



GLOUCESTERSHIRE BRANCH SOUTH COTSWOLD DISTRICT
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5th August 2016

Local Plan Consultation,
Forward Planning Team,
Cotswold District Council.

Dear Sirs,

Cotswold District Council Local Plan 2011-2031 Regulation 19 Consultation.

I am writing on behalf of the three CPRE Districts which cover the Cotswold District.

In many respects we support the policies and direction in the plan; in particular the strategy of concentrating development on the most sustainable settlements, the need for and location of an urban extension to Cirencester and strong protection of the unique combination of outstanding landscape and unspoiled small villages. However on some fundamental matters the plan is inconsistent with the evidence, fails to deliver key objectives and is environmentally unsustainable. It is therefore unsound.

Summary

The plan is unsound because:

- the plan allocates land (including a reasonable allowance for wind falls) for 9842 houses which is well in excess of the Objectively Assessed Need (OAN) of 8,400. The studies establishing the OAN state that 8400 is a top end number and not a minimum. By drawing development boundaries to include all the proposed site allocations the plan encourages these sites to come forward for development. The plan is therefore in effect a plan to deliver 9842 houses. The housing in excess of the OAN will be aimed at the out-commuting market and lead to worsening of already unsustainable travel patterns. Part of the excess housing is located in towns which have already had more housing built and approved than their infrastructure can accommodate and because there is a substantial forecast funding deficit for infrastructure it is unlikely it can be rectified. To be sound the plan should allow for already built and committed housing plus the allowance for windfalls and then chose a sustainable balance between allocations to other settlements and the Chesterton site to total the OAN . This would be consistent with the requirements of the NPPF. The development boundaries should be set to reflect these allocations.

- the plan fails to quantify how much of the OAN is affordable housing, the strategy for delivering this amount and the trajectory for its delivery.

- the trajectory for delivery of the housing is misleading, incorrect and incomplete.

-Policy DS3 is inconsistent with policy DS2 because no affordable housing is required for developments in rural areas approved under DS3. This will bias development towards rural villages contrary to the strategy of concentration on the principal settlements.

We have more detailed comments on the text where it is incorrect and inconsistent.

Detailed Submission

1.Paragraph 5.0.1 Sub-paragraph 2.a, Policy DS1 and Paragraph 6.15.

The first two state that the objective is “.. to **at least** meet objectively assessed needs”. The third that the OAN is “at least 8400”.

The NPPF and PPG both require local authorities to conduct an objective assessment of need and then to meet it. In neither document is there any implication that local authorities should regard the OAN as a minimum. The inclusion of the words is in contradiction to paragraphs 6.1.1 of the Plan which establishes an OAN of 8,400 and paragraph 6.1.4 which states the strategy is “to meet” the OAN.

We believe and support the assessment which has established the OAN at 8,400 as a sound base for the Plan. (An Updated Estimate of the Objectively Assessed Housing Needs of Cotswold District May 2016). This report makes clear in paragraph 154 that this is a top range figure. The critical element in the assessment is the estimate of the number of people who will move into the district to fill the anticipated increase in jobs over the period. The report highlights two factors which could cause the housing need to be lower:

- a) The high level over over 64 year olds who are self employed. Paragraph 137 notes that these are most likely to be already resident in the district and a continuation of the trend would therefore reduce the need for additional housing. The 8400 number is based on all new jobs being employee jobs.
- b) 49% of all employee jobs in the district are filled by in-commuting.(see paragraph 2.0.4 of the Plan). The assessment assumes that all are met by in-migration and that commuting does not increase in absolute terms. If 49% of the new job were filled by in-commuting particularly from other districts in Gloucestershire then the housing need could be reduced by about 1000.

Given these two factors and that the HMA for Gloucestershire as a whole shows that jobs can be filled using the demographic OAN for the county, 8400 should be regarded as a prudent **upper** estimate to be monitored and managed as recommended in para 204 of the above report.

A major concern for the district has been the proportion of homes occupied by people who do not work in the district leading to unacceptable levels of commuting. Any building of homes in

excess of the actual local need will only exacerbate this trend and is unsustainable. This concern is expressed in paragraph 3.0.6 which identifies as an issue the need to reduce or avoid increasing commuting and this is then reflected in Objective 5. The NPPF paragraph 34 requires that plans should ensure development is located where the need to travel will be minimised.

For these reasons the inclusion of the words “at least” is unsound and should be deleted.

2. Section 6. The Strategy.

a) Omission from the strategy.

The Strategic Housing Market analysis provided in the evidence base identifies that there is a need for an average of 144 affordable houses each year. There is no reference to this need nor any strategic statement as to how and to what the extent it will be met. Paragraph 3.0.6 identifies providing affordable housing as a major issue for the District. NPPF paragraph 47 also requires that the OAN sets out the need for housing by tenure and provides a trajectory for its delivery.

Providing enough affordable housing is a fundamental assumption in the calculation of the OAN. The total of 8,400 includes 1600 over the demographic OAN for those in- migrating to fill the increase in jobs. Were the houses not to be affordable to these in-migraters then the houses built would add to the unsustainable commuting imbalance into and out of the district.

For the strategy to be sound there should be a quantification of the delivery of affordable housing within the OAN total. This would be most easily achieved by adding a column to table 1 in paragraph 6.1.7 titled affordable housing showing how many have been delivered under the sites already constructed and committed under the already approved sites, leaving an amount which can realistically be delivered under the remaining categories including windfalls and an assessment of any shortfall against the estimated need.

We note that delivery can be either as direct housing or as a contribution. Also that recent appeals have ruled that free market housing numbers should not be increased to ensure meeting affordable housing need where this would lead to unsustainable increases in commuting traffic. This would be the case in the Cotswold District were the total housing to exceed the OAN total of 8,400.

The quantification given above would then provide the justification for the percentages in Policy H2.

Please note also our comments on Policy H2 and Policy DS3 below.

b.Paragraph 6.1.2.

This paragraph states that local job growth is between 10,500 and 11,900. These figures are totally unrealistic. The May 2016 OAN Update study referred to above incudes a lengthy

analysis based on economic studies of the number of jobs likely to be created in the Cotswolds over 2014 to 2031. They conclude the number is around 5000 the data show that there were some 1000 net new jobs between 2011 and 2014 giving a total of 6000 over the plan period.

The figures in paragraph 6.1.2 are incorrect, based on out-of-date data and inconsistent with the latest evidence. They should be corrected.

c. Paragraph 6.1.7. and Table 1

The estimated land supply for housing is 9,842. This is well in excess of the OAN and is unsound. The land supply includes, as provided for in the NPPF paragraph 48, a realistic allowance for windfalls. Given the less restrictive policy on developments in rural settlements and the proven track record, these windfalls will be built. The calculation of land supply should start with this allowance giving a total of 6732 (built, approved and windfalls) leaving 1668 to be found from the Chesterton site and allocations to other principal settlements.

Some modest allocation to other principal settlements would be sensible but the allocation should be reduced by 331 (see section 4 below for specific submissions on the allocations which constitute this number). The balance of the land allocated to meet the OAN should come from the Chesterton site which would be developed beyond 2031. This balance would form a strategic reserve which can easily be brought forward should circumstances require additional land up to 2031.

In addition because all the allocations are included within the development boundaries they will have been approved in principle for development under Policy DS2. This will encourage their development which with the full development of Chesterton will create an excess housing stock for out-commuting and by implication provide a substitute for planned housing in other districts in the county or elsewhere. It is stated that both Stroud Districts and the Forest of Dean have decided to meet their OANs within their boundaries and it is known the inspector for the Joint Core Strategy is intending to increase the housing allocations above the demographic OANs of Tewkesbury, Cheltenham and Gloucester. The surrounding counties are planning on a similar self-sufficiency. There is therefore no need for the excess housing in Cotswold District. For the Cotswold District to deliberately plan to overbuild would require cooperation with other planning authorities and there is no evidence that this has taken place.

d.Paragraph 6.1.15 The trajectory

The NPPF paragraph 47 requires a trajectory for delivery of the OAN and for market and affordable housing. The trajectory in paragraph 6.1.1.5 does not meet this requirement because:

- i) It is misleading because it does not include the annual allowance for windfalls.
 - ii) It is incorrect because including the windfalls it represents delivery of the 9840 houses over the plan period which is not the OAN and is unsustainable.
 - iii) It gives no idea of the extent and timing of meeting affordable housing need
 - iv) It has an unrealistic phasing of the 3323 remaining already committed housing.
- According to the housing monitor 628 of these houses are under construction and this is reflected in the number for 2016/2017. However beyond 2016/17 the trajectory is

overstated. 1100 of the planning applications are still outline and given the track record it will be some years before they are converted to full approved applications let alone built. For the balance the current fragility in the housing market is already causing housebuilders to defer commitments where they can. As the common housebuilder model is to build only what has been already bought off-plan we can expect a slow- down from the hectic pace of the last few years.

For these reasons the trajectory is unsound and should be completely revised.

3) Policy DS3 and Affordable Housing

Policy DS3 deals appropriately with the protection of the character of the smaller villages which are such an important part of the historic and heritage attraction of the Cotswolds. It is less strong on the promotion of the local community. This is given weight in the NPPF (paragraph 17 concerning empowering people to shape their own community and paragraph 54 concerning the importance of meeting local need in rural area). The intent of the policy should be made clearer by slightly more precise wording.

i) paragraph 6.3.2 should strengthen the rationale for the policy by adding the words to the first sentence. “ This symbiotic relationship between countryside and small village built environment is at the heart of the district’s unique attraction to tourists and visitors.”

ii) paragraph 6.3.7 only states that involvement of the local community is desirable. It should be “a requirement”.

iii) Because Policy H2 only applies to principal settlements and Policy H3 only deals with exception sites, there is no requirement for any affordable housing to be delivered on sites approved under Policy DS3. This is inconsistent with the approach for principal settlements. There is a well documented need for affordable housing in many of the villages in the district and the policy is unsound because it does not use the flexibility allowed to maximise the provision of affordable housing in the the non-principal settlements.

We appreciate that under the Ministerial Statement of 28th November 2014 the scope for requiring affordable housing on small sites is restricted. However that statement does allow a threshold of 5 dwellings in the AONB and 10 dwellings elsewhere. The plan should include these thresholds within policy H2 and broaden its application by changing the policy’s title to simply “Affordable housing” and the first paragraph to “ For all housing approved under policies DS2 and DS3 ...” . Failure to make this change will mean that there is an in-built economic bias towards development in non-principal settlements contrary to the direction of the strategy and the the NPPF.

iv) In sub-paragraph (a) of the Policy add the word “immediately” before the word “adjacent”. On its own adjacent can mean “close to” rather than “abutting” which is the intent of the policy.

v) In paragraph 6.3.4 add the words “by means of good public transport” after “reasonable access” otherwise any village within car commuting distance of a principal settlement will be deemed suitable for development adding to the problems of car congestion and unsustainable travel patterns.

vi) Paragraph 6.3.5 is unclear. The phrase in line 2 “including e.g. two bed properties” does not seem to have any logical connection to the rest of the sentence.

4. Section 7 Delivering the Strategy.

i) Policy S2 Chesterton site.

Following from our submission above this policy should contain a clear statement on phased release and the note in paragraph 7.1.1.2.6 should be altered to put more emphasis on the likelihood that much of the site will be developed after 2031.

ii) Sites in Fairford, Kemble, Morton in Marsh, Tetbury.

There are three reasons general why the allocations to the above principal settlements should be reduced:

a) The NPPF paragraph 17 states as a core principle that planning should empower local people to shape their surroundings. The Evidence Paper to Inform Non-strategic Housing Allocations shows that for all the sites listed below the local community is totally opposed. As there are no shortages of sites to meet the OAN both for the district and locally it is against the principle of the NPPF to include these sites.

b) These settlements have all had an already high level of development both built and approved. The revised IDP shows that all need improvements in infrastructure to cope with growth at the level of the OAN. The IDP Update Infrastructure Funding Gap report shows that after a realistic allowance for CIL income there will be a funding shortfall of £9.8 across the district except for Chesterton which will be dealt with through a site specific S106 agreement. The report notes that it will be challenging to find funding to meet make good this shortfall. (Note: The CIL Consultation is incorrect in paragraph 3.3 to say the gap of £9.8 is before CIL income). Paragraph 7.0.9 notes the reasons why the CIL income will be less than needed and goes on to say that this will particularly effect Fairford, Moreton-in Marsh and Tetbury. Given that the plan objective and policy is to ensure that infrastructure keeps pace with development and this will be unlikely to happen at the OAN level of allocations even more developments in these settlements would be unsound.

c) There is little prospect of employment to match the level of growth locally and the additional housing will exacerbate already congested roads in these settlements.

For these reasons the following site allocations should be taken out of the plan and the development boundaries redrawn accordingly:

Fairford (see Paragraph 7.1.3.8 and Policy S5)

Paragraph 7.1.3.8 states that there are no housing allocation in Fairford yet Policy S5 includes allocation for a further 77 dwellings. Fairford has been subject to a very large expansion already and has neither the infrastructure nor road system to cope with further expansion. As the text notes Fairford has a low level of self- containment (paragraph 7.1.3.5) and further development will only add to the levels of out commuting. Sites 35B

and 44 should be removed from the plan allocations and the development boundary redrawn accordingly.

Kemble (see Policy S6).

The Policy S6 includes an allocation of site K18 for 13 dwellings. This site was deemed unsuitable for housing in the SHLAA. Site K5 simply adds to the local out commuting stock. Site K18 and K5 should be removed and the development boundary re-drawn to exclude this land.

Tetbury (see Policy S9).

Policy S9 includes allocation of site T31B. There is no justification in terms of local need for this site. As with other towns in the district, a large number of housing applications have been already approved beyond the town's capability and infrastructure capacity. This site is not sustainable and should be removed and the development boundary redrawn.

Moreton in Marsh (See Policy S18).

Policy S18 allocates sites M19A, M19B and M12A giving a total of 187 new dwellings in addition to those already built or approved in the plan period. While Moreton is one of the most sustainable settlements in the district this magnitude of further development is unreasonable. In particular the main road through the town is a major bottleneck and these developments would simply add to the problems. Furthermore sites M19A and M19B abut the Cotswold AONB and will be highly visible from the ridge to the west of the town adversely affecting the setting of the AONB. It is illogical to include sites which have such a landscape impact and are in conflict with the Landscape and AONB policies when there is no pressing need for housing in the town. These sites should be removed and the development boundary redraw

5. Policy H2. Affordable Housing.

Apart from the need to redraft this policy to include all developments under Policies DS2 and 3, we note that paragraph 5.5 of the SHMA 2016 recommends that a target of 35% be set **as a minimum** on all eligible sites. The policy on the other hand sets it as a maximum. Without any analysis given in the plan on the scale of and how affordable housing needs are going to be met there is no justification for ignoring the evidence base.

6. Policy SP5 (Cotswold Water Park) and Policy SP4 (River Thames)

There is an inconsistency in the approach to the River Thames and the Cotswold Water Park. In both cases new strategies are intended to be prepared. As they are still in preparation it would be inappropriate for them to be the subject of policy provision. However paragraph 13.3.6 requires that proposals for the River Thames should be consistent with future strategies and that

developers should contact the RTA for advice. The CDC is aware that recent studies for the Water Park have recommended that strategies be developed for the future landscape, access and biodiversity. These recommendations have been accepted by the Cotswold Water Park Trust. There should therefore be a similar paragraph inserted under Policy SP5 directing developers to consult with the Cotswold Water Park Trust to ensure their proposals will be complementary with future water park strategy.

As we are unable to locate the Representation Form we should be grateful if you would take this letter as notification that we would like to be notified of:

- The submission of the Local Plan for examination in public by an independent Inspector
- Publication of the Inspectors report
- Adoption of the Cotswold District Local Plan

Yours sincerely

Nicholas Dummett
Chairman CPRE South Cotswold District