
Inspector's Matters, Issues and Questions

Supplementary Questions for Matters 14 & 15 (Week Four)

Following consideration of the written hearing statements for Matters 14 and 15, the Inspector will wish to consider the following supplementary questions at the relevant hearing sessions. The Council should provide written responses by **midday on Friday 17 November 2017**. If any participants also wish to respond in writing they should do so by the same deadline.

Issue 14.5: Local Green Space

In order to provide a context for consideration of policy EN3 relating to Local Green Space, it is necessary to consider how the Plan deals with open spaces more generally.

The NPPF advises that existing open space of public value, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space to be surplus to requirements, or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location¹.

Policy INF2 seeks to protect "local community facilities and services". The Plan's Glossary lists some examples, but these are all forms of built development. Policy INF7 deals with Green Infrastructure, and the Glossary refers to parks, open spaces and playing fields amongst other areas. However, the policy seems to be primarily concerned with ensuring that development contributes towards improving the network of Green Infrastructure rather than setting criteria for assessing proposals that would result in the loss of open space.

Q192A. Is the Plan consistent with NPPF paragraphs 73 and 74 regarding building on existing open spaces?

The Council's Response:

Yes, the Plan is consistent with NPPF paragraphs 73 and 74 regarding building on existing open spaces. In accordance with the NPPF requirement for policies to be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision, the following evidence documents have been produced:

- the Playing Pitch Strategy - Assessment Report Mar 2017, KKP (EB066);

- the Playing Pitch Strategy - Strategy and Action Plan Apr 2017, KKP (EB067);
- the Green Infrastructure, Open Space, Play Space Strategy Jun 2017, CDC amended Sep 2017 (EB068a);
- Strategic Assessment of Need for Pools Provision: Cotswold District Aug 2016, Sport England (EB064); and
- Strategic Assessment of Need for Halls Provision: Cotswold District Aug 2016, Sport England (EB065).

Policy INF2 seeks to protect “local community facilities or services”, examples of these facilities or services are given at paragraph 11.2.2 and include:

- sports facilities and open space of public or nature conservation value; and
- parks, gardens and amenity open space together with the natural or semi natural green spaces including disused canals or railway lines.

INF2 sets out the criteria for assessing proposals that would result in the loss of local community facilities including open space. In addition, open spaces receive protection through other policies, EN3, EN9, EN11 and INF7. This range of policies ensures that open spaces and the benefits that they may provide are appropriately considered in the planning process.

Q192B. If a site is protected by other designations and/or policies, what additional local benefit is provided by identifying it as Local Green Space?

The Council’s Response:

The PPG makes clear at **Paragraph: 011 Reference ID: 37-011-20140306** that “**different types of designations are intended to achieve different purposes**” and that “**If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as LGS**”.

Different types of designations are intended to achieve different purposes. If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space.

A number of the LGS sites proposed for designation in the emerging Local Plan are also covered by or adjacent to other “protective” designations, for example the AONB, scheduled ancient monument or the setting of a listed building. These designations are covered by a range of policies but those policies relate to the reasoning and purpose behind those designations for example natural beauty, historic or architectural significance, etc., rather than to the particular importance of these local green spaces for their local communities. In determining planning applications, different “tests” would apply for each different designation type, related to their purpose; other than for LGS this would not specifically include the value of that site to the local community. The Local Green Space designation recognises the unique qualities a site has to a local community and how demonstrably special it is to them. (This approach is reinforced by the **PPG, Paragraph: 010 Reference ID: 37-010-20140306** which refers to the use of the LGS designation in areas.

“One potential benefit in areas where protection from development is the norm (eg villages included in the green belt) but where there could be exceptions is that the Local Green Space designation could help to identify areas that are of particular importance to the local community.”

Suggested Mods

To ensure the Local Plan’s Glossary lists a range of local community facilities and services and not just built development examples of these, the Glossary will be updated to include reference to a range of open spaces; including parks and gardens, amenity open space, open space of public or nature conservation value and open space of a natural or semi natural nature.

To ensure INF 2 and INF7 refer to the updated evidence concerning the range of open spaces and recreation facilities, the additional text below will be added to the supporting text of policies INF2 and INF7:

- INF2 paragraph 11.2.2. Add ‘allotments’ to the list of types of open spaces.
- INF2 paragraph 11.2.9. *With regard to the loss of sporting/community facilities, including open spaces, it should be demonstrated that they are surplus to requirements through the ~~Emerging /Adopted Play and Pitch Strategy.~~ as indicated in the Play and Pitch Strategy, the Pools and Halls studies and the Green Infrastructure, Open Space and Play Space Strategy.*
- INF7 paragraph 11.4.9. *The Green Infrastructure, Open Space, Play Space Strategy September 2017 as well as the Playing Pitch Strategy (Assessment Report 2017 and the Strategy and Action Plan 2017) are relevant to the implementation of this policy.*

¹ NPPF Glossary and paragraphs 73 and 74.

Issue 15.3: Renewable Energy

Planning plays a key role in supporting the delivery of renewable and low carbon energy and associated infrastructure, and that local planning authorities should adopt a proactive strategy and consider identifying suitable areas for renewable and low carbon energy sources and supporting infrastructure where this would help secure development of such sources². Identifying areas suitable for renewable energy in plans gives greater certainty as to where such development will be permitted, and that whilst there are no hard and fast rules about how suitable areas for renewable energy should be identified, account needs to be taken of the requirements of the technology, the potential impacts (including cumulative) on the local environment, and the views of the local community³. Maps showing wind resource as favourable to wind turbines or similar will not be sufficient⁴.

197A. Did the Council give consideration to identifying areas suitable for wind energy development in the Plan?

The Council's Response:

The Council gave consideration to identification of areas suitable for wind energy development having regard to:

- Section 4.5 of the 2014 IDP (EB058);
- the Gloucestershire Renewable Energy Study (CR022 and CR023); and
- the Cotswolds AONB Management Plan (NS027).

Part Two of the 2011 Gloucestershire Renewable Energy Study (CR022 and CR023) identifies areas in Cotswold District that, on the basis of the methodology employed, may be suitable for wind energy development. Whilst the Study provides a useful evidential starting point, the Council consider the areas identified to be indicative and they have not been shown on the Policies Map.

However, Policy INF10 outlines the relevant issues for considering proposals for wind energy development, including cumulative landscape and visual impacts. The supporting text does refer to the Gloucestershire-wide Study. The Ministerial Statement (18th June 2015) is also reflected in the supporting text to ensure the planning impacts identified by affected local communities are fully addressed. This criteria based approach is considered to be consistent with national policy (NPPF para. 97) and guidance (PPG ID: 5-008-20140306).

197B. Is the text added to paragraph 11.7.17 by FC092 regarding wind energy development "policy" rather than "reasoned justification"?

The Council's Response:

The text has been reconsidered and the Council agrees that due to its imperative wording it is a policy statement, and consequently should be included in INF10 as a Main Modification.

ENDS

William Fieldhouse
Inspector

6 November 2017

² NPPF paragraphs 93, 94 and 97.

³ PPG ID-5-005-150618.

⁴ PPG ID-5-032-150618.