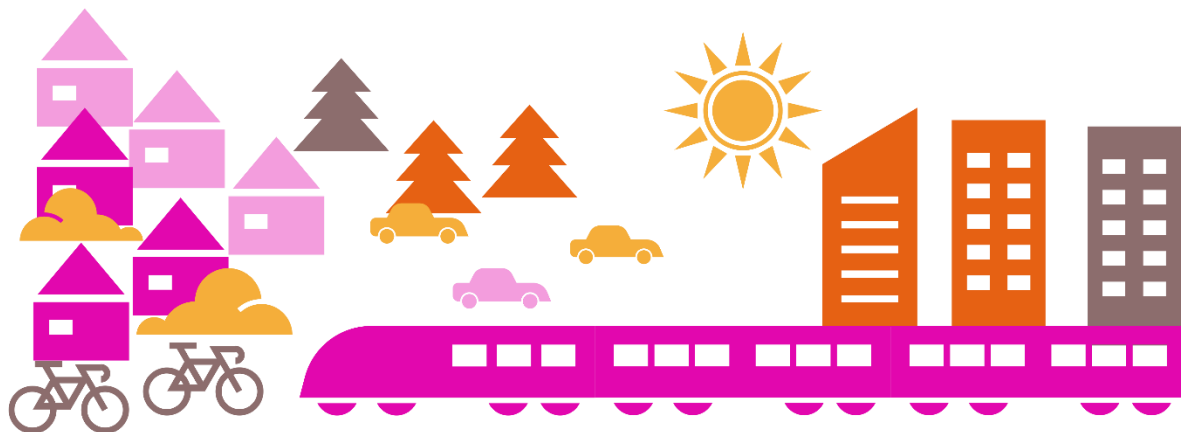


REVIEW OF “CDC FOCUSSED CHANGES ADDENDUM TO THE LOCAL PLAN 2011:2031 (REG. 19), DECEMBER 2016”

Prepared on behalf of Cirencester Town Council



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Andrea Pellegram Ltd.

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Background

Andrea Pellegram Ltd. was commissioned by Cirencester Town Council to consider the implications of the *Cotswold District Focussed Changes Addendum to the Local Plan 2011 – 2031 (December 2016)* and to provide comments and advice on how the document aligns with previous CTC representations on the local plan. Consideration has also been given to CTC Planning Policy Statement where relevant.

Introduction

The Cotswold District Focussed changes addendum to the Local Plan 2011-2031: Submission Draft Reg. 19 (Focussed Changes) document has been prepared to ensure that the Local Plan 2011-2013 Reg. 19 (Local Plan) document is sound. The focussed changes address recent changes in legislation and regulations and include evidence that was not available in June 2016. The changes do not, in the main, address representations made to the June 2016 Reg. 19 draft plan.

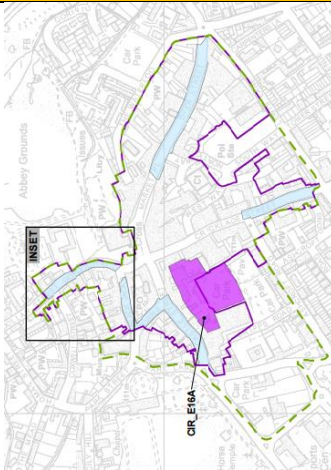
A further set of “minor modifications” will be prepared to the submission draft Local Plan but will not be subject to consultation. For practical purposes, this current stage of consultation represents Cirencester Town Council’s last opportunity to make representations on the draft Local Plan before it is submitted to the Planning Inspectorate.

The tests to apply to this document are the same as were applied in the July 2016 Reg. 19 consultation. The current consultation is not an opportunity to reiterate the content of representations submitted in response to earlier stages of the Local Plan’s preparation. Cirencester Town Council may be invited by the Local Plan Inspector to provide evidence on the Reg. 19 document and this focussed change document.

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Policy modification	Comment	Suggested submission
Policy Maps		
FC001	This change adds two flood storage areas in Cirencester (North) in response to a request from the Environment Agency.	No comment because the Environment Agency is the statutory consultee on this topic.
FC002	Brewery Car Park has been added to the Cirencester Town Centre inset map. The car park was not mentioned as either part of the Town Centre OR as a strategic development site in the June 2016 version. This clarification should be welcomed and now brings this site under the town centre policies S3 (A, B, C).	This change is supported in principle but Cirencester Town Council's previous comments on the June 2016 Reg. 19 draft plan still apply.
FC003	<p>A <i>Cotswold Retail Study Update 2016</i> was produced late in 2016 which has recommended changes to the extent of the primary and secondary retail frontages and the town centre.</p> <ul style="list-style-type: none"> • Secondary frontages are now extended to include Gosditch street in addition to the June 2016 proposal for Cricklade Street/Dyer Street/Castle Street/Black Jack Street. 	<p>This addition of Gosditch Street as secondary frontage is supported in principle but Cirencester Town Council's previous comments on the June 2016 Reg. 19 draft plan still apply.</p> <p>This increased area of the Town Centre is supported in principle but Cirencester Town Council's previous comments on the June 2016 Reg. 19 draft plan still apply. The Town Council's policies for a Town Centre Improvement Area do not align with this revised boundary which is a matter of some concern.</p>

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	<ul style="list-style-type: none"> Overall, the town centre boundary has been extended eastwards to include Park Street and Park Lane, Sheep Street Car Park and the “island” where the new Mcarthy Stone development is progressing across from Waitrose. The retail study notes that this site should not be allocated for retail but for commercial and parking uses. This new extended boundary still does not match the boundary in the Planning Statement for the TCIA where the Cirencester Design Code applies. This matter can be dealt with in a neighbourhood plan or can be argued at the Local Plan Inquiry. 	
FC006	<p>The disused railway line linking Cirencester to Kemble has been added to the policy map under policy INF2. INF2 is a policy that makes provision for community infrastructure in the June 2016 draft. INF3 (2016) encourages all modes of sustainable transport, including walking, cycling and promoting travel choice. The protection of the railway is</p>	<p>Cirencester Town Council supports the provision to safeguard the disused railway line. However, it is questioned whether the change refers to INF2 (community infrastructure) rather than INF3 (sustainable transport).</p>

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	supported by the CTC comment on INF3 Reg. 19 which seeks the safeguarding of sustainable transport. It is possible (but unclear) whether the policies have been renumbered and INF2 is the correct reference.	
FC024 Strategy Delivery	<p>These changes clarify the structure and wording of the policy which delivers infrastructure in the south Cotswolds. There have been some notable modifications affecting Cirencester:</p> <ul style="list-style-type: none"> • There is now provision for a new Doctor's surgery in Cirencester • The safeguarding of the railway line between Tetbury and Kemble now also refers to the link to Cirencester. • Improvements to cycling infrastructure for Tetbury Road and London Road corridors • SuDs and soft measures to manage flood risks • A429 Cherry Tree Junction improvements 	These changes are supported in principle but Cirencester Town Council's previous comments on the June 2016 Reg. 19 draft plan still apply.
FC031 Retail	<p>(1) A <i>Cotswold Retail Study Update 2016</i> was produced late in 2016 which has influenced the retail allocations in the plan. There is now provision for 400 sq.m. of convenience goods floorspace and for 2,100 sqm. net comparison good floorspace. These figures are a reduction from the previous version of the plan because they are adjusted for changes in the retail climate and take account of recent permissions in Siddington.</p> <p>(3) This change clarifies the concentration of A1 (retail) uses on the primary frontages.</p>	(1) (3) (4) No changes proposed but Cirencester Town Council's previous comments on the June 2016 Reg. 19 draft plan still apply.

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	<p>(4) The retail study confirmed the Reg. 19 approach to marketing and safeguarding and concluded that a 12-month period of marketing was sufficient to prove that a site was no longer viable for a town centre function. This change adopts the proposed wording from the retail study.</p> <p>These revised retail floorspace provisions will limit the scope of a neighbourhood plan in terms of providing additional retail provision but without alternative retail evidence, the Town Council is not in a position to challenge these figures.</p>	
FC032 Car Parking	The wording is strengthened to seek to avoid loss of parking provision serving the town centre.	No comment.
FC042 Housing Mix	<p>This modification seeks to streamline and refer to the nationally described space standards. It also makes explicit reference to viability. Reference to housing provision for an ageing population has been deleted.</p> <p>CTC made comments regarding the need to make provision for all sectors of the community including to an ageing population and thus supported the policy. The reference to an aging population has been removed and the only remaining reference is “to reflect local housing need”. Though the needs of an aging population might logically fall under the umbrella of “local need”, this cannot be certain. Without explicit reference to “aging population” the current</p>	<p>Cirencester Town Council objects to the changed wording of this policy, in particular, the deletion of “particularly the requirements of an aging population and smaller more affordable open market homes to reflect local earnings.” This issue is not covered under the Nationally Described Space Standard, and the need of specific sectors of the community should be specifically referred to in policy and development management decisions.</p> <p>The modification renders the plan UNSOUND because there has been no evidence provided why this deletion is necessary though the Cirencester Planning Policy</p>

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	<p>wording does not accord with other aspirations of the Cirencester Planning Policy Statement. On this basis, CTC should object to the changed wording of this policy.</p>	<p>statement has provided evidence based on community consultation that the original wording of this policy was correct. The deletion of “particularly the requirements of an aging population and smaller more affordable open market homes to reflect local earnings.” renders the plan UNSOUND on the basis that it is not justified in the face of local evidence.</p>
<p>FC045 Self build provision</p>	<p>This change ensures that land is not provided for unwanted self-build provision. It ensures that if no demand for self-build sites is demonstrated in the Self Build and Custom Build Register, developers will not be required to make provision.</p>	<p>No comment.</p>
<p>FC047 Affordable Housing</p>	<p>This change updates the wording of the policy on where affordable housing will be required to be compliant with the Written Ministerial Statement.</p>	<p>No comment.</p>
<p>FC048 Affordable Housing</p>	<p>This is a change to nomenclature that does not affect Cirencester.</p>	<p>No comment.</p>
<p>FC049 Employment sites</p>	<p>The first change accords with CTC’s previous objection that the policy did not protect allocated site.</p> <p>The second modification where “change of use or development of established employments site to non-employment uses will not be permitted” has been replaced with “unless there is no reasonable prospect of the site being used for employment purposes” should be a matter of concern. Not only has the protection been significantly eroded, there is no clear mechanism available to ensure</p>	<p>CTC welcomes the enhanced protection offered to allocated employment sites.</p> <p>However, the changed wording</p> <p>from:</p> <p><i>“change of use or development of established employments site to non-employment uses will not be permitted”</i></p> <p>to:</p>

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	<p>that development management decisions are consistent between proposals and over time.</p>	<p><i>“unless there is no reasonable prospect of the site being used for employment purposes.”</i></p> <p>is an unjustified lessening of policy protection. No test has been provided in the policy which sets out how a “reasonable prospect” is to be proven in cases where change of use are being proposed. The changed wording is therefore UNSOUND because it is NOT JUSTIFIED and NOT EFFECTIVE and will be difficult to deploy consistently for all proposed changes of use for loss of employment land across the plan period.</p>
FC051 Employment generating uses	<p>Only the first change relates to Cirencester. The change is a clarification and still enables new employment sites to come forward.</p>	<p>No comment.</p>
FC054 Retail	<p>This change is only one of nomenclature: Cirencester is now a “Town Centre” rather than the “Primary Town Centre” .</p> <p>Paragraph 3 reiterates the changes made to policy S3A and is therefore unnecessary.</p>	<p>No comment.</p>
FC055 Retail	<p>This is a significant modification of the 2016 policy, following from recommendations in the retail study.</p> <p>(1) In Cirencester, the following main uses are proposed:</p> <ul style="list-style-type: none"> • Primary Shopping Area • Town Centre 	<p>Overall, the reworded policy is welcomed and meets most the objectives of the Cirencester Planning Policy Statement. However, the Cirencester Planning Policy Statement and Cirencester Design Code provide significantly more protection for local character and amenity and should be referred to specifically within the supporting text to this policy.</p>

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	<ul style="list-style-type: none"> • Edge of Centre • Out of Centre <p>(2) A sequential test is offered:</p> <ul style="list-style-type: none"> • Centre (first) • Edge of centre (second) • Out of centre (third) <p>(3) Out of centre sites will only be permitted where there are no sites in the primary or centre areas.</p> <p>(4) In Cirencester, town centre proposals should accord with other Cirencester policies, should help maintain an appropriate mix of development and contribute to the quality, attractiveness, character and street frontage.</p> <p>(5) The proposed wording relates to S3A (3)(4) and the Policies Map. It seeks to avoid concentrations of non-retail uses in the town centre and the loss of town centre uses other than retail where this would have an adverse impact. Where a loss of main town centre use is proposed, there is a test proposed to demonstrate “that the property has been continually, actively and effectively marketed for at least 12 months and that the use is no longer of commercial interest”.</p> <p>(6) ...</p> <p>(7) For edge of centre and out of centre locations, main town centre uses should be accessible to the centre by public and sustainable transport; contribute to quality and attractiveness; maintain or improve</p>	

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	<p>health and wellbeing; comply with the sequential test (described above).</p> <p>(8) Proposals for retail, leisure and office uses outside the four areas listed under (1) will be assessed on their impact on town centres (existing, proposed and committed) within their catchment.</p> <p>In effect, this is a new policy and it is appropriate to consider it against the Cirencester Planning Policy Statement.</p> <p>Policy PS4 sought to reduce severance between the town centre and development outside the ring road. Para. (7) of this policy will generally meet this objective.</p> <p>Policy PS 4 also sought to ensure that development outside the ring road is of high quality which will be met by para. (7).</p> <p>Policy PS5 seeks good quality development and promotes the use of the Cirencester Design Code. Whilst the general thrust of the CTC policy will be addressed by para. (4). However, the Planning Policy Statement’s approach is more refined and sensitive to Cirencester’s unique heritage. Therefore, it could be argued that this policy does not go far enough. A neighbourhood development plan could address this issue.</p>	

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	<p>The proposed policy does not address the character of development inside and outside the ring road. A neighbourhood development plan could address this issue.</p> <p>Policy PS6 sets out a stringent test based on a 4-year marketing period. This conclusion has been challenged by the Retail Study (2016) and it may be appropriate for CTC to adopt the shorter period since it cannot provide compelling evidence why the retail study conclusions are incorrect.</p> <p>Policy PS7 addresses town centre uses proposed outside the ring road. The objectives of this policy could be met by the overall provision of the new Reg. 19 policy.</p> <p>Policy PS8 seeks to replicate permeability between out of centre developments and this could be met by para. (7)</p>	
<p>FC062 Design (is this satisfactory now that it has been moved in to another section in light of CTC's design aspirations)</p>	<p>The relocation of this section elsewhere in the document has no material impact.</p>	