

## **Introduction**

Cirencester Town Council's response to the proposals contained in the outline planning application (OPA) submitted by Bathurst Developments Ltd (BDL), as approved at a Special Meeting of Council on Tuesday 17<sup>th</sup> January 2017, has been prepared to:

- place the response within the context of the emerging local plan, the likely determination of the application ahead of an examination in public of the local plan, and the need to act to secure investment for the town, from the development, should it go ahead;
- establish the credibility and weight of the views put forward by Cirencester Town Council based on its extensive community engagement, research and strategy development which is now supported by a Cirencester Planning Statement, Cirencester Concept Statement and new Design Code, prepared with consultancy support and following public consultation;
- comment on and give the Town Council's views on a range of aspects relating to the outline planning application proposals and make recommendations on them.

## **The Local Plan Context**

**Further to Reg. 18 and Reg. 19 responses to the emerging local plan, Cirencester Town Council encourages Cotswold District Council (CDC) to expedite adoption as soon as possible and strongly urges that the determination of the Outline Planning Application does not take place until the Local Plan, which is heavily predicated and reliant upon the OPA in delivering the district's housing needs, has successfully passed an Examination in Public and been submitted to the Secretary of State for approval.**

**Only after a successful examination in public will CDC be able to progress the plan to adoption; it is therefore only right that issues of prematurity in determining the OPA should not anticipate, pre-determine or prejudice the process for approving and adopting the local plan.**

In response to previous CDC local plan consultations, Cirencester Town Council has argued strongly for a different policy focus which both recognises the need and opportunities for housing provision in a wider range of settlements and a wider geographical area.

As things stand, Cirencester will receive over 83% of all new dwellings allocated in the emerging local plan not already consented for development. It must deliver every house before the end of 2030-2031.

The Cotswold Local Plan Submission draft is to be published soon and this will focus only on issues of soundness regarding structure and coverage. There are many things which could impact on the plan's progress through examination in public, including the level and distribution of housing, and the evidence base used to identify the objectively assessed needs for housing. A wide range of other technical planning matters could also influence the plan's progress through examination; some of which could relate to a view about the deliverability of the scheme at South Chesterton within local plan timescales.

## **The reality of a submitted planning application**

If the Outline Planning Application submitted by BDL is determined for approval prior to the examination of the local plan, this would effectively deny the opportunity for a planning inspector to examine the evidence base in terms of numbers and distribution.

Some hope that Ministers will call-in the application should CDC determine it prior to examination of the local plan, of which the proposed development forms a central part. However, this is uncertain both in terms of likelihood and of outcome.

### **Understanding Cirencester's Needs**

Cirencester Town Council has established a clear vision for the future sustainable growth of the town. A Vision for Cirencester was developed with Cotswold District Council through extensive community consultation and engagement to identify ambitions, needs and demands for key services, local community facilities, key opportunities and longer term aspirations.

The Vision for Cirencester led directly to important initiatives to create a Cirencester Community Plan, 'Our Future Cirencester', and establishing the Cirencester Community Development Trust as a community-led investment charity, and prepare the Cirencester Green Spaces Strategy to act as a catalyst to link, extend and improve important green space and natural resources within the town.

The Town Council also takes a leadership role in promoting significant social and cultural events which are now important fixtures in the town's annual calendar.

The Town Council has created partnerships with key service deliverers to secure more investment in the town, for example to improve CCTV, improved environmental warden coverage, undertake emergency services and, critically, to make direct investment to regenerate the Market Place.

Finally, the Town Council has focused on the development proposal at South Chesterton and:

- engaged consultants to review the evidence in support of housing provision on the scale proposed at South Chesterton;
- developed its own Concept Statement to guide the future development of the town;
- formulated an extensive Planning Statement to review the potential viability, deliverability, impacts, opportunities and issues arising from the development;
- developed a design code, in view of the likely increased pressure on the town centre environment.

Cirencester Town Council has established a strong evidence base in support of its policies and programmes which should be considered and given weight in response to significant development proposals.

### **Faster pace of change**

As the largest town in Cotswold District, Cirencester has traditionally taken a significant proportion of the new housing planned for the district. Significant housing development has occurred in every decade in the post war period. However, it appears the proportion of housing allocated to Cirencester, and the pace at which it must be absorbed, is quickening considerably.

This is partly due to the focus of the emerging local plan on identifying all housing required for the district in just seventeen sustainable settlements. This has given encouragement to Bathurst Developments Limited to bring forward a proposal for a strategic expansion of Cirencester, with up to 2,350 dwellings adding potentially 5,000 to 6,000 people to the town's population of currently around 20,000.

### **An Approach Based on Principle and Pragmatism**

Cirencester Town Council is on record to promote a different development strategy within the emerging local plan, one which would even out housing growth and arguably ensure a more deliverable spread and amount of housing in a short space of time.

As things stand, CDC has not accepted the Town Council's view. It therefore remains open to make representations on the local plan during examination in public, as an interested party.

At the same time, the Town Council recognises that BDL is progressing an Outline Planning Application for determination. At the time of writing, the Town Council does not know the precise date on which the application will be determined, except that it is likely to be in advance of any examination of the local plan.

The Town Council therefore has had a strong and overriding duty to engage with the applicant, the District Council and County Council over the outline planning application.

This has had a strong focus on seeking to achieve three things:

- a development which is built out over a longer time frame. (The applicant has responded to this and maintained that the scale of their proposals, which primarily meets the local needs of Cirencester with a predominance of the development providing 1, 2 and 3 bed homes, can be achieved within the delivery timeframe of the emerging local plan period.);
- a sustainable development which embodies good design, environmental sustainability, significant social housing provision and community facilities on site to enable the new development to both function and add to the stock of Cirencester's community capital. From a development design standpoint, the proposed development at South Chesterton does appear to meet these objectives;
- a development which directly supports investment across Cirencester in acknowledgement of the potential impacts and opportunities created by the addition of up to 5,000 to 6,000 people in just fifteen years from now. Cirencester Town Council has drawn on the considerable evidence base and strategy support it has developed over the last ten years to make the case for a wide range of investments and benefits that can be secured either through Section 106 planning obligations or through other legal mechanisms. This has been largely successful.

Clearly, it would be open to Cirencester Town Council to object to the scale of the proposed development, within the period of the emerging local plan and to campaign on this in circumstances where Cirencester Town Council has previously stated that the size, scale and pace of growth must be managed through the local plan and that a significant increase in development over a short space of time is seen by the community as detrimental.

Nonetheless, recognising that the decision making processes of both the OPA and emerging local plan are directly outside of its direct control, the Town Council has sought to engage positively with the local planning authority to secure maximum benefits and the most positive outcome for the town in meeting current and future housing needs. This is because, outside of the local plan context, the planning application must be considered on its own merits.

Whilst acknowledging the important context of the emerging local plan in respect of the OPA, without an adopted local plan in place, the application would be determined using the policies contained within the National Planning Policy Framework.

The Town Council has made it clear that should the allocation within the strategic site at Chesterton remain significant, it would strongly oppose any further housing allocation in Cirencester during the local plan period.

Furthermore, Cirencester Town Council has asked Cotswold District Council, through its response to the Strategic Housing and Economic Land Availability Assessment (SHELAA) consultation, to undertake a review of the Kemble Airfield option and to consider a joint holistic approach with Wiltshire Council in meeting the housing and economic needs of the area.

### **Response on specific aspects of the proposals**

The Town Council's response to the outline planning application relating to land at Chesterton Farm, Cranhams Lane 16/00054/OUT is based on the issues and concerns raised by members of the public and Save Our Cirencester:

#### **1. Development Size and Delivery**

Such is the backlog of housing provision in the Cotswolds (as in many places) over many years, it is difficult to argue that the amount of housing proposed at South Chesterton is not needed in the district or even in Cirencester.

The history of the five-year land supply in the Cotswolds, of lost planning appeals against housing developments, and of the latest population projections, and the evidence of local people unable to find housing, tells us that there is a strong and enduring need for housing.

New housing must be provided responsibly and as already mentioned must be based on numbers and distribution which meet the needs of villages and towns across the whole district.

Cirencester Town Council has always objected to the size of the development proposed at South Chesterton being delivered in a short timescale which will cause significant 'sustainable development' and 'amenity' impacts on the town; this is not appropriate and would be detrimental to Cirencester.

Development of this size would be more appropriate over a longer timescale as part of a more balanced district local plan housing strategy which will allow infrastructure to be delivered in a planned and phased manner, and for housing also to be provided elsewhere in addition.

The Town Council does acknowledge that some significant transport infrastructure costs may be triggered early and that the scale of proposals helps to overcome these constraints in viability terms.

#### **2. Scale of Development (density and heights)**

Overall, the Town Council considers the quality of the development proposals at South Chesterton to be acceptable.

The proposed density of the development is also acceptable in the context of the affordable housing provision proposed and the predominance of 1, 2 and 3 bed dwellings to meet local

housing needs within a decreased area for development, because of significant open space provision as the best use of land on the site with development constraints. The scale of building heights within the proposed development is acceptable having been subsequently reduced by the applicant.

The main avenue width of approximately 30 metres and house to house widths varying between 23 metres and 50 metres will minimise the impact of the density and must be protected at the outline decision stage.

### **3. Impact on the Character of the Town**

Cirencester has grown significantly over the decades and its character as a vibrant historic market town has been maintained. A larger population supports a wider range of more sophisticated local services and facilities which local people use and enjoy.

Should development on the scale proposed be approved then this is a challenge to which the town must rise. The key is to ensure that local services and community infrastructure are delivered along with development such that the growth in population does not overload local services and damage local quality of life.

CTC has used its leadership role within the town to negotiate developer and CDC commitments to significant local community infrastructure. The Town Council welcomes the agreed developer contributions within the 'long list' and asks that these contributions be protected in supporting work towards conserving and improving various historic assets as well as improving access and the public realm within the historic core of the town.

It is the view of this Council and essential that the right legal agreements and mechanisms are adopted to ensure that developer commitments at outline planning stage are carried through reserved matters and into delivery, potentially by other parties.

### **4. Loss of Agricultural Land**

The emerging local plan has placed considerable weight on preserving land within the Cotswolds AONB from housing development. This has partly given rise to the need to find significant housing land around towns like Cirencester where land is not in the AONB, such as at South Chesterton.

Whilst a rethink to this approach has previously been argued, it has not been accepted by CDC. In its view, there is limited brownfield land in and near to Cirencester which would meet both housing and economic development requirements of the town as defined within the local plan.

Given where we are, the Town Council acknowledges that much of the land, apart from a relatively small area at the centre of the development, is not high grade agricultural land as defined by current DEFRA data.

However, the extension of the town further into the surrounding countryside lengthens the distance and access to it from the town centre and it is therefore important that 'direct' pedestrian and cycling routes are provided through the development and in other places to connect town and countryside beyond.

**5. High Pressure Gas Mains**

CTC asks that planning permission is not granted until all safety matters relating to gas pipelines are resolved. CTC understands that the Outline Planning Application has been amended in this regard, in accordance with advice from the Health and Safety Executive.

**6. Highway Network Capacity**

If the Outline Planning Application is consented, detailed consent will be granted for the highways proposals within the site and off-site infrastructure will be conditioned.

It is therefore extremely important that there is clarity over the specific highways related proposals agreed and the timescales and mechanisms for delivery.

It is also important to ensure that assumptions made in support of the development proposals relating to reducing the traffic impacts, such as reducing peak hour travel because of live work units, or park and stride, form part of the wider package of mitigation measures to ensure deliverability of real outputs.

Equally, care is needed over assumptions about the use of public transport as it influences traffic levels. Assumptions about the distribution of traffic from the site will also have an influence.

The Town Council has carefully reviewed the proposals from the applicant and has engaged with the Gloucestershire County Council highways team, who are reviewing the proposals and traffic model.

At this stage Cirencester Town Council welcomes the proposals which have incorporated added value arising from public consultation and engagement with the developer on behalf of the community.

However, at the time of writing this response, the Highway Authority is yet to submit its formal response to the application and the Town Council reserves the right to make further comment.

**7. Sewerage Infrastructure**

It will be incumbent on BDL to submit reserved matters applications for approval of detailed schemes within each phase of development to ensure appropriate mitigation against flooding and appropriate provision for sewerage and drainage.

Provision of SUDS and a new foul water sewer, to be laid between the site and the treatment works at South Cerney, is referenced in the planning obligation requirements.

CTC is satisfied with the assurances received so far and asks that the Planning Authority is proactive in ensuring that Thames Water fulfils its capital/infrastructure promises and that developer obligations are met.

It is important that development proceeds in line with infrastructure capacity and not in advance of it.

## **8. Effects on Parking**

The South Chesterton site is likely to generate significant new parking demands in the centre of Cirencester. There is already a shortage of parking spaces in the town centre and so there is an urgent requirement for additional parking spaces there. CTC is currently working alongside CDC to find viable solutions.

Despite the applicants' travel plan measures stating limited impact on demand for parking, there remains serious concern about the potential impact and therefore the need for a developer contribution towards parking provision based on the estimated increase of traffic resulting from the development using the town centre.

## **9. Impact on the Town Centre Conservation Area**

The proposed development will help to grow the population of Cirencester by up to 30% in less than fifteen years from now. Quite apart from access related issues, this will place great pressure on the historic town centre of Cirencester in terms of use of the public realm and in creating demand for more and larger retail premises, restaurants and other services.

These will need to cater for the whole population within a range of age profiles and socio-economic groups. How well suited to significant change or expansion is the land and premises in the town centre?

There may be demand for more 'Brewery Cinema' type applications which aim to reformulate property boundaries to create new plots for developments on a larger scale. Cirencester Town Council has formulated a design code which should guide developers' proposals and local council management of the public realm. A planning obligation towards funding improvements to the public realm has been secured in principle.

Fundamentally, it is important looking to the future, to protect the availability of retail space for independent retailers and be sensitive to the historic core and uniqueness of the town.

## **10. Green Infrastructure**

CTC believes that the provision of green infrastructure within the development has been commended as good practice by the Gloucestershire Wildlife Trust; and as outlined in our response to the size of the development extensive areas of open space are planned and must be protected at the outline stage of the planning decision.

The Town Council has utilised key proposals and projects contained within its Green Spaces Strategy to negotiate developer contributions towards the realisation of key projects.

CTC welcomes the provision of green 'lungs' within each area of housing development, as well as the neighbourhood equipped area of play, 5 local equipped areas of play, 16 local areas of play and 5 landscaped play areas.

CTC also asks that the developer makes provision for new allotments and enhancement of wildlife habitats.

## **11. Affordable Housing**

CTC welcomes a development of which 75% of provision will be 1, 2 and 3 bed properties; priority access and a range of rent and purchase options for local people and key public service workers in care, health and education must be provided for.

CTC's Reg. 19 response acknowledges that provision of 40% affordable housing is reasonable given the level of enabling infrastructure.

The development makes provision for a range of housing types particularly for the elderly and self-build, but must also contribute towards meeting the needs of our young people.

Key aspects of the proposals such as housing tenure and form of affordable housing remain to be resolved.

Cirencester Town Council's view is that the applicant should establish a local community land trust not simply to manage future open spaces and community assets but also to provide an opportunity for local people to access truly affordable homes by holding the land value in trust and providing real opportunities for local co-housing and other such innovative schemes.

## **12. Delivery of Employment Proposals**

Cirencester Town Council has had a longstanding concern that Local Plan employment sites allocated in Cirencester have not been developed for employment, but often for housing. The employment land within the Kingshill site was developed for housing. The employment provision would have been an important part of the justification for the development.

Whilst CTC is pleased to see this aspect strengthened (i.e. that action is needed to promote sites to bring them forward), responsibility does not rest solely with developers.

There is joint responsibility on the part of the District Council and Town Council to be proactive in supporting the local economy and attracting new businesses to the town as well as planning for growth and opportunities for smaller businesses in Cirencester to expand in to new premises.

We would therefore ask CDC to support Cirencester in actively promoting and attracting inward investment opportunities as the business 'place to be' of the Cotswolds with consideration being given to mechanisms to bring this about.

Appropriate timing and delivery of infrastructure and services is vital to make the employment land viable for marketing and CTC asks that this be conditioned through a planning obligation.

## **13. Leisure and Sport Provision**

CTC welcomes the proposals within the OPA and the planning obligations contained within the 'long list' that will be secured through the S106 agreement; CTC would ask that specific delivery and funding be undertaken in consultation with the local Sports Partnership. This partnership has been established through the community plan initiative 'Our Future Cirencester' to ensure that funding can be appropriately prioritised based on locally identified needs and encourages partners and stakeholders to work collaboratively.

## **14. Sustainable Transport**

Connectivity with the town centre is fundamentally important; this has formed a key part of discussions that CTC has had with CDC and the BDL team.



It is important that a cycling and pedestrian route is created via the Amphitheatre; the at-grade crossing proposed from Waitrose is vital and CTC is seeking to secure funds from the developer to provide an access to the Amphitheatre from this crossing which would connect with a proposed new pathway and cycle link across Four Acres which the developer has agreed to fund.

CTC acknowledges the concerns relating to the impact of additional traffic and the need for appropriate public transport, as well as improved cycle/pedestrian walkways; whilst this is covered in the long-list of infrastructure requirements, to be met by the developer, we would ask that this funding be prioritised and protected to ensure delivery.

Public transport proposals must meet local needs and be timetabled to maximise usage.

Connectivity of Cirencester with Kemble is also important alongside other opportunities to deliver Sustrans routes and improve access routes for cycling and walking from Cirencester into the Water Park quiet lanes.

#### **15. Design Code**

It is important, to protect the integrity and legacy of such a development that the Design Code, referenced in the Design and Access Statement, is developed giving regard to the work undertaken by Cirencester Town Council on the development of its own design code to guide development and public realm provision in the town.

In developing such a code, it is also important that effective consultation opportunities are afforded the community and special interest groups such as Cirencester Co-housing, Save Our Cirencester and the Chesterton Community Project.

#### **16. Planning Obligations**

Cirencester Town Council acknowledges the agreed planning obligations long list which includes education, health and community infrastructure; CTC has actively engaged with the applicant and planning authority in seeking to secure appropriate outcomes for the community.

In addition, the Town Council asks that there be an obligation relating to low carbon and renewable energy; with measures to achieve 10% of future energy usage being generated from renewable sources.

At the time of writing the Town Council has asked for the applicant to formally confirm its commitment to the planning obligations which have been agreed in principle.