they should be ‘within the site boundary’. These and other constraints could be allowed for by inserting the words ‘Where practical and appropriate’ at the beginning of each of the first 2 elements of the policy.

In this way, it is hoped that green screening and wildlife corridors will be strengthened and enhanced.

FNP15

Does the first part of the policy have the clarity required by the NPPF?

The policy implies that the schedule of NDHAs could be extended within the Plan period. If so what will be the mechanism to achieve this outcome?

The sentence, ‘This list is not exhaustive, and should not preclude other properties/assets being added at a later date or being considered as NDHAs within the planning process’ was included at the request of Cotswold District Council. It was absent from the Pre Submission policy as it was taken as read that other buildings or structures may be defined as NDHAs that were not apparent at the time of the Neighbourhood Plan survey and have not therefore been identified in this policy.

In the past developers have used the argument that because a particular area did not have any specific protection this was evidence that the community did not value it. As a result, after consultation, we have included all those NDHAs that we believe meet the national guidance on how to define such buildings, but we are also aware that, in a town as historic as Fairford there might well be others.

The identification of new NGHAs may be done as part of a future review of the Neighbourhood Plan and/or in the course of a planning application.

If the Examiner is so minded, he may choose to recommend that the sentence is deleted from the policy and placed in the supporting text (say, §5.51).

FNP 16

Would the development of the site represent sustainable development as defined in the NPPF?

Yes, we believe that the proposal for the Leaffield Road site would amount to sustainable development when considered against the three dimensions of sustainable development outline in the National Planning Policy Framework (“NPPF”), paragraph 7: economic, social and environmental. The Landscape and Visual Impact Assessment; Archaeological and Heritage Assessment; Transport Statement; and Preliminary Ecology Appraisal do not identify any adverse impacts arising from the allocation that would significantly and demonstrably outweigh the public benefit. In this context alone, we consider that Site FNP16 site amounts to sustainable development. This is also supported by the Sustainability Appraisal incorporating Strategic Environmental Assessment (revised version agreed by CDC and now undergoing re-consultation).

It is helping to provide for at least the required quantum of housing growth while taking due account of the other aspects of sustainable development and minimising the negative impacts on these.

In terms of the Sustainability Appraisal objectives, FNP16 has been assessed as having positive impact in terms of Population & Communities; some negative impact in terms of Health & Well-being (due to the relative distance from the town centre, although this is offset by proximity to the schools, associated sports facilities and access to countryside); possible negative impact in relation to Historic Environment & Landscape (mainly due to the proximity to the edge of the Special Landscape Area and Conservation Area, although mitigated by the proposed policy requirements); and neutral on the other criteria.

Criterion 1 overlaps with my question on FNP 7

It is our strong preference that the sewage scheme requirements are defined at an early stage, as part of the master plan, to enable Thames Water to plan ahead for its implementation.

Under Section 94 of the Water Industry Act 1991 Thames Water has a statutory obligation to provide a suitable drainage network connection for allocated housing sites. Thames Water’s current Asset Management Plan, as we understand, covers the period 2015 to 2020 and does not identify any capital improvement works. It is unlikely that Thames Water will fund an improvement scheme until they have prepared a new Asset Management Plan for the period 2020 to 2025.

In the event of Site FNP16 being brought forward for development before this, the requirement to upgrade the foul capacity would fall to the developer, in which case we envisage the upgrade being controlled by way of a suitably worded ‘Grampian style’ condition to ensure delivery of the improvement works.

How and when will the land request in criterion 2 take place? How will CDC know how to apply this requirement in its capacity as the local planning authority?

Discussions between Gleeson, The Ernest Cook Trust and the School are at an early stage. Gleeson is looking to submit a comprehensive outline planning application for the whole site. This would establish a change of use of the land for educational use. We envisage that through any Section 106 Agreement signed, the education land fronting Leaffield Road would be safeguarded in perpetuity for its intended purpose. The Section 106 Agreement would therefore need to allow for the land to be transferred to either Fairford Town Council or Gloucestershire County Council, subject to preference.

We would assume that the planning condition and/or section 106 agreement would then specify that the transfer of the land would take place and the car parking, drop-off and turning facility would be

provided at the start of development, to ensure that construction activities did not add to existing traffic congestion issues around the schools (timing here may be critical).

In criterion 4 what is the basis of requiring three distinct development parcels?

This is principally in recognition of the separate educational use for part of the site and the need to reserve a through route for future access from the east (as shown in the sketch layout provided by Gleeson), as well as potentially to facilitate some phasing of development, as was done for the recent 'Fairford Gate North' development (CDC Planning reference 12/02133/FUL), to limit the 'step change' impact.

In criterion 6 is it intended to safeguard the potential for the longer term (beyond the Plan period)? Or is it intended to be achieved as part of the site masterplan?

The approach would be to safeguard the potential access through the site masterplanning and implementation phase, noting that Gleeson has an interest in the land to the east. This land could bring a benefit in the longer term by providing a new road to alleviate traffic and congestion on Leaffield Road, Mt Pleasant and Lower Croft.

Criterion 8 is setting out to address an important material consideration. As drafted it lacks the clarity required by the NPPF given that further work is necessary on the details of the site. On this basis would it be more appropriate to have a more general criterion addressing the substantive issue?

We understand that your concern relates the reference to a flood risk management strategy which has not yet been produced.

It would seem sensible to define a scheme for the attenuation of surface water from the site, to avoid increasing off-site flood risk, as part of the masterplan at the pre-application stage. This could then be implemented at the start of development, to address environmental concerns about run-off during the construction phase and also from the car parking area, which is at least partly within a groundwater source protection zone 2.

According to the Technical Guidance accompanying the NPPF, the site is located within Flood Zone 1 and the Flood Risk Vulnerability Classification is 'more vulnerable'. As such, the site provides an appropriate location for new residential development. Preliminary site investigations carried out have determined that soakaways would not provide an effectively solution for dealing with surface water runoff. We understand the intention is to provide a drainage strategy which is based upon discharging to field ditches running along the site's east, west and southern boundary. The drainage strategy would incorporate use of Sustainable Urban Drainage System ("SuDS") techniques so as to actively slow down the time of water entry into the field ditches so that discharge rates from the site can mimic the greenfield equivalents. To comply with the NPPF and the Non Statutory Technical Standards for Sustainable Drainage Systems published by the Department for Environment, Food and Rural Affairs (March 2015) it is likely that the proposed scheme will incorporate attenuation storage features. Given the topographical fall across the site such features would most likely best be accommodated in the south eastern corner.

Paragraph 154 of the NPPF requires that “only policies that provide a clear indication of how a decision maker should react to a development proposal should be included” in a plan. Therefore we agree with the examiner that a more general criterion addressing the substantive issue would be appropriate. We make the following suggestion: -

“The scheme provides a suitable drainage strategy which incorporates SuDS and ensures that runoff rates are attenuated to greenfield run-off rates.”

The northern and north-eastern boundaries of the site do not follow any obvious boundary. Is it intended that the existing overhead low voltage electricity line forms the boundary of the site to its north? If so how does this sit with FNP 14(c17)?

The northern site boundary is currently defined by the land controlled by Gleeson. The remainder of the field is owned by The Ernest Cook Trust. With regards to the overhead low voltage electricity line it would be the intention for this to be buried as we understand the associate cost is not all that great. The alignment of the buried line would require an easement / wayleave so would need to be accommodated within a landscaped buffer.

What will happen to the corner of the existing field excluded from the site? Would it represent the best use of land?

Whilst the corner of the field is outside of Gleeson’s control, it is owned by The Ernest Cook Trust and would form part of any landscape buffer / mitigation required. It should be relatively straightforward to incorporate it in one or other of the adjacent fields if required.

FNP 17

Is there any significance to the comment about ‘(older persons) seeking to downsize from larger properties’?

Yes. This relates to the data obtained from the Questionnaire in January 2016, which identified a net demand from current residents for certain types of homes, particularly 3 bedroom detached houses and bungalows, as well as retirement homes. [See attached]. This is clearly consistent with the demographic profile and national trends in life expectancy.

Is the important component of any land use policy the size of houses rather than the circumstances of those who may occupy those houses?

From the point of view of land use policy the important thing is clearly the effect on the housing mix. This will be partly in terms of size (affordability of larger homes is clearly an issue for younger people, at the same time as older people are seeking to downsize), but also in terms of design to meet the needs of a growing elderly population (including many more people in their 80s and 90s) – i.e. considerations such as stairs, doorway widths and power point accessibility will also be important. These are reflected in the criteria under policy FNP3, as an example, which refers to ‘retirement flats and lifetime home compliant 1.5 storey dwellings’. Location in relation to facilities is also relevant.

FNP 18

Paragraph 5.70 reads clearly that Coln House should be re-used/converted to business purposes. However, the final component of the policy talks about reuse and/or the redevelopment of the site. Please can this be clarified?

It is accepted that the original wording leads to confusion. We would therefore suggest changing the last line, of the final component of the policy, to read ‘...comprise the re-use/conversion of the site to include B1 business uses’.

Does the Town Council consider that the redevelopment of the site would be acceptable in principle?

No. The Town Council does not consider that the redevelopment of the principal buildings on the site (referred to in the listing statement) would be acceptable, but does consider that their re-use/conversion would be acceptable, and that appropriate redevelopment of other secondary buildings on the site, consistent with the setting, may be acceptable subject to compatibility with archaeological constraints.

FNP 20

Has this policy been assessed against the changes to permitted development rights as set out in the General Permitted Development Order 2015?

Fairford Town Council is aware of the provisions of the GPDO, particularly as regards changes of use from Classes A1, A2 and B1 to Class C3. That is why we have used the word “resisted” in the policy. However, since most of the buildings of concern are listed buildings, we understand that permitted development rights (PDR) for such changes of use would not apply. And, given the rate at which changes to the GPDO have been made, and the criticisms that have been made of their outcomes, we anticipate further changes will be made by a future Government that will redress the balance. In the meantime, the policy cannot require a planning application to be made for development that does fall with PDR.

The concerns that this seeks to address are summarised below and detailed elsewhere in the Neighbourhood Plan documentation and supporting evidence.

Paragraph 9.8.6 of the existing Local Plan states:

“Fairford’s role is very much as a local service centre and efforts need to be directed towards attracting residents to use their local shops and services rather than facilities elsewhere. Realistically, the aim should be at least to maintain the town’s current offer.”

Regrettably, that aim has not been achieved over recent years, with the continued loss of shops and other services including recently the only Bank branch, despite Local Plan policies intended to prevent this, and so there is increasing reliance on car travel to shop elsewhere which cannot be sustainable in the longer term. Given the limited commercial space now remaining in the town centre, there is a danger that if this trend is allowed to continue there will be insufficient capacity for Fairford to serve the growing elderly and increasingly less mobile population as an effective ‘District Centre’ as it is designated in the emerging Local Plan and on the basis of which the recent significant housing expansion has been allowed.

Fairford Town Council has commented on this issue in relation to the emerging Local Plan at a number of stages, and changes have been made to the relevant policy (EC8) following this, but evidence we provided was unfortunately not passed on to CDC’s consultants to be taken into account in the related

Retail Study update. We believe that the wording we have proposed in this policy is compatible with this and the objectives of paragraph 23 of the NPPF. The Town Council is also taking proactive steps to encourage both existing and new local businesses in order to maintain and if possible improve the vitality and viability of the town centre.

A further possibility is that Cotswold District Council could make an Article 4 direction to restrict permitted development rights for changes of use of this type for properties within the Fairford town centre area that are not listed. We understand that this is outside the scope of a Neighbourhood Plan.

FNP 22

Does the Town Council have any observations on the proposed modifications to this policy made by the Pegasus Group in its representations?

The Town Council agrees in general with the three proposed modifications to be made to this policy (P7 of the Pegasus rule 16 response of 11th April '17). With regard to the revised policy wording that Pegasus suggests (P6), the Town Council's comments are:

1st Para: the housing scheme of 20 houses is seen as 'enabling' to the viable delivery of the scheme including social, economic and environmental benefits for the town. The word 'enabling' has therefore been retained, as this is a fundamental part of the case for supporting development outside the development boundary of the town as an exception to Policy FNP1.

Point ii: It is accepted that the on-going financial endowment need not be part of the developer's obligation and that the wording "...and including a financial endowment to assist in funding the ongoing management of the facility" should be deleted from this policy.

Point vii: It is believed that the inclusion of "...20 dwellings that is of a high environmental standard...." demonstrates that this will be a quality development, but we have no objection to the word 'executive' being included, if the Examiner considers it necessary.

It should be noted that the Town Council fully understands the need for ongoing management and the necessary financial support, to ensure the future success of the proposed new community area. Discussions have already been undertaken with the Cotswold Water Park Trust who have confirmed their support of the plan for Horcott Lakes and in the development of a new visitor centre. In order to ensure the success of this potentially important asset for Fairford, a management committee will be formed to identify the necessary funding and on-going management needs*

**Letter from the Cotswold Water Park Trust to Fairford Town Council, 6th Feb '17, states in reference to FNP 25 (subsequently changed to FNP22):*

"The Trust strongly supports the proposal at paragraph 5.60 in which the Fairford Town Council acquires land at Horcott Lakes for community benefit and for the development of a new visitor centre. The Trust is willing to support Fairford Town Council in realising this ambition as this will directly contribute to the delivery of the Cotswold Water Park Strategic Review and Implementation Plan."

END.