

FAIRFORD NEIGHBOURHOOD PLAN

2016 – 2031

BASIC CONDITIONS STATEMENT

Published by Fairford Town Council under the Neighbourhood Planning (General) Regulations 2012

1. INTRODUCTION

1.1 This statement has been prepared by Fairford Town Council ("the Town Council") to accompany its submission to the local planning authority, Cotswold District Council ("the District Council"), of the Fairford Neighbourhood Plan ("the Neighbourhood Plan") under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Town Council, a qualifying body, for the Neighbourhood Area covering the whole of the Parish of Fairford, including Horcott, as designated by the District Council on 20 November 2013.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Neighbourhood Area. The plan period of the Neighbourhood Plan is from 1 April 2016 to 31 March 2031, a period that deliberately coincides with the final fifteen years of the emerging Cotswold District Local Plan 2011 - 2031.

1.4 The Statement addresses each of the four 'Basic Conditions' required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the conditions if:

- Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- The making of the Neighbourhood Development Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- The making of the Neighbourhood Development Plan does not breach, and is otherwise compatible with EU obligations.

2. BACKGROUND

2.1 The Plan preparation process has been led by the Town Council, as the 'qualifying body' under the 2012 Regulations. It has delegated the day to day responsibility for managing the project to its Neighbourhood Development Plan Working Group of parish councillors and local people, which has met since 2013.



Plan A: Designated Fairford Neighbourhood Area

2.2 The group has been delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Town Council approved the publication of the Pre Submission Neighbourhood Plan in November 2016 and of the Submission Neighbourhood Plan now.

2.3 The Town Council has consulted the local community extensively since the start of 2013 and it has sought to work with the District Council since the start of the project to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the adopted 2001 Local Plan and emerging District Local Plan 2011 – 2031.

2.4 As will become obvious in this Statement, and in the contents of the other supporting documents, , despite the Town Council's best endeavours, the District Council has been unwilling to abide by the approach promoted by the National Planning Policy Guidance (NPPF) and the Planning Practice Guidance (PPG) to encourage complementary plan making. Specifically, the District Council has continued to propose non-strategic housing site allocations in the emerging District Local Plan, despite the Town Council confirming that it was its intention for the Neighbourhood Plan to perform this role.

2.5 The comments made by the District Council on the Pre Submission Neighbourhood Plan make clear that unless the Inspector of its Local Plan Examination requires it to be otherwise, it will adopt the District Local Plan with its housing site allocations, irrespective of the outcome of the Neighbourhood Plan examination and referendum. The District Council therefore decided not to take the opportunity to address this matter in its Focussed Changes Addendum to the submitted District Local Plan published for consultation in December 2016.

2.6 The Town Council acknowledges that, as the examination of the Neighbourhood Plan will be completed before the adoption of the District Local Plan, these matters will not form part of the extent to which the Plan will be judged to be in general conformity with the development plan. This judgement will be made using the adopted 2001 Local Plan, as outlined in Section 5 of this Statement. However, the Town Council draws to the attention of the examiner its objection to the District Local Plan, and its intention to use the benefit of the technical robustness of, and local community support for, the Neighbourhood Plan as evidence in its case. It will also demonstrate that the District Council's proposals for Fairford are not sound, in that they are undeliverable and, in any event, have not been justified as an appropriate strategy when considered against the reasonable alternative of the Neighbourhood Plan. These matters are addressed further in the Sustainability Appraisal accompanying this Plan.

2.7 The context of the Neighbourhood Plan has also been politically challenging, given the scale of housing development consented on the edge of the town since 2013. This has been far beyond the scale envisaged in the 2001 Local Plan for a settlement of the size of Fairford in this relatively remote location in the District. It is very doubtful that had the District Council been able to maintain an up-to-date Local Plan and a five year supply of housing land over the last few years, the town would have seen this number of new homes. Instead, this unplanned development has contributed very little to creating a sustainable infrastructure – school places, utilities, employment – on which the town's future success will depend. And the District Council, at a very late stage in the plan making process, has decided that the town needs to continue to deliver more new homes but has not chosen sites that will do anything to change this pattern.

2.8 Not only has this meant a sceptical local community that has lost faith in the plan-led system to effectively manage change, it has forced the Town Council into devising an alternative growth strategy that meets the need for new homes, but finds locations and schemes that will begin to address an 'infrastructure deficit'. Knowing that it cannot oblige developers to make good existing deficiencies, it has used its leverage and good relations with two strategic landowners in and around the town to develop spatial strategy and land allocation policies that will maximise the community benefits of planning for new homes. The Plan carries the support of both land owners, as detailed further in Section 3 below. Crucially, these same two landowners are the respective owners of the two sites proposed for allocation in the District Local Plan, and both have indicated a clear preference to the Neighbourhood Plan proposals over those in the Local Plan.

2.9 The Neighbourhood Plan contains 22 land use policies in all, many of which are defined on the Policies Map as being geographically specific. For the most part, the plan has deliberately avoided containing policies that may duplicate saved development plan policies. There are also some non-statutory proposals that are included for the completeness of the Neighbourhood Plan. In making a clear distinction between land use planning policies and non-statutory proposals relevant to land use planning, the Neighbourhood Plan allows for the examination to focus on the requirement of the policies to meet the Basic Conditions but also allows the local community to see the Neighbourhood Plan in the round. In any event, the non-statutory proposals will each have a land use effect at some later point but cannot do as part of the Neighbourhood Plan as they fall outside its scope.

3. CONFORMITY WITH NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with regard to national policies as set out in the National Planning Policy Framework 2012 (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating neighbourhood plans.

3.2 In overall terms, there are three key NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

Para 16

3.3 The Town Council believes it has fully grasped the opportunity presented by the Neighbourhood Plan to shape the future of the town and its infrastructure through a coherent and deliverable spatial strategy. Recent planning decisions have not properly addressed non-housing issues in the town and the emerging District Local Plan offers no deliverable, sustainable or acceptable solution; simply more of the same.

3.4 The Government's ambition for neighbourhood planning fits precisely such circumstances. It is right for local people to be concerned with the growing evidence around them that not enough thought has been given in these incremental development schemes – too small to address problems in their own right, but big enough, cumulatively, to have a real impact on everyday life. School places are more difficult to come by; appointments and car parking spaces around the health centre more difficult to find; flooding through the sewers and over land becoming more frequent and debilitating; and busier, historic streets full of commuting traffic.

3.5 The Neighbourhood Plan cannot turn back the clock and nor can it rectify all the missed opportunities to properly plan for this scale of development over a short period of time. But the Town Council can and has chosen to use the Plan to plan positively for the remainder of the emerging District Local Plan period, and to leverage as much value out of new housing in the future to invest in the local infrastructure and to ensure essential infrastructure is in place. It has also sought to promote opportunities to create new jobs within and on the edge of town, including retail and tourism related, to provide the local working age population with a greater choice of how far to travel to work.

Para 184

3.6 The Town Council believes the Neighbourhood Plan establishes a clear and realisable vision for the Town that reflects the desires of the local community for the place that Fairford should become. The Plan is considered to be in general conformity with the adopted Local Plan of 2001, as set out in Section 5 below. That framework is now out of date in many respects, especially in its strategic direction for Fairford and its housing containment policies, which have been overtaken by events over the last decade. However, its basic principles of heritage conservation, landscape protection and town centre promotion have all been adhered to, and refined in some cases, by policies of the Plan.

Para 185

3.7 In the absence of an up to date strategic policy framework, and in the face of a competing planning strategy by the District Council in the emerging District Local Plan, the Town Council has laid out a series of non-strategic proposals in its Plan. Its housing site allocations are well below the threshold at which they could be defined as strategic, although they will deliver more homes than proposed by the District Council. Its economic, social and green infrastructure proposals operate at this town scale, respecting national/district scale policy principles – heritage, flood risk, designated landscapes, biodiversity – to form a well-evidenced and complementary package of initiatives that carry the support of the local community.

3.8 Furthermore, the Town Council has continued to demonstrate a positive attitude to planning for housing growth. Although the town will have grown by more than 30% over less than 10 years, when the consented schemes are complete, the Town Council has recognised that the Government is keen to see neighbourhood plans deliver housing growth. It has even reacted positively to the very late change of mind by the District Council, which for much of the duration of the District Local Plan preparation, sought to stick to the position that Fairford needed no more housing allocations. There can be no question that since 2011, the town has made its contribution to ‘significantly boosting housing supply’, even though the local community has seen no direct benefit in terms of its supporting infrastructure.

3.9 In many ways, it is precisely this situation for which neighbourhood plans were invented. Hence, the Town Council has been able to persuade a majority of its local community that further growth in excess of that proposed late in the day by the District Council can be used to finally begin to address these infrastructure problems and not to make them any worse by locating development in the right place. It is noted that these housing provisions also exceed the appealed 92 home scheme at Horcott (16/01766/OUT of August 2016), leaving no reasonable justification for further growth, especially now the District Council will be able to demonstrate it has and can maintain a five year supply of housing land for some time.

3.10 In this respect, it is also important to acknowledge that §11 and §12 of the NPPF remain consistent with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 in requiring applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It does not change the statutory status of the development plan as the starting point for ‘plan-led’ decision making. The efficiency of neighbourhood plan making, compared to the lengthy preparation of Local Plans, has enabled local communities to ensure that the essence of the plan-led system is maintained or is quickly addressed should the supply of housing land in the local area fail to keep up with objectively assessed need. The Government has made a series of clarifications to the Planning Practice Guidance and used Written Ministerial Statements to restate the importance of this role that neighbourhood plans are evidently playing.

3.11 Nowhere in this District has arguably seen the consequences of unplanned, incremental but large scale development more than Fairford since the NPPF was published in 2012. As noted above, the District Council’s failure to replace its outdated Local Plan or to maintain a sufficient supply of housing land until recently have highlighted how ‘failing to plan’ leads to ‘planning to fail’.

TABLE A: NEIGHBOURHOOD PLAN & NPPF CONFORMITY SUMMARY

No.	Policy Title	NPPF Ref.	Commentary
FNP1	The Fairford and Horcott Development Boundaries	14, 47, 50, 100, 113, 126	This policy establishes the key spatial strategy for directing future development proposals in the parish towards the established settlements of Fairford and Horcott. On the one hand, it reflects the presumption in favour of sustainable development and will guide how development will be delivered over the plan period in line with §14 and §50. On the other, it acknowledges the constraints imposed by the special historic interest of much of the town and its location adjoining a Special Landscape Area and flood plain. The NPPF requires special attention is paid to sustaining and enhancing heritage assets (§126) and to designated landscapes (§113) and to avoiding development in the flood plain (§100).

			The principle of using a development boundary policy mechanism to contain and manage settlement growth is therefore consistent with national policy, provided, as here, the boundary defines the outcome of decisions made on the scale and location of growth in line with an as up-to-date as possible assessment of objectively assessed housing need. In which case, there is no inherent conflict between this mechanism and §47 seeking to boost housing supply.
FNP2	Creating new community facilities on London Road	70	This policy accords with § 70 in planning positively to provide new community facilities by reinforcing the value of the proposals for new facilities on this land.
FNP3	Building new retirement homes & a car park at East End	40, 50, 70, 110, 126, 173	This policy accords with §40 by leveraging the value of new homes to deliver a new public car park in a safe, convenient and secure location for the benefit of users of the nearby health centre (as per §70). In doing so, the policy will deliver new homes especially suited to meeting the needs of older households (close to the town centre and health centre) in line with §50. However, this proposal is not justified on the basis of meeting the local housing need target for the Plan. The policy is consistent with §110 in that the site is distinct from the proposed Area of Special Character to its east and has little intrinsic open space value. Nor does it make a contribution to defining the special character of the Conservation Area, and so is consistent with §126. Finally, the landowner has accepted the principle of the policy in requiring the delivery of the car park in order to benefit from the housing allocation, and so the policy meets the viability test of §173.
FNP4	Providing a new burial ground	30, 70, 110	This policy encourages proposals for a new burial ground to meet the long term needs of the town, and so is in line with §70. The policy requires that the proposals should minimise the effects of buildings and structures in the landscape, as per §110. In practice, there are unlikely to be available and suitable sites that are

			accessible by public transport but it is hoped that that one may be found that is reasonably close to the town, as per §30.
FNP5	Maintaining viable community facilities	70	This policy accords with §70 in protecting important facilities and encouraging proposals that will improve their viability that are suitable to their location.
FNP6	Managing flood risk	99, 100, 101, 102, 103, 104	This policy refines the guidance contained within a number of paragraphs of the NPPF on managing flood risk. The town has seen some serious flood events in recent years and the supporting text explains its vulnerabilities, as acknowledged by the Environment Agency. Although by and large a repeat of much of the NPPF, a policy on this subject would be conspicuous by its absence in the Plan and is therefore included. Its provisions do not exceed those of the NPPF but provide a Fairford-specific context to this important matter.
FNP7	Investing in utilities infrastructure movement	99, 162	This policy is especially important in the light of recognised capacity problems in the local waste water management system. It does not prevent housing development (either allocated, windfall or infill) but does have the effect of ensuring that those problems are satisfactorily addressed first, as provided for in §99 and §162.
FNP8	Managing traffic in the town	35	This policy accords with §35 in setting out a package of related proposals for creating safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians and for managing car parking successfully.
FNP9	Improving access to nearby visitor attractions	28, 35	This policy accords with §28 by encouraging rural tourism to increase the economic benefits it brings to the town. It also promotes the use of sustainable transport by supporting improved pedestrian and cycle routes between Fairford and the Cotswolds

			Water Park, the Thames and Seven Canal Route and the Thames Path, as per §35.
FNP10	Protecting Local Green Spaces	76, 77	This policy responds to §76 by designating spaces to rule out new development that would undermine their essential open character. The spaces are each considered to meet the tests of §77 as each is located in reasonably close proximity to the local community, each is demonstrably special to the local community, and each is local in its character. Further details are provided in the Local Green Space report in the evidence base.
FNP11	Protecting the Fairford – Horcott Local Gap	17(5)	<p>This policy seeks to prevent the visual coalescence of the gap created by a sequence of distinct open spaces between the main town of Fairford and its smaller neighbour, Horcott. The fifth bullet point of §17 allows plan makers to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. The principle of preventing harmful coalescence has been long established in rural areas like Fairford, when planning for growth. Importantly, the policy sits within a wider set of proposals that provide for that growth in more sustainable locations, and so the Plan does not seek to deploy a blanket restriction on development.</p> <p>And the policy itself does not prevent all types of development, but merely seeks to ensure its location, height and scale do not harm the open character of the gap. Two parts of the gap are also designated as Local Green Spaces (The Short Piece and Coln House Playing Field) as they meet the tests of §77; the remaining land in the gap is considered to be an extensive tract of land and therefore does not meet that particular test.</p>
FNP12	Protecting the Area of Special Landscape Value	17(5), 109	This policy accords with §109 by defining an area of riverside landscape south and east of the town as requiring protection from

			<p>harmful development that may otherwise be suited or necessary to a countryside location. The fifth bullet point of §17 allows plan makers to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside. The landscape is valued by the local community and much of the area lies within a flood zone. Importantly, the policy sits within a wider set of proposals that provide for the growth of the town in more sustainable locations, and so the Plan does not seek to deploy a blanket restriction on development. The policy is not intended as a Special Landscape Area, as they can only be designated by the Local Plan as having a District-wide importance.</p>
FNP13	Valuing our Trees and Hedgerows	58, 118	<p>This policy accords with §118 by recognising the biodiversity value of aged or veteran trees and requiring this to be considered when determining planning applications. As a type of design policy, it also accords with §58 in requiring any unavoidable loss of trees to be replaced with trees of an equivalent species as part of a successful landscape scheme.</p>
FNP14	Achieving High Standards of Design	58, 60, 126	<p>This policy accords with §58 and §126 in seeking to ensure high quality design solutions by identifying common design features derived from the appraisal of local design character. In line with §60 it does not seek to require every proposal to include every feature that is characteristic of the town – rather they are intended to guide proposals that may make provision for them in modern architectural solutions. Although much of the town is designated a Conservation Area, and the group value of many listed buildings around the town centres and its edges are especially valuable as heritage assets, the policy looks to guide proposals outside the Area and its immediate setting.</p>

FNP15	Conserving Local Heritage Assets	126, 135	This policy accords with §126 by ensuring planning applications have regard to the local heritage value of Buildings of Note. It is specifically designed to ensure the provisions of §135 are triggered, by identifying the buildings as 'non-designated heritage assets'.
FNP16	Delivering New Homes at Leafield Road	50, 72, 109, 173	This policy carries considerable importance for the Plan in that it addresses and meets the objectively assessed need for housing land in the District, and specifically Fairford, over the remainder of the plan period, in line with §50. This quantum has yet to be tested at the examination of the emerging District Local Plan but is a reasonable guide for the making of the Neighbourhood Plan. In any event, although not argued on housing supply grounds, policies FNP3 and FNP22 will also deliver new homes that are intended to enable the delivery of other community benefits. Here too, the policy is leveraging the housing allocation to deliver land for the use of the adjoining schools to expand their operations over the coming years, in line with §72. The land is available and the landowner has agreed to the policy provisions, including those enabling the early release of land for the education use, and therefore the policy passes the tests of §173 in being reasonable and deliverable. The land has no special intrinsic landscape value on this edge of the town and, although it adjoins the Special Landscape Area to the west, the enjoyment of that part of the Area is realised from within it, rather than from this setting. Hence, no previous evidence of landscape character around the town has regarded the site as having any special importance and it is therefore consistent with §109.
FNP17	Providing the Right Types of New Homes for the Town	50	This policy accords with para 50 of the NPPF in seeking to plan for a choice of high quality housing based on current and future demographic trends. The local housing questionnaire demonstrated that there is a need for smaller (2 and 3 bedroom) homes for an ageing population wishing to downsize. The policy

			avoids unnecessary prescription by acting as a guide to the emphasis of housing mix.
FNP18	Creating new Jobs for the Town	28, 113, 126	<p>This policy accords with §28 in promoting economic development at three specific locations in the town. It is essential that if the town is to avoid becoming an unsustainable commuter town, it must (along with the Local Plan) protect its existing employment land from unnecessary loss and seek to identify new land in suitable, competitive locations. The Whelford Lane site is well established and is considered capable of delivering more employment development without compromising the environmental quality of the surrounding lakes and countryside, as per §113. The A417 land adjoins another established employment site (on the former station land) and with the completion of the adjoining residential scheme will become part of the effective settlement boundary. Rather than leave this land as a landscape buffer between the two uses, it is considered suitable in principle to extend the employment use on to part of the land without undermining residential amenity. At Coln House School/Applestone House, it is considered reasonable to prioritise the built up area of the site to be reused for business (B1) space, to deliver an office/managed workspace proposition, which is lacking in the town.</p> <p>The policy only relates to the future use of the site; other development plan policies will manage its effects on the Conservation Area and the setting of nearby listed buildings, in line with §126.</p>
FNP19	Protecting Employment Land off Lower Croft	22, 28	This policy is consistent with §22 supporting the continued use of the site for employment over the plan period, during which its value as employment land will be monitored. Should it be demonstrated at the time of a review of the development plan that the land has no reasonable prospect of remaining a viable

			rural employment location, in line with §28, then this policy may be deleted or revised.
FNP20	Sustaining a Successful Town Centre	23, 35, 40	This policy accords with §23, §28 and §70 in promoting the retention of valued local shops and services in the town centre, which goes some way to meeting the day-to-day needs of local people and is an essential part of the social infrastructure of the town. It also accords with §35 by seeking to support opportunities to increase the use of sustainable transport modes giving priority to pedestrian movements and to support an improved pedestrian area in front of the Bull Hotel. It accords with §40 which seeks to improve the quality of parking in Town Centres so that it is convenient, safe and secure, including appropriate provision.
FNP21	Creating New Visitor Accommodation	28	This policy accords with §28 by supporting a prosperous rural economy through promoting local tourism. The Town Council considers that the town currently under-performs in attracting visitors to the town itself, or to use it as a base for exploring the wider Cotswolds. Creating new visitor accommodation will be part of addressing this.
FNP22	Horcott Lakes	28, 50, 97, 114, 173	This policy brings together a package of complementary and enabling measures that form a masterplan for Horcott Lakes. The main goal is to improve the Lakes as an accessible community recreation area and location for additional tourism investment, in line with §28. In order to deliver those improvements, the policy allows for a small enabling housing scheme as an exception to Policy FNP1, which will be sufficient to encourage the landowner to be willing to make those investments, as per §173. The new housing alongside the lake will offer a different type home to the norm in this area, as so accords with §50 in widening the range of home types. As an enabling scheme, the policy is not argued as

			contributing to meeting local housing supply needs, although its additional numbers will have this effect. The masterplan has also identified an opportunity to create a water-based solar array, which will contribute to addressing climate change, as per §97. The work on the masterplan has demonstrated that the package of measures can be designed and delivered in ways that will avoid any significant biodiversity harm, as required by §114.
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4. CONTRIBUTION TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 A Sustainability Appraisal (incorporating a Strategic Environmental Assessment) has been undertaken and it demonstrates that the Neighbourhood Plan has taken account of the need to contribute to the achievement of sustainable development in terms of how its policies will have environmental benefits and will avoid negative effects.

4.2 The report concludes:

10.1 In overall terms, therefore, the sustainability effects of the Neighbourhood Plan are generally assessed as neutral but are occasionally positive. The proposed mitigation measures of most policies will effectively avoid any significant negative effects. Those residual effects that remain are assessed as modest and, in each case, are at least offset, or are outweighed, by other positive effects to justify their inclusion in the Plan.

10.2 At best, the assessment of the reasonable alternatives indicates that they are also generally neutral in their effects, with a small number of clearer negative effects in some cases. Importantly, in no policy case does the alternative offer a clearly better sustainable outcome than the option preferred in the Plan.

4.3 As the Appraisal forms part of the submission documentation, its details are not repeated here. In addition, a Site Assessments Report is published in the evidence base. Again, it is not necessary to repeat all its contents here, although the methodology that has been adopted to inform the eventual selection of the Neighbourhood Plan site allocation policies is worth reiterating, as it is important the relationship between the Plan, the SA SEA report and the Site Assessments report is properly understood. The indication from the Regulation 14 consultation period is that it was not, and so further clarification needs to be provided. The PPG guidance on this matter is ambiguous and the guidance on SEA pre-dates the advent of neighbourhood planning.

4.4 The method is set out in detail in the introduction to the Site Assessments Report but, in essence is based on site selection via the development and appraisal of spatial options comprising a mix of sites. This method is not conventional in other site allocation development plan documents or in their sustainability appraisals. This is primarily for two reasons: the scale at which those documents are prepared is significantly larger than a Parish-level plan; and the SEA Directive and Regulations have been interpreted to mean that the appraisal of 'reasonable alternatives' must be undertaken on a site-by-site basis.

4.5 The Sustainability Appraisals of Core Strategies and Local Plans will always assess the sustainability merits of different spatial strategies at the District scale. In this sense, there is a parallel with the approach taken by the appraisal of this Neighbourhood Plan. But there is often a disconnect between decisions made on the preferred strategy and the process of selecting sites, which are rarely related to that strategy in anything other than the number of homes they will deliver. Instead, if the Local Plan is proposing strategic or other site allocations, the sites will be assessed and ranked in relation to each other and not the spatial strategy. This is because there is rarely the time and resource available to the plan makers to undertake spatial planning exercises for each settlement in their areas. That has led to the custom and practice of appraising sites in relation to each other as 'reasonable alternatives'. This goes some way to explaining how the District Council has proposed two sites in its new Local Plan that the Sustainability Appraisal of the new Local Plan indicates are the least worse, with no attempt to consider other spatial options.

4.6 The SEA Directive says, "... an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme, and reasonable alternatives taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated" (Article 5.1). Information to be provided in the Environmental Report includes "an outline of the reasons for selecting the alternatives dealt with (Annex I (h))." The Practical Guide to the SEA Directive of September 2005 says, "Only reasonable, realistic and relevant alternatives need to be put forward. It is helpful if they are sufficiently distinct to enable meaningful comparisons to be made of the environmental implications of each. Some alternatives are discrete, involving a choice between one alternative and another ... these are often the broad options considered early in plan and programme preparation. Other alternatives can be combined in various ways. Alternatives may be grouped into scenarios, for instance rapid economic growth, 'most sustainable' option, etc.".

4.7 It is clear from the Directive and the Practical Guide that there is no obligation to assess individual sites if they have already been 'grouped into scenarios' and assessed as part of these 'broad options'. Neighbourhood plans allow for a focus on spatial planning at a very local scale that is not normally feasible at larger scales. Such options may extend beyond simple, intrinsic site value to wider considerations of infrastructure value for example, as is the case here. They allow for different spatial scenarios/options to be developed and tested before addressing the specific contribution that an individual site can make. Importantly, the approach ensures that sites that may not 'score' as well as others on an individual basis, may be selected for their group contribution (e.g. in enabling the delivery of a complementary community benefit) rather than having to be discarded as supposedly inferior.

5. GENERAL CONFORMITY WITH THE DEVELOPMENT PLAN

5.1 As noted above, judging the conformity of the Neighbourhood Plan with the development plan has been a challenge. It had been hoped at the start of the project that the District Local Plan 2011 – 2031 would have been adopted by now, and would have established a clear, coherent strategic policy framework to work within. As it is, the examination of the Neighbourhood Plan must rest on its conformity with the adopted 2001 Local Plan.

5.2 Set out in Table B below is an assessment of how each policy relates to the Local Plan. However, where the reasoning and evidence of the emerging District Local Plan may be relevant, this is also identified, along with any conflicts between that plan and the proposed policy of the Neighbourhood Plan.

TABLE B: NEIGHBOURHOOD PLAN & DEVELOPMENT CONFORMITY SUMMARY

No.	Policy Title	Commentary
FNP1	The Fairford and Horcott Development Boundaries	The policy accords with Policy 15 in that the presumption in favour of development that is suited to an urban area must also meet the design standards of Policy FNP14 and of Policy 42 in respect of the Cotswold Design Guide. The Policy respects the historic landscape value of the Special Landscape Area to the north of the town, as per Policy 8, by maintaining the boundary in this location. The policy is consistent with the District Development Strategy, which identifies Fairford as a 'Principal Settlement'. It updates the boundary used to define Policies 18 and 19 and drawn on the Policies Map. It is intended that the development management provisions of those policies will continue to apply until they are replaced by the emerging District Local Plan, rather than FNP1 repeating them, to avoid confusion. It is noted that, given the housing supply strategy of the Local Plan is out of date, these policies are currently regarded as carrying little or no weight in determining housing applications on the edges of settlements in the District. However, the provisions of the Neighbourhood Plan as a whole, and FNP1 especially, now provide an up to date, coherent and supported spatial strategy for the town in advance of the District Local Plan being adopted,

		and it is hoped, for the duration of the plan period to 2031. This will ensure that the plan-led system continues to guide decision making.
FNP2	Creating new community facilities on London Road	This policy accords with Policy 32(3) in restating the requirement for this site off London Road to be used for community facilities.
FNP3	Building new retirement homes & a car park at East End	The policy accords with Policy 3 in that the land does not comprise higher quality agricultural land. There is no designated biodiversity interest on the site that would preclude development as a matter of principle, as per Policy 8 - a future planning application will determine if and how any other interest may be managed. The policy accords with Policy 15 as the development of the site will not harm the character of the Conservation Area or other heritage assets in East End. Its design takes into account the provisions of Policy 45 on landscaping by requiring a buffer to the countryside to the east. The Development Boundary has been redrawn to include this site and the policy therefore meets the requirements of Policy 18. The policy accords with Policy 32(1) in proposing the laying out of a new public car park for the benefit of health centre visitors in an accessible location (i.e. there is a public footpath connecting the site to the Centre). As this provision is being made, there will be no need for the scheme to deliver public open space as per Policy 34. The site meets the test of Policy 38(3) in respect of its accessibility.
FNP4	Providing a new burial ground	The policy accords with Policy 19 in respect of being a type of development suited to a countryside location.
FNP5	Maintaining viable community facilities	The policy accords with Policy 15 as proposals to improve facilities must in any event meet the provisions of Policy FNP14 and of Policy 42 in respect of the Cotswold Design Guide. It complements Policy 32 in encouraging the improvement of facilities and protecting them from unnecessary loss.
FNP6	Managing flood risk	The policy refines Policy 6 in line with the NPPF provisions on flood risk to apply more specifically to Fairford.

FNP7	Investing in utilities infrastructure movement	The policy refines Policy 6 in line with the NPPF provisions on flood risk to apply more specifically to Fairford. It especially seeks to make clearer how part 3 of Policy 6 will operate to affect the timing of housing development proposals.
FNP8	Managing traffic in the town	The policy supports Policy 15 in encouraging proposals to consider their effects on the character of the Conservation Area or other heritage assets in town. It is also consistent with Policy 16 in seeking to minimise the impacts of lorries on the tight and historic streets of the town centre. And it accords with the ambitions of Policy 36 to create a more sustainable network of transport services that encourage more walking and cycling in the town. It is consistent with Policy 39 in its restating of the importance of schemes meeting the car parking standards.
FNP9	Improving access to nearby visitor attractions	This policy accords with Policy 26 in promoting local tourism development and with Policy 36 by seeking to enhance the quality of non-car journeys from the town to nearby tourism attractions.
FNP10	Protecting Local Green Spaces	The policy accords with Policy 15 as all the proposed spaces make a significant contribution to the character and enjoyment of the Conservation Area and wealth of other heritage assets in the town. One of the spaces also makes an important contribution to defining the essential character of the Special Landscape Area, also in line with Policy 11.
FNP11	Protecting the Fairford – Horcott Local Gap	The policy accords with Policy 15 as the all the proposed spaces make a significant contribution to the character and enjoyment of the Conservation Area and wealth of other heritage assets in the town. More generally, as the gap coincides with the preserved setting to the Conservation Area, it is also consistent with Policy 11 as a form of historic landscape.
FNP12	Protecting the Area of Special Landscape Value	The policy accords with Policy 15 as all the proposed spaces make a contribution to the character and enjoyment of the Conservation Area and wealth of other heritage assets in the town.

FNP13	Valuing our Trees and Hedgerows	The policy complements and refines Policy 10 as it should apply to Fairford by extending its scope to apply to all trees and hedgerows in the Parish.
FNP14	Achieving High Standards of Design	The policy accords with Policy 15 in identifying a series of design features that help to characterise the Conservation Area and its setting within the wider townscape and landscape. The policy is intended to complement the Cotswold Design Guide of Policy 42 in this respect.
FNP15	Conserving Local Heritage Assets	The policy accords with Policy 15 in identifying a number of non-designated heritage assets in the town that contribute to forming its historic character and townscape value.
FNP16	Delivering New Homes at Leafield Road	The policy accords with Policy 3 in that the land does not comprise higher quality agricultural land. The policy accords with Policy 8 as it will not cause unacceptable harm to the adjoining Special Landscape Area, given the setting of the Area in this location does not contribute to the enjoyment of the Area. There is no designated biodiversity interest on the site that would preclude development as a matter of principle, as per Policy 8 - a future planning application will determine if and how any other interest may be managed. The policy accords with Policy 10 in requiring trees and hedgerows within and on the edge of the site to form part of the landscape scheme. That scheme will also ensure that the policy accords with Policy 45 in respect of mitigating the effects of the development on the surrounding countryside. The Development Boundary has been redrawn to include this site and the policy therefore meets the requirements of Policy 18. The policy accords with Policy 32(1) by proposing new community facilities (for the school) that will enable it to grow its capacity to meet increasing demand. The schools are well established and are within walking distance of the eastern half of the town. The major housing developments on the west side of the town have resulted in an increase in car trips, which the policy will address by requiring land is set aside for car parking and car/bus turning heads. In this regard, it is also consistent with Policy 36 in promoting bus

		services using the school. It accords with Policy 34 and Policy 38 in making a requirement for public open space within the site and in meeting the accessibility tests of 38(3).
FNP17	Providing the Right Types of New Homes for the Town	There is no specific policy framework in the Local Plan for establishing an appropriate housing type mix.
FNP18	Creating new Jobs for the Town	The policy accords with Policy 24(2) in seeking to protect specific employment land from unnecessary loss in the town and off the A417 and at Whelford Industrial Estate (as per 24(6)). That policy also encourages new employment uses within Development Boundaries – the A417 allocation meets the tests of Policy 24(5), as it will no longer be considered part of the open countryside. The policy accords with Policy 15 as the retention and reuse, or careful redevelopment of all or part of the built up area of the Coln House School site will enhance the character of the Conservation Area. The policy accords with Policy 17 in that it acknowledges the potential for unneighbourly uses between new homes and its proposal to extend employment uses on the land off the A417, but considers the site to be large enough to be able to plan for and mitigate this potential. The Development Boundary now accommodates this A417 site and the policy therefore meets the requirements of Policy 18.
FNP19	Protecting Employment Land off Lower Croft	The policy accords with Policy 24(2) in seeking to protect this employment land from unnecessary loss to other uses.
FNP20	Sustaining a Successful Town Centre	This policy updates and refines Policy 26 for the town centre and its commercial uses. The policy accords with Policy 15 as a vital and vibrant town centre will enable owners to continue to invest in their heritage assets and to maintain the buildings as viable enterprises. The town centre plays a significant role in defining the essential character of the Conservation Area.
FNP21	Creating New Visitor Accommodation	This policy accords with Policy 26 in promoting sustainable tourism development in the town and countryside. The policy is consistent with Policy

		19 and with Policy 27 and Policy 28 in allowing for the reuse of redundant agricultural buildings in the countryside for visitor accommodation.
FNP22	Horcott Lakes	<p>This policy accords with the recreation, leisure, biodiversity and tourism ambitions of the Cotswold Water Park as set out in Policy UT1. The policy is intended as an exception to Policy 19 in that the housing development beyond the Development Boundary is proposed as an enabling scheme to deliver benefits that can only be achieved in this countryside location. The sustainable benefits (community recreation, renewable energy, new visitor facility) and immaterial increase in car-borne commuting also accord with this policy. The location meets the tests of Policy 38(3) in terms of its overall accessibility. The policy expects high standards of landscape design, as per Policy 45, to ensure the scheme fits well within the countryside beyond Horcott. The renewable energy element of the policy accords with Policy 2 in respect of its location being acceptable in terms of its parts a), b) and c). In principle, the array should be capable of being located and designed within the site so as to avoid any significant harm to biodiversity (part d). There is some designated biodiversity interest on the site, but the evidence in support of the masterplan indicates that this would not preclude development as a matter of principle, as per Policy 8 - a future planning application will determine if and how any other interest may be managed. The tourism element of the policy accords with Policy 26 in promoting tourism development in a suitable location.</p>

6. COMPATABILITY WITH EU LEGISLATION

6.1 The District Council has chosen not to issue a Screening Opinion on the need for a Strategic Environmental Assessment (SEA) of the Plan. However, in accordance with EU Directive 2001/42 on SEA, the Town Council considered the Neighbourhood Plan was likely to contain policies that may have significant environmental effects, primarily based on the prevalence of its heritage assets, landscape character and flood risk areas. It therefore committed to undertake the SEA and to incorporate it into a Sustainability Appraisal. This decision was supported by the statutory bodies, who were duly consulted on the scope of the Appraisal, in line with the regulations. A separate Sustainability Appraisal Report has been prepared for the evidence base of the Neighbourhood Plan that demonstrates its policies will have no significant social, economic nor environmental effects.

6.2 In consulting on the scope of the Appraisal, Natural England has confirmed that the Plan will not have any effects on a European designated nature site, and so no Habitats Regulations Assessment is required.

6.3 The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.