

10 RECREATION AND LEISURE

10.1 PARAGRAPH 10.2

The Objections

Rec/para. 10.2.4./618/2641 South Cotswold Ramblers Association Group
Rec/para. 10.2.5./502/3735 British Waterways

Summary of Objections

- (a) Should make aim to keep up to date copies of the Definitive Map and Statement and List of Street Records
- (b) Rewording of objective 5 to relate to named canals and encourage only through navigation

Inspector's Reasoning and Conclusions

10.1.1 The Definitive Map and Statement and the List of Street records are not a matter for the local plan, but are covered by other statutory legislation outside of the planning system. The County Council, in its role as Local Highway Authority holds these records and a reference to these documents in the local plan is not necessary.

10.1.2 I agree that the Plan should seek the restoration of canals and their corridors in order to encourage through navigation, and objective 5 sets this as an aim. However, it is important that the wider role of canals in regeneration is also highlighted, in accordance with government guidelines in “Waterways for Tomorrow” (2000), which sets out the government’s approach to inland waterways. A reference to navigation only fails to recognise the full potential that canals have to offer, and I conclude that the wording of criterion 5 should not be modified as suggested.

RECOMMENDATION 10.1

Make no modification to the Plan in response to these objections.

10.2 PARAGRAPH 10.4.3

The Objections

Rec/para. 10.4.3./298/0804 CTC Right to Ride Network

Summary of Objections

- (a) The plan should make provision for the needs of BMX, Cyclo-Cross and mountain bike riders

Inspector's Reasoning and Conclusions

10.2.1 The Plan draws attention to the need to encourage the provision of recreational facilities and opportunities. However, in the absence of any evidence of a clear demand for BMX, Cyclo-Cross and mountain bike facilities in the District, I conclude that a specific policy is not warranted in the Plan itself. The comprehensive Policies RE.1 and RE.2 in the Structure Plan and Policy R1 in the Revised Deposit Plan can be relied upon for clear guidance along with PPG17 on Sport and Recreation. I appreciate the particular concerns of the Objector, but applications for such development should be judged on their merits against existing policies in the Plan, through the development control procedure.

RECOMMENDATION 10.2

Make no modification to the Plan in response to this objection.

10.3 PARAGRAPH 10.4.3 - OMISSION SITE OS210

The Objections

Rec (OS210)/225/0522-CW Forest Green Rovers FC

Summary of Objections

(a) As the current home of Forest Green Rovers FC has been allocated for housing in the Local Plan, a site should also be allocated for a replacement site. This should be on the 21 acres of land adjacent the Waterside Garden Centre, Avening Road, Nailsworth

Inspector's Reasoning and Conclusions

10.3.1 I appreciate the Objector's concern to find a new site, given that the current home of Forest Green Rovers Football Club was allocated for housing in the Draft Deposit Plan. However, I understand that the site adjacent to the Waterside Garden Centre is subject to a number of constraints and the Council argues that it would be unsustainable. I also note that the housing allocation has been deleted from the Revised Deposit Plan and since the objection has been conditionally withdrawn, I am satisfied that the matter has been resolved and I shall not comment further.

RECOMMENDATION 10.3

Make no modification to the Plan in response to this objection.

10.4 PARAGRAPH 10.4.3 - OMISSION SITE OS211

The Objections

Rec (OS211)/481/2046

Mr J Weston

Summary of Objections

- (a) The site between the A38 and M5 should be allocated for a major indoor/outdoor leisure facility

Inspector's Reasoning and Conclusions

10.4.1 This site has an overall area of about 6ha, and comprises 'Summerhouse Farm' a private dwelling, and 'Summerhouse Education and Equitation Centre'. There are a number of large buildings and other features on the site used in connection with the equestrian centre, including a large indoor exercise arena, an extensive range of stabling, a mobile home, outdoor menages, and a parking area. At the time of the inquiry, there had also been a further planning permission to create a covered riding area over the existing outdoor school. The surrounding fields are used partly for grazing and partly for exercising and training horses. The site is located in open countryside, about 1.25km from the settlement boundary of Hardwicke. However, in the immediate vicinity there are major roads, the A38 and M5 being less than 500m from the site, and various large industrial buildings, formerly RAF sites but now in use for industrial and storage purposes. On the opposite side of the B4008 to the site is the MU1 (Hunts Grove) allocation.

10.4.2 Planning Policy Guidance Note 17 emphasises the importance of sport and recreation, and states that local plans provide the appropriate context in which to assess local needs for recreational facilities and to encourage the development of suitable sites. PPG6 is also relevant, in which the emphasis is on a sequential approach to location when considering leisure developments: out-of-centre developments are only to be considered when more central locations have been discounted. Thus, of the face of it, this site is not appropriate without a clear indication of need, of the catchment area, and the completion of a search within or on the edge of the urban centres. No evidence of need has been put forward, and at the inquiry it was conceded on behalf of the Objector that there was no catchment area suggested, that it was not contended that there was evidence of a deficiency in the northern part of the District, and it was also stated that there was no leisure operator behind the objection.

10.4.3 Therefore it appears that the objection is purely speculative, based on the fact that part of the site already caters for recreational uses, and on the perception by the Objectors that it would be a 'good' site for a business venture aimed at the leisure market. In fact, this is a site which has good access by the private car, but poor accessibility by preferred modes: the location does not conform to the advice in PPG6 or PPG17. I am far from being satisfied that there is a need for the allocation sought, or that this would be the right location.

RECOMMENDATION 10.4

Make no modification to the Plan in response to this objection.

10.5 PARAGRAPH 10.4.3 - OMISSION SITE OS212

The Objections

Rec (OS212)/423/1541

Tewkesbury Borough Council

Summary of Objections

- (a) In conjunction with the Brockworth housing allocation, the Plan should make provision for a Country Park at Nut Hill, Upton St. Leonards.

Inspector's Reasoning and Conclusions

10.5.1 I note that no evidence has been submitted to support the proposal to allocate this site for the purposes of a Country Park or to substantiate any need for leisure/ recreational land in this area. In addition, the Council has identified Nut Hill as being owned by the Wildlife Trust, who has objected to any such development in this location. Furthermore, no agreement has been secured with the owner of the intermediate land between the Brockworth allocation and Nut Hill and there is no evidence that the proposal could be implemented within the Plan period. In conclusion, I find no justification to allocate this site as proposed by the Objector.

RECOMMENDATION 10.5

Make no modification to the Proposals Map or the Plan in response to this objection.

10.6 POLICY R1

The Objections

| | |
|------------------------|----------------------------------|
| R01/1/0071-CW | Gloucestershire County Council |
| R01 (Hard)/100/0310 | Hardwicke Parish Council |
| R01/444/1966 | Various Clients of Andrew Watton |
| R01 (Str&C/D)/548/2323 | Wycliffe College |
| R01/444/1975 | Various Clients of Andrew Watton |
| R01/408/1372 | Hardwicke Court Estate |
| R01 (U-St-L)/98/0302 | Upton St Leonards Parish Council |
| R01 (U-St-L)/98/0301 | Upton St Leonards Parish Council |
| R01/411/1450 | Hampton Property Company |
| R01/354/1182 | The National Trust |
| R01/354/1181 | The National Trust |
| R01/600/2604 | Wycliffe College |
| R01/408/3415 | Hardwicke Court Estate |
| R01/301/0833 | Stroud Cricket Club |
| R01/352/3311 | Sport England |
| R01/235/0637 | Mr P R H Clifford |

Summary of Objections

- (a) Object to land at Stagholt Lane not included in Policy
- (b) Object to omission of Ashgrove Close from Policy.
- (c) Object to omission of Ashgrove Close from Policy. Policy R1 is too draconian and needs clarification as to the abandonment of private owned recreational facilities.
- (d) Object to inclusion of the Berryfield in Policy
- (e) Private status of recreational areas should be reviewed to ensure compatibility with the protected status
- (f) Object to inclusion of land along Green Lane in Policy
- (g) Extend settlement boundary to include open space at Twyver Green.
- (h) Extend settlement boundary to include school playing field
- (i) Rewording of Policy
- (j) Objects to inclusion of Minchinhampton Common in Policy
- (k) Objects to inclusion of Rodborough Common in Policy
- (l) Objects to inclusion of Tily Field in Policy
- (m) Objects to criterion 4 as not all sites may be suitable for public access
- (n) Current facilities need to be re-located and current site sold for housing
- (o) Any loss of playing field can only be justified as an exception in the 'Planning Policies for Sport' document
- (p) Objects to inclusion of club in Policy

Inspector's Reasoning and Conclusions

10.6.1 I note that the Revised Deposit Draft provided an opportunity to overcome the objection to the omission of the playing field at Stagholt Lane, Standish from Policy R1 through amendments to Appendix 7 and the Proposals Map. Since the land has been transferred to Stonehouse Town Council for use as permanent public open space and the objection has been conditionally withdrawn, I concur with this designation.

10.6.2 I note the Objector's concerns that the omission of Ashgrove Close Public Open Space from Policy R1 could result in it potentially being allocated for development. However, this particular site is adequately and more appropriately protected under Policy R4 on amenity land, since the site has informal recreational value rather than existing as a formal outdoor play facility. I therefore find no reason to allocate the site under Policy R1 as suggested.

10.6.3 I do not agree that Policy R1 is too draconian with reference to private ownership or that clarification is needed as to the abandonment of privately owned recreational facilities. I note that some sites may be in private ownership but the issue of tenure does not diminish their important role in providing valuable recreational land. Similarly, on issue (e), I do not consider that there is a need to review the private status of recreational areas to ensure compatibility with their protected status under Policy R1. I find no justification to implement an audit of such land as suggested.

10.6.4 Issues (d) and (l) essentially are founded on the same basis. They are concerned with

Wycliffe College playing fields 'The Berryfield' and Tily Field'. It is contended that, since these sports field are surplus to the College's requirements, the blanket coverage of Policy R1 is unreasonable. Furthermore, the removal of the Policy R1 restraint would enable the College to improve its other recreational facilities, and could make these available for access by the public. The Berryfield lies to the north of the A419 Bristol Road, within the settlement boundary of Stonehouse, to the south west of the town centre. It is bordered by residential development on almost three sides, with a recreation ground to the north east. In total the site comprises 5.3ha of land that is currently used as a school playing field. The College intends the central and eastern areas of the field to remain in use as four rugby pitches, a long jump pit and run-up, and a five-sided football pitch. Tily Field is located between the rear gardens of houses in Merton Close and the mainline Stroud to Gloucester railway. It is about 1.3ha in area but the level part of the playing field site is about 0.8ha. It is part of the main junior playing field to the College. The site is some distance from the college and its main sports facilities and is not available to the public.

10.6.5 The Wycliffe College campus comprises some 24.3ha (60 acres), which includes school buildings, day-boarding and residential accommodation, and playing fields. The College currently has the capacity for a maximum of 890 pupils and employs some 270 staff. From its early days the College has bought and sold land in the area to meet its changing needs. As an educational charity, all proceeds from land sales are reinvested in the provision of new and better facilities or in increased endowments. Although the college achieves a very high standard in sport for all, it does so despite the range and quality of its facilities, which are dated and inadequate in size and scope.

10.6.6 The Wycliffe Governors have recently undertaken a thorough appraisal of the College's operations which has led to the production of an Education Plan taking the College up to 2011. The Plan sets the vision to adapt and meet evolving educational needs. In terms of the College's physical infrastructure, the Plan has a number of construction initiatives, including the provision of a new Sports centre with swimming pool, with an estimated capital cost of this project alone being in the region of £3.5 million, and the upgrading of outdoor sporting facilities. The proposed swimming pool has long been an aspiration of both the College and local community as there is no swimming pool open to members of the public within Stonehouse. The closest facility is in Stroud centre which usually requires a journey made by car. Such a facility could be opened for community use outside school hours. The swimming pool would be within walking distance of the heart of Stonehouse, providing a considerable benefit to the residents of the town. The College has a proven record of public access to its facilities, demonstrated by its policy of allowing local clubs to use the squash courts and the sports hall. It is currently used by local football and cricket clubs and the Stonehouse junior basketball team - the Stonehouse Stars. The existing hall however has a roof that leaks and also suffers from localised settlement problems. The College believe that further investment in this building, with its substandard fabric, could not bring about a facility suitable to today's sporting needs. The proposed new hall at Wycliffe would be large enough to host training and home fixtures. The English Basketball Association is enthusiastic at the prospect of a regional centre of excellence based at Wycliffe that would promote the development of basketball in the community. To that end the Association is providing a technical input to the planning of the hall. Such a purpose built sports centre would not only benefit the personal development of the College pupils, but it would also significantly enhance those facilities open to community use.

10.6.7 The Governing Body of Wycliffe College has identified areas of land which are considered surplus to the present and future needs of the College. It will be disposing of such land to provide the financial resources for refurbishing existing school facilities and for the development of new facilities; in order to remain competitive and to sustain excellence.

The Education Plan has determined the optimum size of the School and the facilities it would need to remain competitive. The School's operational land needs for the next ten years can be deduced from the Plan. In order for the College to remain viable in a highly competitive sector, it is necessary to maintain its reputation and high standards. The Education Plan has identified a need to provide new/refurbished facilities to replace those that have become outdated. It has also become apparent that some areas of land are not being used to their full potential and they are surplus to the College's planned needs. Financial capital will be required to refurbish and/or construct the facilities identified within the Plan and it is considered that the sale of under-utilised land would help generate a significant source of finance. To provide maximum income from the College's surplus land assets, it is proposed to dispose of them with planning permission for a use that will bring optimum land values. Such an approach is required in order to fulfil the College's obligations as an Educational Charity. The release of part of The Berryfield and the Tily Field would also assist in the upgrading of the sporting facilities which will remain at The Berryfield. These improvements would significantly enhance the overall sport and recreation provision in Stonehouse.

10.6.8 At the inquiry there was a dispute about whether Stonehouse makes under or over provision for recreation and open space. The Council has carried out a survey "Outdoor Playing Space: A Survey of Local Provision and Needs." This has assessed existing provision against adopted standards. From this survey it is apparent that there are significant deficiencies in Stonehouse, particularly in the youth/adult playing pitch categories. Rightly, in my opinion, the Wycliffe College playing fields were not included in the NPFA calculations as they are not available for public use. The Council considers that the protection of the sites under R1 allows the opportunity to explore the use of the sites for community purposes should the school use cease. It seems to me, however, that even if the Council was able to acquire the land, it would not provide the wide range of indoor and outdoor recreational facilities which the College would be able to provide if it put in place formal arrangements for public access to its facilities. Nevertheless, I conclude that although there are considerable potential advantages to be gained from the offer from Wycliffe College, the removal from the Policy R1 constraint, and the allocation of the sites for housing in the local plan, as sought in other objections (see sections 5.153 and 5.167 of the Housing chapter of this report) could not be linked adequately to the provision of other facilities to ensure compliance with Policy R3. But since there are considerable potential advantages arising out of the College's proposals, I take the view that it would be in the interests of both the Objector and the Council to enter into a more constructive dialogue than appears to have arisen out of the lodging of these objections and the Council's response to them.

10.6.9 If an agreement could be negotiated which would bring the College playing field facilities, and later the new sports centre, into a degree of public accessibility, which in turn it appears, would provide Stonehouse with the appropriate level of recreational open space and access to indoor facilities lacking at present, and if that could be achieved in the rather short timescale likely to be available following the receipt of this report, then in those circumstances, the removal of these sites from designation under Policy R1 would be justified. However, in the absence of such a formal agreement, the sites should remain within the ambit of the policy, and any subsequent proposal, backed by a formal public access arrangement, should be considered on its merits.

10.6.10 I find no justification to delete the Outdoor Playing Space designation from the land at Green Lane, Hardwicke on the basis that the land is only leased to the football club on a short- term basis. The site is laid out for amenity use and currently has a recreational role in this area. Furthermore, the Objector has not provided any evidence to suggest that the land may be required for agricultural purposes in the near future. The issues of land ownership and leases are not normally factors for consideration when addressing planning matters. In addition, the

particular circumstances of a site would be a material planning consideration in any planning application that might come forward. The site should remain as currently designated.

10.6.11 I find no justification to extend the settlement boundary to include the area of informal open space at Twyver Green. This site is sufficiently protected under Policy R4, which aims to safeguard such amenity land.

10.6.12 On issue (h), I note that the Revised Deposit Draft provided an opportunity to amend Appendix 7 and the Proposals Map to overcome this objection. Although not formally withdrawn, I consider the matter to be resolved and I shall not comment further.

10.6.13 Turning to issue (i), I do not support the Objector's argument that there is no need for the Plan to protect land in its existing use. There is a strong presumption in government guidance to protect open space and other land with recreational or amenity value and it is therefore reasonable for the Plan to protect outdoor play space through Policy R1. I also reject the Objector's criticism of the way in which the Plan justifies the identification of sites for special protection on the basis that it could result in the loss of outdoor play space. The Objector comments that the right approach would be to assess the merits of any such loss against the benefits that could arise from any proposed development at some stage in the future. I am satisfied that the Policy as drafted (subject to my modification set out below) does allow the merits of development proposals to be properly assessed. Furthermore, I do not accept the Plan should acknowledge that there is the disparity in benefit arising from public and privately owned playing fields. Some sites may be in private ownership but the issue of tenure does not necessarily diminish their important role as recreational land since many privately owned playing fields provide useful community resources. The rewording suggested by the Objector for Policy R1 is therefore unnecessary.

10.6.14 I do not agree that the Outdoor Playing Space designation should be deleted from the land at Minchinhampton Common. The leases for the rugby pitches on this site may only be renewed on a yearly basis but the site is laid out for amenity use and it has a valuable recreational role in this area. The Council has also clarified that the issues of land ownership and leases are not normally factors for consideration when addressing planning matters. In addition, the particular circumstances of a site would be a material planning consideration in any planning application that might come forward. I conclude therefore that there is no justification to remove the site from Policy R1.

10.6.15 Similarly, I find no reason to delete the outdoor playing space designation from the land at Rodborough Common. There may be no formal agreement for the use of this land as a football pitch but it is laid out for amenity use and it has a valuable recreational role in this area. As I have stated above, the issues of land ownership and leases are not normally factors for consideration when addressing planning matters and I emphasise that the particular circumstances of a site would be a material planning consideration in any future planning application. I conclude therefore that the designation of the site under Policy R1 should remain.

10.6.16 On issue (m), I disagree with the argument that Policy R1 is too restrictive and that it would act against the release of land for recreation and I do not consider that the Policy would inhibit private landowners from making short-term or informal agreements with community groups. I have already concluded on the matter of tenure elsewhere, particularly under issues (i) and (o). However, since I have recommended that the objectives of criterion 4 would be better addressed through the development control process, I agree with the Objector that this criterion should be deleted.

10.6.17 I do not agree that the Farmhill Ground should be re-designated for residential development in order to fund the relocation of Stroud Cricket Club. I appreciate that the Objector is keen to find a new and larger site for the Club in the light of its recent expansion.

However, this does not outweigh the need to retain the open space allocation in order to protect the amenity value of this land and role of the site as a 'green lung' in this urban location. There is a significant deficiency in public open space in Stroud and the site is clearly of great recreational importance. I find no justification to modify Policy R1 as suggested and I emphasise that any proposals for a Club ground should be considered at the planning application stage of development. There is no need for a specific Plan allocation.

10.6.18 I agree with the Objector's argument, with regard to criterion 4. The loss of any part of a playing field, whether in private, public or educational ownership, would represent an irretrievable loss of recreational opportunities and should only be justified in exceptional circumstances. Such matters would be better addressed through the development control system at the planning application stage of development. Criterion 4 also appears to be inconsistent with government guidance in PPG17 and the main purpose of Policy R1, which is to safeguard outdoor playing space from development. I recommend that the criterion be deleted.

10.6.19 On Issue (p) the objection relates to a cricket ground at Frampton-on-Severn which is let to the local cricket club. It is pointed out on behalf of the Objector that, prior to 1996, the site was in arable agricultural use, and could revert to that use without planning permission. Since the site is outside the settlement boundary, it is protected from development by Policy H17. There are adequate other playing and leisure facilities in the village, and the Policy R1 designation is therefore superfluous. Against these arguments the Council points out that PPG 17 emphasises the need to protect sports pitches, and that there are a number of forms of development which the Plan's policies allow for outside settlement boundaries. Examples of these are farm based enterprises under Policy E6 and affordable housing under the exceptions provisions of Policy H11. In view of these instances where the Plan's policies allow for development beyond settlement boundaries, and bearing in mind that Policy R1 does allow for the loss of outdoor playing space in certain circumstances, I consider that it is desirable to maintain the cricket ground within the ambit of the policy.

RECOMMENDATION 10.6

Modify Policy R1 by the deletion of criterion 4, and give consideration to my conclusion at paragraph 10.6.9.

10.7 POLICY R2

The Objections

R02/429/1749-CW

Gloucestershire Wildlife Trust

Summary of Objections

(a) The supporting text should refer to the Key Wildlife constraint.

Inspector's Reasoning and Conclusions

10.7.1 I note that the Revised Deposit Draft provided an opportunity to overcome the objection to Policy R2, by acknowledging that the outdoor playing space allocation at

Oldminster Road, Sharpness overlapped with a Key Wildlife Site. Since this simple omission has been rectified to the satisfaction of the Objector, I consider the matter to be resolved and I shall not comment further.

RECOMMENDATION 10.7

Make no modification to Policy R2 in response to this objection.

10.8 POLICY R3

The Objections

R03/444/1967 Various Clients of Andrew Watton

Summary of Objections

(a) Should refer to the potential for playing fields in educational ownership to become disused.

Inspector's Reasoning and Conclusions

10.8.1 I do not agree that Policy R3 should be reworded to allow more flexibility or that it should recognise the problem of disuse as suggested. Paragraph 10.4.9 makes specific reference to playing fields in educational ownership, which have been declared surplus to requirements. The paragraph makes it clear that in such circumstances, the Council would seek to enter into discussion with the owners to investigate their use by the community, as this could alleviate pressure in areas where deficiencies in outdoor recreational facilities have been identified. The Policy and supporting text is generally in line with guidance in PPG17, which emphasises the need to make the best use of school recreational facilities for local communities. This reflects their importance in terms of recreational and amenity value, but also for their contribution to the green space of the urban environment.

RECOMMENDATION 10.8

Make no modification to Policy R3 in response to this objection.

10.9 POLICY R4

The Objections

| | |
|--------------|----------------------------------|
| R04/444/1968 | Various Clients of Andrew Watton |
| R04/228/0549 | Stroud Town Council |
| R04/228/0591 | Stroud Town Council |
| R04/228/3136 | Stroud Town Council |

Summary of Objections

- (a) Policy is too vague. It will restrict the development of land in need of development
- (b) There should be an additional policy relating to 'Pocket Parks
- (c) Policy is not strong enough in its protection of amenity spaces
- (d) Greater emphasis needed of 'Pocket Parks', should be protected for visual, recreational and biodiversity value.

Inspector's Reasoning and Conclusions

10.9.1 I do not agree that Policy R4 is too vague or that it should be deleted. The Policy recognises the need to safeguard open spaces with recreational or amenity value and protect them from development in line with advice in PPG17. This is particularly important in the light of the findings of the Council's survey on outdoor playing space (CD/L25), which identifies deficiencies in the provision of public open space in the District. Policy R4 rightly seeks to protect amenity space where it can make an important contribution in visual terms or provide an opportunity for informal recreation, in areas which are deficient in other forms of outdoor recreational provision.

10.9.2 The remaining objections result from a contention that the Plan does not provide sufficient protection for small natural greenspaces within urban areas, that such areas should have a specific policy or policies addressing them, and that there should be survey work and designations on the proposals map which underpin this protection. The wording for two policies is put forward:

"Protection of Urban Greenspaces

Permission will not be granted for the development of natural greenspaces unless either:

- 1. The benefits of the development outweigh the nature conservation interests and the current or potential community benefits of the site,*
- 2. The development can be compensated through the use of conditions or planning obligations. Where appropriate this could include the provision of substitute urban greenspace of comparable quality and quantity to that lost, close to the identified site."*

and

"Protection of Informal Open Space

Permission will not be granted for the development of informal open space that would:

- 1. Remove opportunities for recreation or access to a natural greenspace in an area where residents do not have access to such areas within 200m of their homes; or*
- 2. Erode the visual quality of character of an area."*

10.9.3 Underlying the objections and the suggested policies are a number of guidance notes and other planning policies. These include PPG3, PPG9, PPG17 (the then consultation draft), South West Regional Planning Guidance, and Gloucestershire Structure Plan, etc. Various research reports are also relied upon as indicating the importance of open spaces within urban areas. The 200m criterion in the second suggested policy arises from figures given in 'Accessible Natural Greenspace in Towns and cities' published by English Nature in 1995, adapted to take into account the hilly nature of Stroud which makes walking any distance more difficult for young and old compared to most lowland England.

10.9.4 I have no doubt about the importance of the various types of open spaces within urban areas, and the need to recognise their value. At present the Plan seeks their protection through Policy R4, although it is conceded by the Council that this protection evaporates in situations where the 'Six Acre Standard' is met. Also, to a degree, the sort of open space which is the concern in these objections will be given protection by Policy N4 and the new policy that I have recommended in the Natural Environment Chapter dealing with development affecting wildlife corridors. Nevertheless, the policies suggested have a more specific aim than the existing policies, and I can see the utility of including the protection sought. However I am not convinced of the need for the two policies suggested: it seems to me that they are to an extent mirror images of one another, with one policy specifying circumstances where permission would be given, and the other where it would not. I do not regard this as necessary, but rather it would lead to the Plan being less concise and clear than it might be.

10.9.5 In my judgement all that is needed is a modification of Policy R4 and its reasoned justification along the following lines:

"10.4.11 In addition to open space for formal play provision, open space for passive recreation and amenity use is considered particularly valuable in providing wider social and environmental benefits to those living, working and playing within urban areas. These areas can also act as havens and habitats for flora and fauna and can thus encourage biodiversity. Open space of this nature does not fall within the NPFA 'Six Acre Standard' categories and no other generally accepted standard has been derived which can be applied. Nevertheless, such space is of great value, and Policy R4 affords protection to amenity space (including 'pocket parks') and private undeveloped land with existing or potential recreational or amenity value unless there are overriding other benefits and the contribution that the site previously made to the amenity, visual quality or character of the area can be maintained.

Policy R4

Permission will not be granted for development on amenity or recreational open spaces unless the benefits of the development outweigh the existing community value and there can be a compensatory open area of similar value provided in the same locality."

10.9.6 I consider that the adoption of this modified policy would meet the essential concerns raised in the objections. It also incorporates the suggested change put forward in Section 3 of the Council's response proof 'Policy R4/LPA/HJ/011', which I consider to be an improvement since these spaces often have the benefit of encouraging biodiversity, and this should be recognised. The link with the provision of formal recreational space has been removed in this text, since I consider that there is a need to protect the informal open areas irrespective of the other provision. Clearly if there were an abundance of more formal open space, there might be less need to protect the informal, but this would be a consideration at the development control stage.

10.9.7 I do not support the request that I recommend that a survey is needed, and that such sites are shown on the Proposals Map. In my view these sites would generally be too small in

scale to warrant that approach, making the map too cluttered and less easy to read whilst not providing much benefit. The policy would naturally be brought into play through development control whenever a development proposal affected one of the sites protected by the policy. Nor do I support the inclusion of a requirement relating to a distance of 200m, as the policy wording covers any open relevant space, whether or not there is other space within the 200m limit.

RECOMMENDATION 10.9

Modify Policy R4 and its reasoned justification as indicated in paragraph 10.9.5 above.

10.10 POLICY R5

The Objections

R05/578/2533 The House Builders Federation
R05/543/2306 Government Office for the South West
R05/408/1375 Hardwicke Court Estate
R05/409/1426 Buchanan Partnership
R05/578/2534 The House Builders Federation

Summary of Objections

- (a) Conflicts with advice in PPG3 and PPG17. Developers should not contribute to generalised open space requirement
- (b) Explanation not clear enough in terms of how Policy R5 will be applied to different types of residential development. Individual dwelling approach should be reconsidered to accord with Circular 1/97.
- (c) Calculations should appear in the Local Plan
- (d) Commuted payment requirement should be included in the Local Plan
- (e) Individual dwelling approach in the supporting text should be put into the Policy

Inspector's Reasoning and Conclusions

10.10.1 I do not support the Objector's arguments in respect of issue (a). The Plan generally encourages the provision of recreational facilities and opportunities as per the NPFA standard. The Council's adopted Supplementary Planning Guidance referred to in Policy R5, also conforms with government advice in PPG3 and PPG21 and provides information relating to the provision of outdoor playing space for different types of residential development. Furthermore, the Council has clarified that commuted payments from individual dwellings will only be used to improve outdoor play areas which are 'reasonably related' to those particular dwellings. In addition, the scale of the commuted payments will be determined by the scale of the proposed residential developments. I therefore consider that Policy R5 generally meets the thrust of Circular 1/97 and no modification in respect of this objection is necessary.

10.10.2 I note that information relating to the provision of outdoor playing space for

different types of residential development is contained in paragraph 3.2 of the Council's Supplementary Planning Guidance (CD/L22) for residential development. Policy R5 refers to this document but I consider that it would be helpful if the supporting text set out the types of accommodation which would be exempt from the policy, to aid users of the Plan.

10.10.3 I do not agree that the approach to seeking financial contributions from individual new dwellings or small-scale development should be reconsidered. It is important that sufficient open space and play facilities are provided to meet local needs. However, since it is not practical for smaller residential developments to provide this on-site, it is reasonable for the Council to seek a commuted payment from such developments to contribute towards the provision, enhancement or expansion of children's play or informal recreation equipment in the vicinity of that development. The wording used by the Council in paragraph 10.4.14 makes it clear that the facilities provided should relate principally to the development itself rather than the District as a whole. I therefore find the approach to be in accordance with Circular 1/97.

10.10.4 On issues (c) and (d), I find no justification to include the basis for the calculation of commuted payments in the Plan in order that they can be scrutinised at the Local Plan Inquiry. The information is available in the Council's Supplementary Planning Guidance, to which Policy R5 clearly refers. Since this Guidance was the subject of public consultation in November 1999, and was later adopted by the Council in 2000, there is no need or requirement for the Local Plan Inquiry to scrutinise it further. The repetition of the basis for such commuted payments being sought in the Plan would result in unnecessary duplication.

10.10.5 I do not agree that the approach to individual dwellings in paragraph 10.4.14 should be included in the Policy. The Council has clarified that the inclusion of the word 'appropriate' in the Policy serves to address the issue of outdoor play space requirements of individual development proposals. I therefore consider that the objectives of the Policy, which are amplified in Supplementary Planning Guidance, adequately address the issue raised.

RECOMMENDATION 10.10

Modify Policy R5 to insert a new paragraph in the supporting text, setting out the types of accommodation that would be exempt from the Policy in accordance with the Council's Supplementary Planning Guidance on Outdoor Play Space Provision for residential development.

10.11 PARAGRAPH 10.4.20

The Objections

| | |
|-----------------------------|--------------------------------------|
| Rec/para. 10.4.20./320/0974 | Country Land & Business Association |
| Rec/para. 10.4.20./444/1969 | Various Clients of Andrew Watton |
| Rec/para. 10.4.20./543/2307 | Government Office for the South West |
| Rec/para. 10.4.20./352/1141 | Sport England |

Summary of Objections

(a) There should be a policy for golf courses, driving ranges and facilities for indoor sport and leisure

Inspector's Reasoning and Conclusions

10.11.1 On the issue of a policy for golf courses, I accept the Council's point that the Plan should not be overly prescriptive or too detailed. Paragraphs 10.4.17 to 10.4.20 in the Plan highlight demand for golf courses in the District and recognise the particular pressures that such developments can exert upon areas of high landscape quality and natural habitats. Paragraph 10.4.20 also draws attention to the Council's Supplementary Planning Guidance on this subject. It is clearly an important issue. However, golf courses and driving ranges tend to be "one off" proposals and any criteria listed would be a repetition of criteria contained elsewhere in the plan. I consider golf courses and even more so, driving ranges, can adequately be dealt with through the range of policies that are contained in the Plan supported by Supplementary Planning Guidance.

10.11.2 Turning to the second part of the issue, I do not agree with the Objector that a specific policy for the provision of new indoor sport and leisure facilities is necessary. Paragraphs 10.4.21 to 10.4.23 of the Plan highlight deficiencies in indoor sports provision in the District. The Council states that it will support the development of new indoor recreational facilities where there is an identified need and the facilities would have a minimal impact on the amenity of residential areas, the environment and on the highway network. However, paragraph 10.4.23 clearly states that any proposals for development of this nature will be assessed against relevant policies in the Plan, particularly Policies S12, S13, and T1. I consider this to be sufficient, being generally in line with Policy RE.1 of the adopted Structure Plan and I therefore recommend that no modification be made to the Plan in response to this objection.

RECOMMENDATION 10.11

Make no modification to the Plan in response to these objections.

10.12 PARAGRAPH 10.4.23

The Objections

Rec/para. 10.4.23./543/2308 Government Office for the South West

Rec/para. 10.4.23./352/1143 Sport England

Rec/para. 10.4.23./352/1142 Sport England

Summary of Objections

(a) There should be a policy relating to indoor recreational facilities which incorporate the sequential test

(b) There should be a policy relating to intensive use facilities such as floodlighting

(c) There should be a policy relating to indoor sports facilities

Inspector's Reasoning and Conclusions

10.12.1 With reference to my conclusions on the objections to paragraph 10.4.20 above, I do not agree that a specific policy relating to indoor sport and leisure facilities is necessary. The Council makes it clear in paragraph 10.4.23 that any proposals for development of this nature will be assessed against relevant policies in the Plan, particularly Policies S12, S13, and T1. Policy S12 relates to developments attracting large numbers of people, including leisure and entertainment uses. It emphasises that town centres are the preferred location for such developments, in line with Structure Plan Policy RE.1, which states that urban areas are likely to be the most accessible and economic locations for capital-intensive recreation facilities. Policy S12 also sets out a sequential test for such developments in accordance with PPG6 and Policy S13 provides for community facilities. Policy T1 addresses the issue of accessibility and the need to minimise travel. I am satisfied therefore that any planning issues which are likely to be raised as a result of proposals for indoor sport and recreation facilities would be adequately addressed in the Plan, and I recommend that no modification be made to the Plan in response to these objections.

10.12.2 I also do not consider that a new policy relating to intensive use facilities such as all weather pitches and floodlighting is necessary. Planning issues arising in relation to proposals for such facilities would again be addressed by other relevant policies in the Plan and the inclusion of a specific policy would cause unnecessary duplication.

RECOMMENDATION 10.12

Make no modification to Paragraph 10.4.23 in response to these objections.

10.13 POLICY R6

The Objections

| | |
|--------------|----------------------------------|
| R06/444/1970 | Various Clients of Andrew Watton |
| R06/578/3877 | The House Builders Federation |

Summary of Objections

- (a) Policy is subjective and restrictive
- (b) Objects to wording of paragraph 10.5.4 as it repeats the policy

Inspector's Reasoning and Conclusions

10.13.1 I do not agree that the Policy as amended in the Revised Deposit Plan is too subjective or that it sets too restrictive a framework for considering public rights of way in the context of development proposals. The Council has important responsibilities in terms of protecting and enhancing public rights of way affected by development proposals and the wording of the Policy together with the additional information incorporated into paragraph

10.5.4 clearly expresses the Council's firm commitment to delivering this objective. No further supporting text or loosening of the Policy is necessary.

10.13.2 On issue (b), I do not agree that the additional supporting text introduced in paragraph 10.5.4 through the Revised Deposit Draft is unnecessary. The wording does not merely repeat the objectives of Policy R6, but it amplifies the second part of Policy R6, providing greater clarity for Plan-users. I find no justification to delete it.

RECOMMENDATION 10.13

Make no modification to the Plan in response to these objections.

10.14 POLICY R7

The Objections

| | |
|--------------|----------------------------------|
| R07/369/1222 | Mr I G Blair |
| R07/444/3683 | Various Clients of Andrew Watton |
| R07/444/1971 | Various Clients of Andrew Watton |
| R07/409/1427 | Buchanan Partnership |

Summary of Objections

- (a) Policy is negative, restrictive and conflicts with PPG7
- (b) Policy should be amplified
- (c) Policy is restrictive and conflicts with tourism and leisure policies
- (d) Policy is too restrictive

Inspector's Reasoning and Conclusions

10.14.1 In relation to the requirements of the policy for facilities for exercising horses within the curtilage or having safe and convenient access to such facilities, it seems to me that the reasoned justification for this policy is entirely clear: that this relates to commercial equestrian development. Requirements of this sort, related to commercial development, were not questioned by the Objector, but only if they were sought in connection with equine development within the private domestic context, was it thought unreasonable. I agree with the Objector, and consider that the policy should be aimed at what the justification says it is, and that the word 'commercial' should be inserted before the word 'stables' in the first line of Policy R7. This would leave 'domestic' horse related development to be dealt with in the context of the Plan's policies generally, and other material considerations. On the other hand, I do not agree with the Objector's point that the word 'only' adds nothing to the policy, since it is only with the provisos set out that Policy R7 is permissive. Thus 'only' should remain in the policy, and the word 'commercial' should be inserted before the word 'stables' in the first line.

10.14.2 I also do not agree that the indication in paragraph 10.5.9 that conditions requiring

the removal and storage of horse training equipment may be sought is too restrictive for rural enterprises. The sentence referred to by the Objector draws attention to the fact that horse-training equipment can sometimes harm the visual amenity of the surrounding area. The wording is flexible and it is generally in accordance with Annex F2 of PPG7, which emphasises the need to take particular care to minimise the effect of development involving horses on the appearance of the countryside. Annex F2 also states that “applicants may need to undertake to remove jumps and other equipment when not in frequent use”. I therefore conclude that the sentence is reasonable, given that large areas of the District are covered by landscape designations, and it should remain as drafted in the Plan.

RECOMMENDATION 10.14

Modify Policy R7 as indicated in paragraph 10.14.1 above.

10.15 PARAGRAPH 10.5.12

The Objections

Rec/para. 10.5.12./499/2071 The Company of the Proprietors of the Stroudwater

Summary of Objections

- (a) Preamble should be included on the importance of Stroudwater and Thames and Severn Canals.

Inspector's Reasoning and Conclusions

10.15.1 I agree that the social, environmental and economic benefits of canals should be recognised in the Plan and I note that paragraph 10.5.10, as modified in the Revised Deposit Plan, helps to emphasise the role of canals and their potential benefits to local communities. However, the Objector’s suggested preamble specifying the national as well as local importance of the Stroudwater and the Thames and Severn Canals is overly detailed and unnecessary.

RECOMMENDATION 10.15

Make no modification to paragraph 10.5.12 in response to this objection.

10.16 POLICY R8

The Objections

| | |
|-----------------|---|
| R08/228/0554 | Stroud Town Council |
| R08/298/0803 | CTC Right to Ride Network |
| R08/578/3878 | The House Builders Federation |
| R08/329/3246-CW | Cotswold Canals Trust |
| R08/444/3684 | Various Clients of Andrew Watton |
| R08/320/0977 | Country Land & Business Association |
| R08/499/2072 | The Company of the Proprietors of the Stroudwater |
| R08/444/1972 | Various Clients of Andrew Watton |
| R08/432/1772 | Cainscross Parish Council |
| R08/502/2108-CW | British Waterways |
| R08/444/1973 | Various Clients of Andrew Watton |
| R08/499/2079 | The Company of the Proprietors of the Stroudwater |
| R08/313/0884 | Millikens Industrials Ltd |
| R08/329/1005-CW | Cotswold Canals Trust |
| R08/543/2309 | Government Office for the South West |
| R08/499/2070 | The Company of the Proprietors of the Stroudwater |
| R08/502/2112-CW | British Waterways |
| R08/298/0785 | CTC Right to Ride Network |
| R08/329/1007 | Cotswold Canals Trust |
| R08/502/2105-CW | British Waterways |
| R08/298/0802 | CTC Right to Ride Network |
| R08/502/2104-CW | British Waterways |
| R08/555/2389-CW | Environment Agency (Planning Liaison) |
| R08/502/2106 | British Waterways |

Summary of Objections

- (a) The policy does not reflect the regeneration potential of canals
- (b) Land along the Thames and Severn Canal between Stroud and Chalford should be protected for pedestrians and cyclists
- (c) The policy is over-elaborate, verbose and over-detailed. Planning obligations should not be expected, rather negotiated
- (d) 'Missing Links' should be afforded the same protection as any other part of the canal
- (e) The policy is still unclear on the relationship between canal restoration and planning obligations
- (f) Contributions should be voluntary
- (g) Canals and new alternative routes should be delineated on the Proposals Map. Omission of extra policy on canal importance
- (h) Reference to canals should be made in all other policies throughout the plan
- (i) Canal based policies should not take precedence over countryside related policies
- (j) Canal restoration should take precedence over other uses
- (k) Omission of further mention of the recreational facilities which can be accommodated in the Stroud Valleys

- (l) The Company of the Proprietors of the Stroudwater should be mentioned. Policy R8 should include a statement relating to the need for any development adjacent to a canal to enhance its setting.
- (m) Policy is restrictive relating to development adjacent to waterways
- (n) 'Missing Links' should be included on Proposals Map
- (o) Financial contributions should not be expected
- (p) Canals and new alternative routes should be delineated on the Proposals Map
- (q) Lack of policy on access and towing path improvements
- (r) Lack of policy on access and towing path improvements for all
- (s) Policy should refer to the importance of Capel Mill in the restoration of canals
- (t) Insufficient emphasis on the Gloucester to Sharpness Canal. The supporting text should refer to the Gloucester and Sharpness Canal Corridor Study.
- (u) Text should refer to study by British Waterways and its findings
- (v) Policy should refer to water resource issues
- (w) Policy should be expanded to include a variety of uses to contribute to canal restoration

Inspector's Reasoning and Conclusions

10.16.1 I do not agree with the argument that the relegation of policies on the Canal to the Chapter on Recreation and Leisure does not reflect the regeneration potential of the canal within Stroud Town Centre and elsewhere. The regeneration potential of canals has been emphasised in both the Recreation and Leisure Chapter and the Town Centre Chapter, particularly in paragraph 6.9.4b, which highlights the Thames and Severn Canal as a focus for the mixed use development proposed for Cheapside Wharf under Policy S5A. Both Chapters also reflect the Council's commitment towards seeking planning obligations to achieve the restoration of canals and to increase public access. The Plan therefore meets the general thrust of the objection.

10.16.2 The Revised Deposit Plan has provided an opportunity to protect the land along the Thames and Severn Canal between Stroud and Chalford, and any unimproved sections of the Stroudwater Canal, ensuring that any development does not prevent the improvement, reconstruction, restoration or continued use of the related canal and its towpath for the purposes of through navigation and public access. I therefore do not consider that a clause to protect the land specifically for pedestrians and cyclists is necessary.

10.16.3 On issues (c), (e), (k) and (o), I consider that the Revised Deposit Draft has provided an opportunity to address the matter of planning obligations in relation to canal-side development, clarifying they will only be sought in appropriate circumstances through negotiation. Policy R8 indicates the nature of the planning obligations that the Council is intending to seek and paragraph 10.5.14 provides a suitable justification. This more flexible approach accords with advice in paragraph B16 of Circular 1/97. In the light of these changes, I consider that the incorporation of a generic 'planning obligations policy' within the General Policy Chapter of the Plan as suggested by one objector, is unnecessary. However, there is one point which is worthy of further consideration, relating to the financial value of obligations sought in relation to the commercial viability of the development. One way of achieving greater certainty for the prospective developer, it was suggested, might be by indicating a percentage figure, although what that percentage might be was left somewhat vague. Another approach canvassed at the inquiry was to link the value of the obligation to the 'residual value' of the development. I am attracted by the latter suggestion, and not to incorporating a percentage in

view of the lack of evidence on what that percentage might reasonably be. Since paragraph 10.5.14 of the reasoned justification makes clear, and is unequivocal that, “in appropriate circumstances, development proposals abutting the actual canal channels *will be required...* to contribute to the improvement or restoration of the related area of canal and towpath”, I take the view that the text should also make it clear that the obligation sought will be affordable, and therefore should be related to the ‘residual value’ of the development. This can be simply achieved by inserting the words “based on the residual value of the development” after the words “..negotiation between the developer and the District Council”.

10.16.4 I do not agree with the other matter raised under issue (c), that Policy R8 is verbose, over-elaborate and over-detailed. The wording of the Policy, as amended in the Revised Deposit Plan is sufficiently clear, giving Canals suitable protection whilst enabling appropriate development which affects them. The Policy as revised is not out of line with PPG12.

10.16.5 I note that the Revised Deposit Plan provided an opportunity to overcome the objection in issue (d) to paragraph 10.5.12, affording the same protection to replacement ‘missing links’ as any other parts of canals. Since the objection has been conditionally withdrawn and the matter has been resolved, I shall not comment further.

10.16.6 I sympathise with concerns about the uncertainties often associated with canal restoration. However, amendments incorporated in the Revised Deposit Draft have now clarified the Council’s position in relation to planning obligations and canal-side development. Contributions from a landowner would not be expected simply because a development was adjacent to a canal, only where the development had a direct functional relationship with it. Furthermore, planning obligations would only be sought in appropriate circumstances through a process of negotiation.

10.16.7 I do not agree that there is a need to highlight the District’s canals and alternative routes on the Proposals Map. The routes of the canals, in most areas, are self-evident and it would not be helpful to highlight proposals for alternative routes, as these are not definitive and a number of options may be available. The Plan already recognises the social, environmental and economic benefits of canals and paragraph 10.5.10 helps to emphasise the role of canals and their potential benefits to local communities. However, the Objector’s suggested new policy specifying the national as well as local importance of the Stroudwater and the Thames and Severn Canals is overly detailed and unnecessary.

10.16.8 In respect of Issue (h) the Objector is satisfied that support for canal restoration is now made clear in the Revised Deposit Draft, and no further comment is necessary.

10.16.9 On issue (i), I note the Objectors concerns regarding potential conflicts between policies promoting canal restoration and policies seeking to protect adjacent open countryside. However, precedence would not simply be given to Policy R8 because the Plan should be read as a whole, and the Policy would be considered along with any other relevant policies in the determination of a planning application for development. The merits of each application would be judged on this basis.

10.16.10 On issue (j), the amendments incorporated in the Revised Deposit Plan to the Employment and Tourism and Transport Chapters (specifically paragraphs 4.12.2 and 9.12.1), together with Policy R8 and paragraphs 10.5.10 to 10.5.14 have helped to overcome this valid objection. The amendments reflect the Council’s commitment to canal restoration and recognise the contribution of such restoration to the economic, environmental and social goals of sustainable development. I note that the objection has been conditionally withdrawn and I find no need to comment further.

10.16.11 I agree that the Company of the Proprietors of the Stroudwater Navigation should be included in the list of key bodies in paragraph 10.5.13, given its participation in canal restoration

projects. I note that the Revised Deposit Plan provided an opportunity to do this. However, I do not consider that Policy R8 should require any new development adjacent to a canal to enhance the setting of the canal in form, layout, type and materials. This would be a matter for negotiation at the time of a planning application, and should not form part of the Policy wording as suggested.

10.16.12 I do not agree that Policy R8 unnecessarily restricts development adjacent to waterways without due consideration of any proposals on merit, or the opportunity for the use, re-use or restoration of the canals. However, I note the Objector's concerns that there are some stretches of the waterway that are not suitable for through navigation, but are able to serve other recreational needs. The amendments incorporated in the Revised Deposit Plan will help to achieve the protection and enhancement of these 'other' recreational opportunities, for example, the protection and improvement of the towpaths to improve public access, as well as promoting reconstruction and restoration of the canals for through navigation.

10.16.13 In relation to issue (n), I agree that the routes of the canals, in most areas are self-evident and therefore they do not need to be defined on the Proposals Map. I also find no reason to identify 'missing links' on the Proposals Map, since the routes of these are not definitive and I understand from the Council that a number of options may be available. I note that the objection has been conditionally withdrawn in response to the amendments incorporated in the Revised Deposit Plan, particularly paragraph 10.5.12, which affords now the same protection to replacement 'missing links' as any other parts of a canal. I therefore consider the matter to be resolved and I shall not comment further.

10.16.14 For issue (p) see Paragraph 10.16.7 and 10.16.13 above

10.16.15 It is not necessary to include a new policy or specific clause on access and towing path improvements as suggested under issues (q) and (r). The Revised Deposit Plan has provided an opportunity to overcome the objections raised, through the insertion of additional text in paragraph 10.5.10. This emphasises the role that canals and towpaths can make in achieving more sustainable patterns of movement. Policy R8 has also been modified to reflect the Council's commitment to seeking improvements of canals and towpaths. I am therefore satisfied that the matter has been resolved.

10.16.16 Similarly, specific clauses in Policy R8 requiring the upgrading of the Gloucester and Sharpness Canal towing path between Rea Bridge and Sharpness Marina, and the improvement of access links between the Marina and adjacent country roads are not necessary. The amendments incorporated in the Revised Deposit Draft are sufficient and the clauses suggested by the Objector are too detailed for Policy R8, which relates to the canal network in its wider sense.

10.16.17 See my report on Capel Mill in the Town Centres and Retailing Chapter of the Plan.

10.16.18 I agree that further emphasis could be given to the Gloucester to Sharpness Canal in the supporting text, and that there should also be a reference to the Gloucester and Sharpness Canal Corridor Study. I note that the Revised Deposit Plan provided an opportunity to overcome this objection, which has now been conditionally withdrawn. I therefore consider the matter to be resolved and I shall not comment further.

10.16.19 I also note that the Revised Deposit Plan provided an opportunity to overcome the objection in respect of issue (u), clarifying that the 'Waterway Environment Services' noted in paragraph 10.5.11 is part of British Waterways. Since the objection has been conditionally withdrawn, I consider the matter to be resolved and I shall not comment further.

10.16.20 The Revised Deposit Plan also provided an opportunity to overcome the objection to the lack of a reference to water resource issues. I support the inclusion of text in paragraph

10.5.12, requiring development proposals assisting the restoration of canals to have regard to the role canals can play in maintaining the supply of water resources. Since the objection has been conditionally withdrawn, I consider the matter to be resolved and I shall not comment further.

10.16.21 I do not consider that Policy R8 should be expanded to include a requirement for industrial, commercial and retail development to contribute to canal restoration. I have already concluded on the matter of planning obligations under issues (c), (e) and (o) above, and I emphasise that the Council cannot require a developer to contribute to canal restoration but can only seek such contributions through a process of negotiation. I am satisfied that the amendments incorporated in Policy R8 and supporting text in the Revised Deposit Draft would help to overcome the Objector's concerns.

10.16.22 Finally, although not a matter of objection, the Council has proposed changes to paragraphs 10.5.11 and 10.5.12 to update factual references and to improve clarity (Proposed Changes PRO223 and PRO224). These should be put into effect.

RECOMMENDATION 10.16

Modify the reasoned justification at paragraphs 10.5.11 and 10.5.12 in accordance with Proposed Changes PRO223 and PRO224, and paragraph 10.5.14 in accordance with the form of words set out at the end of paragraph 10.16.3.

10.17 POLICY R9

The Objections

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|----------------------|--------------------------------|
| R09/215/0504 | Diocese of Gloucester |
| R09 (W-u-E)/205/0492 | Wotton under Edge Town Council |
| R09/577/2654 | NHS Executive |

Summary of Objections

- (a) Policy should refer to the demand for allotments and secure the best use of land. Criterion 2 should be amended to reflect circumstances where land previously/ currently used for allotments might not be suitable for re-use for public recreational open space, or that alternative land for such purposes may be available. It would not be possible to demonstrate "evidence of likely future under-use".
- (b) Include allotments on the Proposals Map
- (c) Policy is negative. Development of unused/underused allotments can help sustainable development

Inspector's Reasoning and Conclusions

10.17.1 On the first issue, the Objector contends that there will always be some demand for allotments within any area and that Policy R9 should be amended to say that regard will be paid to the level of demand in a defined locality, evidence of past levels of use and the suitability of the site. I consider that the current wording of the Policy is satisfactory, given that it allows for the development of allotment sites in circumstances where there is evidence of demand,

providing that an alternative site can be found. I also consider that there is no necessity to emphasise the need to obtain the best use of land in all circumstances as suggested. In the consideration of a proposal for development, the Policy criteria will help to ensure that the best use of a site is found.

10.17.2 It is reasonable for the Council to require that surplus allotment land be first considered for general public open space or recreational use, having regard to the character of the area and any local deficiencies in such provision, before permission is granted for development. There is no need to add the wording "...or suitable alternative land for such purposes is, or can be made available." at the end of criterion 2 and I do not agree that the Policy is unduly onerous as suggested.

10.17.3 Since the Council has clarified that the likely future demand for allotment land can be identified through waiting lists, I find the requirement to demonstrate evidence of likely future under-use in paragraph 10.5.15 to be reasonable and it should remain in the Plan.

10.17.4 I agree that it would be helpful if the allotments in the District were indicated on the Proposals Map. However, I understand from the Council that since no survey of existing allotment land has been undertaken the information necessary to complete this task is not available. I suggest therefore that the Proposals Map should be updated in the future if and when a survey is carried out.

10.17.5 Policy R9 is intended to protect allotments from any forms of development that would result in their loss, unless it can be demonstrated that demand for the allotment land no longer exists, or that suitable alternative provision can be found. The Policy also requires due consideration to be given to whether the allotment land would be suitable for public outdoor playing space before permission is granted for their disposal. I appreciate that the development of unused allotment sites could assist in the creation of new development in sustainable locations in some circumstances. However, the maintenance of allotment land is very important since allotments can provide an important recreational activity for many people and can also contribute to the character and open space of an area. I conclude therefore that the restrictive tone of the Policy wording is necessary, to enable the Council to resist the development of allotment land where it would result in the loss of public amenity.

RECOMMENDATION 10.17

Make no modification to Policy R9 in response to these objections.

10.18 POLICY R9 - OMISSION SITE OS201

The Objections

R09 (OS201)/197/0466

Dursley Town Council

Summary of Objections

- (a) Allotment gardens lost through proposed development should be replaced by an alternative site.

Inspector's Reasoning and Conclusions

10.18.1 I note the Objector's concerns regarding the proposal to extend Dursley Cemetery and the impact that this would have upon the eight allotment gardens located adjacent to the existing cemetery. The Council has stated in its response that it would agree with the proposal in principle, since it would form a logical extension to the existing cemetery, although the criteria in Policy R9, which seeks to protect allotments, would need to be satisfied. Further research would also need to be undertaken in relation to the availability and suitability of sites to accommodate replacement allotment land as well as a demonstration of the need for the additional land. The Objector refers to the site at Yellow Hundred Close and the Council agrees that this is well related to the proposed Bymacks allocation and that it has been incorporated into the scheme. Furthermore, the Plan does not preclude the allotments from being developed in the District and there are sufficient Policies within the Plan against which a proposal for an allotment site could be determined if such a proposal came forward.

RECOMMENDATION 10.18

Make no modification to the Plan in response to this objection.

10.19 PARAGRAPH 10.6

The Objections

| | |
|----------------------------|--------------------------------------|
| Rec/para. 10.6.0./424/1716 | Stroud & Gloucestershire Green Party |
| Rec/para. 10.6.0./424/1715 | Stroud & Gloucestershire Green Party |
| Rec/para. 10.6.1./205/3099 | Wotton under Edge Town Council |
| Rec/para. 10.6.1./543/2310 | Government Office for the South West |
| Rec/para. 10.6.1./424/1714 | Stroud & Gloucestershire Green Party |

Summary of Objections

- (a) There should be a policy in this section
- (b) Text should be expanded to include greater support and recognition of the arts

- (c) Text should include greater commitment to facilities and recognition of their importance. The importance of the Wotton-under-Edge Heritage Centre and the Arts Centre facility at Kingshill House should be recognised in the Plan.
- (d) There should be a policy in this section
- (e) Wording should be altered. Delete the word “relatively” from paragraph 10.6.1. Add the words “and only one library. Few village halls are able to cater for touring companies, touring exhibitions, or have performance licences.” After the sentence ending “no art gallery”.

Inspector's Reasoning and Conclusions

10.19.1 On issues (a) and (d) I do not agree that section 10.6 should be expanded to include a specific policy relating to arts, cultural and entertainment facilities. The Revised Deposit Draft provided an opportunity to clarify that proposals for such facilities would be assessed against existing policies in the Plan. Particular reference is made in paragraph 10.6.2 to Policies S12, which incorporates a sequential approach for town centres in line with PPG6, Policy S13, which provides for community facilities, and Policy T1, which relates to accessibility. There is already sufficient scope within the Structure Plan and the Local Plan to guide and control the anticipated level of any such development, and there is no need to create a further policy, because this would result in unnecessary duplication in the Plan.

10.19.2 I sympathise with the request to expand the text to include greater support and recognition of the arts, particularly the need to include a reference to the economic contribution that the arts can make to the creativity and vitality of town centre regeneration and the role of the arts in rural communities in helping to combat social exclusion. Paragraph 10.6.1, as modified in the Revised Deposit Draft already acknowledges such contributions. I also support Proposed Change PRO225, which emphasises the role of arts, cultural and entertainment facilities in smaller communities, and I support the Council’s additional Suggested Change, which recognises that the level of such infrastructure is particularly low in rural areas. In the light of this, no further elaboration is necessary.

10.19.3 Similarly, I sympathise with the request to include greater commitment to facilities and the need to recognise their importance in the Plan and I am satisfied that the above Changes would help to overcome this objection. However, there is no need for specific references to the Wotton-under-Edge Heritage Centre and the Arts Centre facility at Kingshill House to be inserted in the Plan. These may well provide valuable resources for local people but there is no need to identify or list each facility in the Plan.

10.19.4 I note that the Revised Deposit Draft provided an opportunity to delete the word “relatively” and this has helped to strengthen the supporting text. However, the Council has clarified that there are a number of small libraries located in a number of the smaller centres in the District, and the Objector’s reference to there only being one library is incorrect. I therefore find no justification to adopt the wording suggested by the Objector in the Plan. I also consider that a reference to the inability of village halls to cater for touring companies, touring exhibitions or the fact that few halls have performance licences is unnecessary. In preference, I support the Council’s additional Suggested Change, which draws attention to the lack of adequate facilities in rural areas, in paragraph 10.6.1.

RECOMMENDATION 10.19

Modify paragraph 10.6.1 in accordance with Proposed Change PRO225 and the additional Suggested Change as follows:

“Arts, cultural and entertainment facilities can provide an important source of leisure for the local community and can be widely defined to include a number of diverse activities. The District Council recognises the important contribution these facilities make to the social and economic welfare of the community. This is particularly the case in smaller communities with town and village halls. The encouragement of creative cultural activities, through the provision of appropriate infrastructure, can help town centre regeneration objectives by promoting community involvement, vitality, distinctiveness and local identity. In an attempt to address this issue the District Council has formulated its own Cultural Development Strategy to direct resources to particular gaps in provision. Despite a high level of interest in various forms of leisure activities, the actual level of infrastructure within the District is low, especially in rural areas. For example, the District has no purpose built theatre, no concert hall and no art gallery. Although the town of Wotton-under-Edge has a 179 seat cinema to serve the South Vale area, the District’s main town of Stroud lacks such a facility. However, there are some other notable entertainment facilities in Stroud such as the Subscription Rooms which hosts concerts, exhibitions and events. Similarly, the Prema Arts Centre in Uley has a national reputation for both its exhibition and performing arts programme.”