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CREATING A FUTURE
THAT IS GREEN TO THE CORE



Cotswold District Local Plan Update Consultation

Survey Questions

Town and Country Planning (Local Planning)
Regulations 2012

Regulation 18 consultation

1 February 2024 to 7 April 2024

Introduction

This document provides the survey questions of the Local Plan Update consultation.

It is provided in Microsoft Word format to help draft responses. It may also help with sharing initial responses with clients or other interested parties for discussion. We kindly request that you:

1. Copy your responses into the online questionnaire found at your.cotswold.gov.uk; and
2. Please do not submit a completed version of this document as your consultation response.

Please note that not all policy proposals have a consultation question, but you can comment on any part of the Local Plan consultation documents (e.g. a policy or paragraph within the Local Plan) online at your.cotswold.gov.uk.

Comments on the consultation process

As you are aware HBF have been in contact with the Council to express some significant concerns from our members about the mechanisms used to undertake this consultation and the difficulties our members have encountered in locating relevant documentation on your website and engaging with the consultation process.

HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

The Council's initial refusal to accept representation by email is in breach of your own Statement of Community Involvement Jan 2024. This clearly states on page 14 that "Responses are strongly encouraged through the online consultation software as this will help to process comments in a more timely manner. However, written comments including by email (send to local.plan@cotswold.gov.uk) or letter (FOA: Forward Planning) are equally valid methods of submitting comments and will be manually inputted into the Council's online consultation software."

Compliance with the SCI is one of the legal tests for the Local Plan and it is disappointing that the Council sought to mandate and require, rather than "encourage" developers to submit comments via the consultation portal. Whilst we are grateful that the Council has provided a pdf of the whole plan for those who need to read the whole document and provided a Word copy of the consultation questionnaire, and finally accepted response by email are acceptable, HBF and our members have still found the consultation process difficult to engage with and generally unsatisfactory.

We would encourage the Council to review and revisit the issues we have raised when undertaking any further consultations. We would be happy to work with the Council on improving the consultation process and helping to ensure the needs of the development industry are met.

More worryingly however is the scope, or lack thereof of the consultation documentation and questionnaire responses. HBF and our members remain concerned about the lack of a direct question on the scale of growth to be planned for, and indeed a lack of question on other area of policy which are proposed to be changed- for example biodiversity net gain.

The SA is also silent on the scale of growth, which HBF and our members believe should in fact be a fundamental consideration for the next Cotswold Local Plan.

Similarly a single question covering the wide range of policy areas addressed EN1 to EN18 (assuming the EC referred to is a typo) seems totally inadequate.

Local Plan Update (Development Strategy, Vision and Objectives) Survey Questions

Dev Strategy Q1: Do you agree with the draft Vision?

Yes / No / *Don't Know*

Dev Strategy Q2: Tell us more about why you agree or disagree with the draft Vision.

HBF welcomes the Council's efforts to ensure that they have an up to Local Plan. Plan-making is a fundamental part of a Local Authority's role and is essential to support the delivery new homes and jobs. However, HBF note the potential for significant confusion between two parallel Local Plan making processes- a local plan review to 2031 and a new Local Plan to 2041.

Paragraph 22 of the NPPF requires that "strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger-scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery".

HBF suggest the Council should consider extending the Plan period to ensure that meets the requirements of the NPPF. The plan needs to run for a minimum of 15 years from the date of adoption and it can take a lot of time for Plans to progress from Reg 18 through to Reg 19, Submission and Examination, Inspector's Report and Adoption. In light of the amount of time it can take to progress through the multiple stages of plan-making, a longer end date for the plan, of 2043, or even 2044, may be a more realistic. Whatever plan period is chosen there is a need for evidence to cover the whole plan period, it would therefore be sensible to ensure the evidence covers a longer time frame as well.

It is important that housing needs of Cotswold are met in full. As such the current reference in the vision to contributing to meeting the housing needs of the District is inadequate and should be changed to make reference to meeting the housing needs of the district in full.

Dev Strategy Q3: Do you agree with the draft Objectives?

Yes / No / *Don't Know*

Dev Strategy Q4: Tell us more about why you agree or disagree with the draft objectives

As mentioned in our response to Question 2, HBF suggest the Plan period should be extended that reference should be made to meeting the housing needs of the district in full.

We have identified eight development strategy scenarios that could accommodate additional development up to 2041. A combination of scenarios 1, 2, 6 and 7 is being proposed to accommodate additional development needs up to 2041.

Dev Strategy Q5: Do you agree with the proposed development strategy (scenario combination)?

Yes / No / Don't Know

Dev Strategy Q6: Tell us more about why you agree or disagree.

HBF would wish to see the Plan set out a logical settlement hierarchy which meets all the housing needs and addresses all areas of the housing market, with a range of sites proposed for allocation. HBF does not comment on individual sites, other than to say the Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination.

A range of sites will be needed to ensure ongoing delivery over the plan-period.

Dev Strategy Q7: Are there any other scenarios that should be considered?

Yes / No / Don't Know

Dev Strategy Q8: If you answered 'yes' to the above question, please tell us what other scenarios you think should be considered.

See question 10

Dev Strategy Q9: Do you agree with the proposed development strategy?

Yes / No / Don't Know

Dev Strategy Q10: Tell us more about why you agree or disagree with the proposed development strategy.

HBF strongly support the need for more housing in the Cotswold District Local Plan for a variety of reasons including addressing the current housing crisis, meeting housing need, providing affordable housing, to support small and medium house builders and to support employment growth. HBF would request that the Council considers the proposed housing requirement fully considers all of the issues that may result in a need for a higher housing requirement, including the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure increased delivery of affordable housing.

The Government has made it clear that it still supports the national target of 300,000 new homes per year. The standard method housing requirement has always been only the starting point for setting the housing requirement in a Plan.

Indeed, HBF would support more housing than the standard method housing requirement in order to support economic growth, provide a range and type of sites and to support small and medium house builders. There is a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account and a need for the Council to consider whether higher levels of open-market housing are required in order to secure the delivery of affordable housing and/or support economic growth.

HBF request that the Council also considers the need for a range of different types of housing sites to be allocated. Strategic allocations and large multi-phase sites can take time to bring forward and as such a range of sites is needed to ensure ongoing delivery over the plan-period.

The NPPF requires Local Plans to identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, unless there are strong reasons

why this cannot be achieved. HBF has undertaken extensive consultation with its small developer members. One of the chief obstacles for small developers is that funding is extremely difficult to secure without a full, detailed, and implementable planning permission. Securing an implementable planning permission is extremely difficult if small sites are not allocated. Without implementable consents lenders are uneasy about making finance available or the repayment fees and interest rates they set will be very high. Small developers, consequently, need to invest a lot of money and time up-front in the risky business of trying to secure an allocation and a planning permission, and this is money that many small developers do not have.

The Council should set out in the Plan's policies and evidence base to set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by paragraph 69 of the NPPF. Indeed, the HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan. Up until the 1980s, small developers once accounted for the construction of half of all homes built in this country resulting in greater variety of product, more competition, and faster build-out rates. Since then, the number of small companies has fallen by 80%.

HBF also note that support for small and medium builders need not be limited to only small sites of less than 1Ha. SMEs also deliver on other types of non-strategic sites (for example up to 100 units). The inclusion of a range of sites including non-strategic allocations could be used to expand the range of choice in the market and be of a scale that can come forward and make a contribution to housing numbers earlier in the plan period.

Dev Strategy Q11: Do you know of any land that is available for development and/or designation?

- Market homes
- Affordable homes
- Gypsy and traveller pitches
- Other types of residential development
- Employment development (e.g. office, industrial or storage and distribution uses)
- Other commercial development (e.g. retail, other town centre uses, etc.)
- Renewable energy infrastructure / facilities (see policy CC2)
- A Local Green Space (should any land be designated as a Local Green Space?)

HBF do not comment on individual site allocations but would encourage the Council to allocate a wide range of sites for the reasons listed elsewhere in our representation.

Dev Strategy Q12: If you answered yes please tell us where. Where you are able to please complete a 'call for sites' form - <https://www.cotswold.gov.uk/planning-and-building/planning-policy/strategic-housing-and-economic-land-availability-assessment/>)

No comments

Dev Strategy Q13: Moreton is being considered as a potential location to meet future housing and economic needs. We believe the following infrastructure is essential and would need to be provided alongside new growth. Please indicate what infrastructure is important to you. Tick all those that apply:

- Improved sustainable transport / active travel links between the development sites and the town centre (e.g. footpaths and cycle ways);
- A new road that takes through traffic away from the town centre;
- Delivery of the transport hub next to the railway station;
- Improved public transport connections to other locations, including the reinstatement of train services between Moreton-in-Marsh and Stratford-upon-Avon;
- Comprehensive provision of wastewater treatment infrastructure;
- Ensuring additional development does not increase flooding of the River Evenlode
- Additional new primary school (possibly two additional new primary schools);
- A new secondary school (although this would require around 5,000 additional homes and a longer-term vision beyond 2041);
- Leisure facility improvements;
- Town centre improvements, particularly the central parking area and landscaping and potentially an alternative to the long-stay visitor provision;
- A Business Hub to support start-ups;
- Community centre provision;
- Library improvements;
- Green Infrastructure (additional and improved) and additional green spaces;

No comments

Dev Strategy Q14: Please tell us if there is any other infrastructure not listed in the previous question.

No comments

Dev Strategy Q15: If a new road were to be provided in Moreton-in-Marsh, what things would be important for you? Tick all those that apply:

- It should divert existing through traffic away from the town centre
- It does not need to divert existing through traffic away from the town centre
- The road is not used by heavy goods vehicles (HGVs) (i.e. HGVs would continue to pass through the town centre)
- The road is used by all types of vehicle, including HGVs
- The route extends the whole way around the eastern side of the Moreton, connecting the Fosse Way (A429) to the north and south of the town via London Road (A44)
- The route incorporates the north-eastern part of Moreton only, connecting the Fosse Way (A429) to London Road (A44)
- The route incorporates the south-eastern part of Moreton only, connecting the Fosse Way (A429) to London Road (A44)
- The route is located along the outside edge of future planned development / the town
- The route is located internally within future planned development

- The road has a low vehicle speed (e.g. 20mph or 30mph)
- The road has a higher vehicle speed (e.g. 40mph or 50mph)
- A segregated pedestrian / cycle lane is provided
- The route is lined by trees

Dev Strategy Q16: Please tell us if there is another important 'road' consideration not listed in the previous question.

No comments

HBF is surprised by the lack of an 'any other comments' question as part of this consultation. HBF have thoughts and comments we wish to make in relation to other policy areas, notably BNG, but there is no mechanism/question for us to do so. We have therefore added these comments to the end of this consultation survey form. Please note our comments on BNG will be relevant to both the Local Plan Review and a new Local Plan.

The same issue applies to the question on the Local Plan Update. The section below suggests "there is an opportunity to capture your views on matters that are not raised by this survey" but does not indicate how this should be done. This further underlines HBF concerns about the consultation process(es).

Local Plan Update (Draft Policies) Survey Questions

Please ensure you read the draft policies in the Local Plan Update before you answer the questions. Where possible summaries of the main elements of the policies are provided to assist you.

This survey does not address every proposed change, instead we have focussed on key changes that we would like your views and steer on. However, there is an opportunity to capture your views on matters that are not raised by this survey. If you do suggest changes please provide clear justification. Remember that policies are publicly examined by a government Inspector and need to be supported by evidence.

LPU Q1: Policy SD3, the Cotswold Design Code, lists a series of design principles, do you think anything is missing from that list? Yes / No / Don't Know

No comments

LPU Q2: Tell us more about why you agree or disagree with the design principles.

No comments

LPU Q3: Do you agree that the Local Plan should promote health and well-being, not just for residential development, but for other uses as well such as commercial and employment proposals?

Yes / No / Don't Know

LPU Q4: Tell us more about why you agree or disagree.

Any requirement for Health Impact Assessments for any type of development must be proportional, flexible and fully justified.

LPU Q5: Policy CCI - Retrofitting and Decarbonisation Existing Buildings

Although not referenced in policy CCI the council is exploring options to include an additional requirement that would require consequential improvements to be made to dwellings that seek permission to extend. This would be above and beyond existing building regulations and would address a significant component of carbon emissions in the district. This would emulate the existing Welsh Building Regulations; for example, a small extension of (10m²) in a house with less than 200mm loft insulation triggers a requirement to install 250mm of loft insulation to the main house. **Would you support such a policy requirement?**

Yes / No / Don't Know

LPU Q6: Please state your reasons why.

HBF is mindful of the resource challenges and constraints facing the planning. HBF would encourage the Council to consider where its limited resources are best targeted. Effective delivery of housing development through effective plan-making and timely decision-making in relation to applications must be a clear priority.

HBF are of the view that matters in relation to Building Regulations should be left for Building Regulations and not Local Plans to address.

Renewable Energy policy questions

Please ensure you read the draft policies in the Local Plan Update before you answer the questions. Summaries of the main elements of the policies are provided to assist you. Indicate below each what you think about this policy component and, if you wish, use the free text boxes at the end of each section to give reasons why you feel this way or suggest changes. If you do suggest changes please provide clear justification. Remember that policies are publicly examined by a government Inspector and need to be supported by evidence.

Policy CC2a – overall renewable energy policy

LPU Q7: The draft policy sets out a strongly supportive policy framework for renewable energy, energy storage and distribution infrastructure, prominently referencing the importance of increasing renewable energy generation in the context of climate change and the council's climate emergency declaration. The policy will make mention of both positive and negative impacts arising from such proposals, including environmental, social, and economic impacts, amenity impacts and the loss of agricultural land. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q8: The policy contains a target for the deployment of renewable electricity generation, reflecting the increase needed nationally to achieve net zero emissions by 2050, provided this reflects what can be achieved locally without giving rise to unacceptable landscape or other harm. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q9: This part of the draft policy suggest renewable energy development of all types may be acceptable in principle within the Cotswolds National Landscape (formerly an Area of Outstanding Natural Beauty), but that the benefits of development must outweigh harm to the designated area or its setting. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q10: The draft policy position is that fossil fuel energy plant which increases emissions unless it can be demonstrated that the objectives of the proposal could not feasibly be met by zero carbon alternatives such as battery storage. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q11: Please state your reasons why. *Please use the free text box to explain your choices (if you wish to) or suggest amendments to Policy CC2a.*

No comments

Policy CC2b – Onshore wind

LPU Q12: Based on the Renewable Energy Strategy (not yet complete), the draft policy centres on identification of broadly suitable areas where onshore wind turbines may be developed, adopting wording to facilitate flexible approaches, whilst ensuring that unacceptable amenity and other impacts are avoided. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q13: The draft policy is that community-owned wind projects may also be acceptable outside of these defined areas, or commercial wind schemes if sited within large new developments or existing industrial estates. **Do you: Strongly support, support, neutral, object, or strongly object?**

No comments

LPU Q14: Please state your reasons why. *Please use the free text box to explain your choices (if you wish to) or suggest amendments.*

No comments

Policy CC2c – Rooftop and ground mounted solar panels

LPU Q15: The draft policy is supportive for both rooftop solar photovoltaic (pv) and ground based solar farms, rather than a rooftop solar first approach, recognising that both are likely to be needed to achieve carbon emission targets, and are largely separate sectors **Do you: Strongly support, support, neutral, object, or strongly object?**

HBF note that the orientation of roofs will impact on their suitability for photovoltaics.

LPU Q16: Please state your reasons why. *Please use the free text box to explain your choices (if you wish to) or suggest amendments.*

No comments

Policy CC2d – Community Renewable Energy Schemes

LPU Q17: Express support being given to community led energy schemes which provide for a community benefit in terms of profit sharing or proportion of community ownership, including

a more permissive policy framework for community owned onshore wind proposals. **Do you: Strongly support, support, neutral, object, strongly object?**

No comments

LPU Q18: Please state your reasons why. Please use the free text box to explain your choices (if you wish to) or suggest amendments.

No comments

LPU Q19: Overall, is there anything missing from our proposed renewable energy policies?

No comments

Policy CC3 – Net Zero Carbon New Buildings

LPU Q20: In late December the government published a Written Ministerial statement that affects the policy CC3 – Net Zero Carbon New Buildings – which may affect the council's ability to deliver the proposed policy. It is likely we will need to alter the policies but it would be useful to know whether you believe we should continue to find ways to deliver net zero homes where possible.

Should the council:

- Defer to Building Regulations and government standards?
- Continue to propose higher local requirements (where justified)?
- Consider another approach?

HBF supports the Government's intention to set standards for energy efficiency through the Building Regulations. The key to success is standardisation and avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The Council does not need to set local energy efficiency standards in a Local Plan policy because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift and proposals for the 2025 Future Homes Standard.

LPU Q21: Please state your reasons why. Please use the free text box to explain your choices (if you wish to) or suggest amendments

HBF agree with the ministerial statement of December 2023. HBF do not support the creation and proliferation of multiple variety of local standards which add further complexity and costs to house building and undermines economies of scale.

In addition to the WMS, 59. HBF would highlight the latest publication 'Future Homes, One Plan Building a generation of high quality, affordable and sustainable homes and communities together'

https://irp.cdn-website.com/bdbb2d99/files/uploaded/Future%20Homes%20One%20Plan_Future%20Homes%20Hub%20Prospectus-%20FINAL%20WEB.pdf.

This was published in Nov 2023 and highlights what actions are needed to support the delivery of sustainable homes.

In particular, HBF would highlight 'Issue 9. The Partnership Imperative' on page 15 which states in the Local Government section that "Local planning requirements must align

with the overall plan for improving performance standards at national level. For example, avoiding divergence of local energy standards that make it harder to accelerate improvement in standards at national level, and avoiding conflict between local planning conditions and new requirements of building regulations.”

HBF would therefore resist any policies that seek to go further and faster than national legislation and policy changes, which would lead to the creation of a patchwork of differing local policies which could inadvertently undermine the delivery of the wider environmental objectives the Council is seeking and create unnecessary delays to much needed new housing.

Delivering the Strategy

LPU Q22: What three services and facilities are most needed in your town or village (please name the town or village in your response)? (e.g. Doctors’ surgery, school, post office, public transport, shop, etc.). You can also add the infrastructure item to the map at this link.

No comments

LPU Q23: Is there a reason why any of the proposed site allocation deletions should be remain allocated in the Local Plan?

HBF does not comment on individual sites, other than to say the Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination. It will be important for any sites allocated in the Local Plan deliverable and viable. The whole plan viability testing of the policy requirements in the Plan will therefore be very important.

LPU Q24: Tell us more about why you agree or disagree.

No comments

Cirencester Town Centre

LPU Q25: Do you agree with the vision and objectives in the revised Cirencester Town Centre Strategy (see policy S3)?

Yes / No / Don’t Know

LPU Q26: Tell us more about why you agree or disagree.

No comments

LPU Q27: Cirencester is a relatively healthy town centre in comparison with many other towns of similar size. But to retain that health is needs to be able to “roll with the punches” and be inherently flexible and responsive to change. The revised town centre strategy and emerging Framework Masterplan SPD seek to encourage a broader diversity of “main town centre uses”¹. Do you agree with that as a policy position and aspiration for the emerging Framework Masterplan SPD?

Yes / No / Don’t Know

¹ Main town centre uses are defined in Annex 2 (p.71) to the [National Planning Policy Framework 2023](#)

LPU Q28: Tell us more about why you agree or disagree.

It will be important that the Council does not seek to give Local Plan policy status to an SPD. This would be contrary to national guidance. Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process.

LPU Q29: As part of that push to a more diverse mix of uses, the encouragement of more evening activity might help to maintain liveliness and vitality over a longer timescale. Do you think that's a good idea?

Yes / No / Don't Know

LPU Q30: Tell us more about why you agree or disagree.

No comments

LPU Q31: Do you think a more diverse mix of activities in the town centre should include more residential use if it's properly integrated and sensitively developed?

Yes / No / Don't Know

LPU Q32: Tell us more about why you agree or disagree.

No comments

LPU Q33: Would a more diverse mix of uses – including more cultural and leisure uses – make the town centre more attractive to visitors? Is this desirable?

Yes / No / Don't Know

LPU Q34: Tell us more about why you agree or disagree.

No comments

LPU Q35: We have made various updates to policies H1 to H7 and have introduced policies H8 to H11. Are there any reasons why these updates and new policies shouldn't be included in the Local Plan?

Policy H1 Housing Mix and tenure to Meet Local Needs

Criteria One:

HBF does not support the introduction of the optional Nationally Described Space Standards through policies in individual Local Plans. If the Council wanted to do this, they will need robust justifiable evidence to introduce the NDSS, as any policy which seeks to apply the optional nationally described space standards (NDSS) to all dwellings should only be done in accordance with the NPPF, which states that "policies may also make use of the NDSS where the need for an internal space standard can be justified".

The NPPF requires that all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. The PPG (ID: 56-020-20150327) identifies the type of evidence required to introduce such a policy. It states that 'where a need for internal space standards is identified, local planning authorities should provide justification for requiring

internal space policies. Local planning authorities should take account of the following areas:

Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.

Viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

Timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions'.

HBF also remind the Council that there is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The Council's policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing.

An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.

HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.

Criteria Two:

HBF is concerned that the lack of a published up to date viability report means that it is difficult to assess the appropriateness of these policies.

HBF also note that bungalows have a higher land take than other forms of housing and this will impact on viability. The policy on bungalows will need testing through the whole plan viability assessment both as a policy requirement and a housing typology.

Criteria Three:

HBF does not consider that requiring developments to provide for self-builders is appropriate. Instead, the HBF advocates for self and custom-build policies that encourage self and custom-build development by setting out where it will be supported in principle. The HBF considers that Councils can play a key role in facilitating the provision of land as set in the PPG. This could be done, for example, by using the Councils' own land for such purposes and/or allocating sites specifically for self and custom-build home builders-although this would need to be done through discussion and negotiation with landowners.

It is considered unlikely that the provision of self and custom build plots on new housing developments can be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health and safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity. HBF also question

is there is a mismatch between the kind of plots and locations that self-builders are looking for, and the kind of plots that would result from this policy.

It is the HBF's opinion that self-build plots should not be required on sites over 20 units. However, if the policy remains, it needs to be clear what happened where plots are not sold. The Council's policy approach should be realistic to ensure that where self and custom build plots are provided, they are delivered and do not remain unsold. If demand for plots is not realised, there is a risk of plots remaining permanently vacant effectively removing these undeveloped plots from the Council's HLS. The Council should also consider the application of a non-implementation rate to its HLS calculations.

It is important that plots should not be left empty to the detriment of neighbouring properties or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible from the commencement of development because the consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater logistical problems created if the original housebuilder has completed the development and is forced to return to site to build out plots which have not been sold to self and custom builders. Any self-build policy would therefore need to make it clear that unsold plots remaining after a certain period would revert back to the original developer. HBF suggest this should be a maximum of six months.

Criteria Four:

HBF note that starter homes are no longer being progressed, however the Government has introduced First Homes and the Council's affordable housing provision policy should refer to this. See our comments on Policy H2.

Criteria Five:

Again, although starter homes no longer form part of national policy, HBF note that exception sites for first homes are allowed.

Criteria Six:

HBF note that the policy seeks all to require 67% of new dwellings to M4(2) Building Regulations and require 8% of dwellings on major developments to meet part M4(3). There is a need for the policy needs to differentiate between Part a) and part b) of M4(3) technical standards. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. HBF have been unable to locate the evidence that supports this policy requirement, or any assessment of the impact of this policy on viability and deliverability of schemes.

Any requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. There is therefore no need for a policy on this issue within the Cotswold Local Plan.

Policy H2 Affordable Housing

Criteria One:

The lack of a published up to date viability report means that it is difficult to assess the appropriateness of the proposed affordable housing percentages.

Criteria Two:

As currently drafted the proposed changes to the wording of Criteria 2 suggest that the definition of rural areas under the Housing Act of 1985 has changed. HBF question if this is correct.

Criteria Three:

HBF note again that the lack of an up to date viability assessment means that it is difficult to assess the appropriateness of the proposed affordable housing percentages.

Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable.

HBF would therefore request that additional flexibility should be included within this policy. This was needed because whole plan viability assessments use methodologies that test typologies of sites, and not the detailed circumstances of individual sites. As such there may be individual sites that are already not viable, for example if the costs or values of a specific site fall outside the parameters used of a typology that was tested. Some site will be on the very margins of viability and other sites may already be unviable even without a change of circumstances. Therefore, additional flexibility is needed in the policy and HBF suggest the policy wording should include the opportunity for negotiation around policy requirements for site specific reasons, as any sites whose circumstances fall outside the parameters of the typologies tested could already be unviable under the proposed Local Plan policies.

H3 Rural Exception Site – no comment

H4 Specialist Accommodation for Older people – no comment

H5 Rural workers – no comment

H6 Occupancy conditions – no comment

H7 Gypsy Accommodation – no comment

H8 Replacement Dwellings – no comment

H9 Extensions and Alterations to Buildings – no comments

H10: Community-Led Housing – no comments

H11: Homelessness Housing Provision – no comments

LPU Q36: Apart from increasing the housing requirement or allocating additional land for development, are there any other ways that the Local Plan can deliver more affordable housing, particularly social rented housing?

To maximise housing delivery, and affordable housing delivery the Plan needs to provide maximum certainty on where new development is acceptable, and the necessary flexibility on what development is acceptable to ensure that schemes can be brought forward.

For example, HBF believe BNG should be a significant factor in emerging Local Plans and may require additional research, evidence work, policy and guidance for it to be made to work in practice. Plan-making is the appropriate stage for many BNG issues to be considered and we therefore suggest that the Plan will need to be reviewed and revisited to ensure that it is doing all it can to support the delivery of the national mandatory BNG policy through providing clear advice guidance and, wherever possible, certainty for developers and landowners and communities on what is expected.

HBF therefore suggest that the Council needs to fully consider its policy ask in the round. Developments can only support a certain level of developer contributions before schemes

become unviable. As such prioritisation of policy asks is likely to be needed. For example, one of the consequences of seeking a higher BNG figure is likely to be a lower amount of affordable housing. Therefore, flexibility within both the housing and other policies will be needed to maximise housing, and affordable housing delivery.

The removal of a require for all new development to meet NDSS may also assist increase affordable housing delivery (see comments in relation to Q36).

LPU Q37: To help meet a potential shortfall in Traveller sites up to 2041, should sites for Traveller communities be required as part of large developments for housing and / or employment?

Yes / No / Don't Know

LPU Q38: Tell us more about why you agree or disagree. *If you answered 'No', how else can Traveller needs be accommodated up to 2041 if not enough sites have been identified?*

No comments

LPU Q39: Should the Local Plan include a policy requiring home working spaces within all new homes?

Yes / No / Don't Know

LPU Q40: Tell us more about why you agree or disagree.

HBF would question the justification for such a policy. Any requirement for such a policy would need to be clearly evidenced and robustly justified. HBF would question if such schemes would have to be viable and deliverable in all circumstances. Such a policy would be unjustified. Not all new residents require a home working space. The additional cost of such space may adversely impact the affordability of housing.

LPU Q41: Should the Local Plan include a policy requiring co-working spaces within larger housing developments?

Yes / No / Don't Know

LPU Q42: Tell us more about why you agree or disagree.

HBF would question the justification for such a policy. Any requirement for such a policy would need to be clearly evidenced and robustly justified. HBF would question if such schemes would have to be viable and deliverable in all circumstances. Such a policy would be unjustified. Not all new residents require a home working space. The additional cost of such space may adversely impact the affordability of housing.

LPU Q43: Do you agree with the proposals at the Fire Service College set out at policy EC4?
Yes / No / Don't Know

No comments

LPU Q44: Tell us more about why you agree or disagree.

No comments

LPU Q45: Do you agree with the proposals at the Royal Agricultural University set out at policy EC4?

Yes / No / Don't Know

LPU Q46: Tell us more about why you agree or disagree.

No comments

LPU Q47: We have undertaken various updates to policies EC1 to EC11 and have introduced policy EC12. Do you agree these updates and new policies should be included in the Local Plan?

Yes / No / Don't Know

LPU Q48: Tell us more about why you agree or disagree.

No comments

LPU Q49: Do you support the Sherborne Estate policy (Policy EN18)?

Yes / No / Don't Know

LPU Q50: Tell us more about why you agree or disagree.

No comments

LPU Q51: Do you agree with a policy that seeks to reinforce local management of green spaces? Management of Accessible Open Green Spaces is a new policy, which reinforces the custodial role that Town and Parish Councils can play in the local management of accessible open green spaces.

Yes / No / Don't Know

LPU Q52: Tell us more about why you agree or disagree.

HBF agree that it is crucial that the long-term management, governance and funding of new open spaces is agreed and is in place at a very early stage of the development process but suggest that there may be circumstances where management by the Town and Parish is not a viable, or preferable option. Therefore, there is a need for flexibility in this policy approach so a pragmatic and workable solution can be found.

LPU Q53: We have undertaken various updates to policies EN1 to EC15 and have introduced policies EN16 to EN18. Do you agree these updates and new policies should be included in the Local Plan?

Yes / No / Don't Know

LPU Q54: Tell us more about why you agree or disagree.

HBF have significant concerns about how mandatory Biodiversity Net Gain, is working in practice, what the policy in the Cotswold Local Plan Review and a new Cotswold Local Plan should be, how BNG should be considered in the preparation of new Local Plans, particularly site selection and allocation process, and how BNG impacts on the viability of other policy asks in the Plan. However, as our comments are not limited to simply comments on the policy wording we have included our comments at the end of this questionnaire, rather than being limited to answering the question(s) being asked in this section. HBF suggest BNG fundamentally changes the processes needed in Local Plan

preparation at all its different stages, not just in relation to the policy wording for determining planning applications.

LPU Q55: The Council is updating its Infrastructure Delivery Plan. Of the following types of infrastructure, what do you consider to be the three most significant issues in your area? 1. Highways; 2. Flooding; 3. Telecommunications; 4. Renewable Energy; 5. Cycling and Walking Infrastructure; 6. Public Transport; 7. Electric Vehicle Charging Points; 8. Green Infrastructure; 9. Recreation and Wellbeing; 10. Water and Wastewater Management; 11. Other

No comments

LPU Q56: If you selected 'other' please indicate the type of infrastructure.

Development can only be required to mitigate its own impact and cannot be required to address existing deficiencies in infrastructure or services. It is therefore essential for the IDP to clearly show the existing and known deficiencies in the current infrastructure, before reaching any conclusion on the cumulative effects of new development, and any contribution that is needed from new development to mitigate any additional individual and/or cumulative impacts.

LPU Q57: Are any other changes required to the Policies Map?

Yes / ~~No~~ / ~~Don't Know~~

LPU Q58: If you selected 'Yes', please explain why.

There remains a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account and a need for the Council to consider whether higher levels of open-market housing are required in order to secure the delivery of affordable housing and/or support economic growth.

HBF suggest that each of these reasons on its own could justify an increase in the housing requirement for the Cotswold and the Council should consider planning for an additional amount of housing to address each reason in turn. The result is likely to be a higher housing number than is currently included in the Plan, and therefore the need for additional housing allocations.

HBF is also very surprised that this consultation includes no opportunities for representations to be made on other policy issues. For example, significant changes are being proposed to policy EN8 Policy EN8: Biodiversity and Geodiversity: Features Habitats and Species, which HBF have several comments and suggestions for, however our comments on BNG go beyond simply comment on the inclusion or wording of the working of the Local Plan policies, as such we have set them out here, rather than being limited to the consultation question(s) in Q53.

Comments on BNG

It is the HBF's opinion that the Council should not deviate from the Government's requirement for 10% biodiversity net gain as set out in the Environment Act. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. It is important that BNG does not prevent, delay or reduce housing delivery. Although the national policies requiring 10% BNG cannot be

subject to site specific viability discussion, any policy requirements over 10% can be. Any policy seeking more than 10% BNG needs to reflect this position.

In light of all the new guidance on BNG that has recently been published, the Council will need to ensure its approach to BNG to ensure it fully reflects all the new legislation, national policy and guidance.

HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time and note the final version of DEFRA BNG Guidance was published on 12th Feb 2024 and the final version of the PPG published on Feb 14th 2024. HBF understand that both may be further refined once mandatory BNG is working in practice, to reflect any early lessons learnt.

HBF note that there is a lot of new information for the Council to work through and consider the implications of, in order to ensure that any policy on Biodiversity Net Gain policy so that it complies with the latest policy and guidance as it is finalised. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance.

It is also important to note that large and complex sites where the development is phased, the guidance is clear that the 10% must be delivered at the end of the development, and this may not result in 10% BNG on each phase. The BNG PPG has been revised since its draft version to provide additional advice on phased development.

HBF also suggest particular care is needed in terminology to ensure the BNG policy reflects the national policy and guidance. For example, on-site and off-site biodiversity is referred to as units, and the statutory national credit system of last resort is referred to as credit. Similarly, it will be important to differentiate between the mitigation hierarchy, which seeks to avoid harm and then mitigate it in relation to protected habitats and the BNG hierarchy which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits. National BNG policy allows for all three of these options, and therefore the Plan should also reference statutory credits.

The costs of BNG must also be considered as part of the whole plan viability assessment and should be specified as a single specific item, not combined into a generic s106 costs item. There are significant additional costs associated with biodiversity net gain, which should be fully accounted for in the Council's viability assessment, some of which are unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. As this is an emerging policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Whole Plan Viability Assessment should clearly set out how it considered the implications of mandatory BNG and how it was arrived at using the most up to date BNG costs information available.

HBF suggest that there will also be a need for Cotswold Plan to explain how it links into the emerging Local Nature Recovery Strategies. Although these are new initiative, and one has yet to be prepared that covers the Cotswolds, the LNRS will be an important part of setting a spatial strategy for Nature. As such, as the LNRS emerges it will be important for this Local Plan to be kept under review and further public consultation on the interaction between the two documents and/or changes to Local Plan policy to reflect the LNRS may be needed.

HBF would encourage the Council to ensure the Local Plan fully considers and evidence how BNG has formed part of the site selection process. This should include understanding

the BNG requirement, including undertaking an assessment of the baseline to support the allocation. Understand the BNG costs and viability for the site and considering how this may impact other policy requirements such as affordable housing, other s106 or CIL contributions.

HBF also notes that there seems to be significant potential for confusion around environmental hierarchy, and suggest particular care is needed to avoid any confusion between the well-established mitigation hierarchy and the new BNG hierarchy. There is need for the policy wording and/or supporting text to be clearer about the differentiation between the mitigation hierarchy (which seeks to avoid harm in the first place, then mitigate and only then compensate it in relation to protected habitats) and the BNG delivery hierarchy (which avoids loss to start with, but then prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits). There seems to be significant potential for confusion between the two difference hierarchies. HBF therefore suggest that the Reg 19 Plan should do all it can to explain how the two hierarchies work in different ways and that they seek to achieve different aims.

Reference could also usefully be made within the Plan to the small sites metric. This is intended to be a less complex statutory metric that can be used to set out how 10% BNG will be secured on small sites. It can only be used for on-site BNG delivery. The national mandatory 10% BNG policy has applied to small sites since 2nd April 2024.