

Slimbridge Parish Neighbourhood Development Plan 2022-2040

Initial Comments of the Independent Examiner

Prepared by

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20th November 2023

Introductory Remarks

1. As you will be aware, I have been appointed to carry out the examination of the Slimbridge Parish Neighbourhood Plan. I have carried out my initial review of the Plan and the accompanying documents which I have been sent. I visited Slimbridge and the other village and settlements, on the morning of Thursday 16th November 2023.
2. My preliminary view is that I should be able to deal with the examination of this Plan by the consideration of the written material only. I do have to reserve the right to call for a public hearing, if I consider that it will assist my examination, but that may only be necessary, if there are issues that emerge from the responses to this note which I feel warrant further exploration.
3. Set out in the following paragraphs are a number of matters that I wish to receive, either clarification or further comments / information from the Parish Council or in some cases from Stroud District Council. Such requests are quite normal during the examination process and the replies will help me prepare my report and come to my conclusions.

Regulation 16 Comments

4. I would firstly like to offer the Parish Council the opportunity to comment on the representations that were submitted as part of the Regulation 16 consultation. I am not expecting a response in respect of every point, just those that the Parish Council feels it wishes to respond to.

Stroud Local Plan

5. I would like the District Council to identify which of the adopted local plan policies are considered to be strategic policies, which the basic condition test is requiring that the plan should be in general conformity with.
6. I have seen that the Local Plan Review is currently at examination. Is the District Council in any position to estimate when the new local plan is likely to conclude its examination stage - a best guess estimate would suffice. I need to establish what weight to give the emerging policies, although not necessarily in terms of the above-mentioned basic condition. I do appreciate that the draft Local Plan includes a major strategic allocation proposing a new settlement at Wisloe. That is referred to in the plan itself but it accepts that it is a "strategic" matter and is the subject of the Local Plan examination.
7. I do not intend to make any recommendations regarding that proposed new settlement, as it is beyond the scope of the neighbourhood plan and as the draft Local Plan's policies are subject to objections, those proposals could change as a result of the examination. I will accord little weight to the Wisloe provisions in the emerging local plan.

Policy SC1: Natural Flood Management in Slimbridge Parish

8. A neighbourhood plan policy is required to be a policy for the development and use of land, which will be used to determine planning applications.
9. It seems to me that the policy, as drafted, is geared more towards ensuring the continued management / maintenance of the drainage infrastructure e.g. keeping rivers, ditches, culverts clear. The maintenance of these important drainage assets is not something that requires planning permission, and riparian responsibilities will be covered by other legislation. Is it the intention of the Parish Council that this ongoing maintenance/management requirements will only be required, where development is proposed?
10. Figure 3a and 3b clearly show the areas at risk of surface water flooding. It also refers to land within the River Cam and Lightenbrook catchment areas. Is there a map that shows the extent to these catchment areas, so the decision maker would know whether the first paragraph of the policy applies to a proposal?

Policy SLE2: Retrofitting of Existing Buildings to Improve Energy Efficiency

12. The Secretary of State issued a Written Statement to the House of Commons on 25th March 2015, stating that neighbourhood plans should not set any additional local technical standards or requirements related to the construction, internal layout or performance of new dwellings. In the light of that, it occurs to me that the policy's reference to "incorporating methods and reaching targets as set out in the LETI Climate Emergency Retrofit Guide" should be one of *encouragement* rather than being something that should be required.
13. Could the Parish Council be more specific in terms of identifying which targets in the document are being sought?

Policy SCE3: Natural Capital and Ecosystem Services

14. Could the District Council comment on how it would see the plan's requirement for applicants to have to submit a statement showing how a proposal impacts positively and negatively on natural environment and local ecosystems, would work alongside the new net biodiversity net gain plans that will be required to be submitted, post permission, in the New Year?
15. Is the need to submit such a statement already a requirement of the District Council's Local Validation Checklist, as prescribed by the Town and Country Planning (Development Management Procedures) Order 2015 which sets out what documents are required to accompany a planning application or is there an equivalent documents/statement that is presently required to be submitted?
16. Would the Parish Council expect that different types of "development", such as changes of use, or domestic extensions will be required to have to demonstrate the impact on the natural environment and local ecosystem services? It appears to me to be an onerous requirement, possibly requiring the employment of a specialist consultant, such as an ecologist.

Policy SCE4: Trees, Woodlands and Hedgerows

17. In Figure 7, the map identifies three veteran willow trees. On my site visit, I observed numerous willows along the west bank of the canal. Is it possible for the Parish Council to identify on a map at greater scale, which three willows trees are intended to be identified as “veteran”?
18. Is the intention that the orchards identified as “more information needed” should still be treated as locally valued trees.
19. Can the Parish Council confirm that the site of the Slimbridge WWT main building is incorrectly shown as a deciduous woodland in Figure 7?
20. The policy refers to hedgerows identified in Figures 6 and 7 to be retained, but there are no hedgerows shown on either plan.

Policy SD1: Locally Distinctive/ High Quality Design

21. Could the Parish Council confirm whether its expectations is that development’s energy requirements/performance to be beyond what is required by the national Building Regulations?
22. In terms of proposed water efficiency standards, the Secretary of State has set out in Planning Practice Guidance that “Where there is a clear local need, local planning authorities can set up **in local plans**, requirement requiring new dwellings to meet the tighter building regulation optional requirements of 110 litres/ person/ day.” Therefore, this is not a policy that can be required in a neighbourhood plan, but it can be introduced at district level where local need has been evidenced and the additional requirements has been subject to a viability test.

Policy SLW1: Community Services

23. I note that the three criteria relating to the loss of community facilities is expressed as “and/or”, but in my opinion, the policy needs to be explicit, whether all of the policy’s criteria apply, or just one.
24. Can the Parish Council expand on the reason the two equestrian centres are considered to be community facilities?

Policy SLW2: Local Green Space

25. Could the Parish Council produce individual plans identifying the boundaries each of the local green spaces? I could not see the location of LGS3 in Figure 10.

Policy SLW3: Getting Around

26. Is it the expectation of the Parish Council that contributions to local routes would be financial payments, secured by a planning obligation, in which case they would need to meet the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010?

Policy SLW4: Local Economy

27. Can the Parish Council elaborate on what it describes as a commercial space at a residential property? What would be the criteria to differentiate that from a normal ancillary residential use e.g. is it the fact that other persons will be employed from these premises?
28. Should reference to “B – class commercial space,” actually referring to what is now in Use Class E g), uses which were previously a light industrial Use Class B1 c) use?
29. If an activity is ancillary to residential use, why would it actually require planning permission, within the curtilage of a residential property?

Policy SW5: Managing Tourism and Rural Diversification in Slimbridge Parish

30. In paragraph 84 of the NPPF, the Secretary of State states that “planning policies should enable the sustainable growth and expansion of all types of business in rural areas, through conversion of existing buildings **and well-designed new buildings**”. Does the Parish Council recognise that tourism could benefit from the construction of well-designed new buildings, rather than expecting such uses within existing buildings?
31. Additionally the Secretary of State, in paragraph 111 of the Framework, states “development should only be prevented or refused on highway grounds if the residual cumulative impact on the road network would be severe”. Should the threshold for requiring mitigation measures, be more than just development that “increased traffic”?

Policy SLH2: Heritage Assets and Archaeology

32. Could the Parish Council provide a map showing the area which has particular potential for identified archaeological remains around Lighten Brook, Lynch Field and Stanborough Mead?
33. Can the District Council explain how planning applications are screened to ascertain whether in an area where an archaeological investigation is required? Are those applications with potential for archaeological interest identified by the County Archaeologist?

Policy SLH3: Locally Valued Non-Designated Heritage Assets

34. It would assist a decision maker if the extent of the proposed designation, particularly in the case of linear features such as Gloucester and Sharpness Canal could be indicated on a map i.e. would it just be the actual canal channel, would it be the banks upon which moorings are attached to or would it include the tow path?
35. In the case of the ridge and furrow fields, I do not consider that it would be appropriate to protect such fields if the existence of ridge and furrow features has not been verified.

Concluding Remarks

36. I am sending this note direct to Slimbridge Parish Council, as well as Stroud District Council. I would request that the two parties' response to my questions should be sent to me by 5 pm on **12th December 2023** and also copied to the other party.
37. I would also request that copies of this note and the respective responses are placed on the Neighbourhood Plan's and also Stroud District Council's website.

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Independent Examiner to the Slimbridge Parish Neighbourhood Plan.

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