

Key Concerns – Schedule accompanying letter from [REDACTED] dated 18th January 2019

We consider that the process by which the Emerging Strategy has been arrived at is flawed, for the following reasons:

1 Presentation of information

Due to the lack of cross-referencing to other documents upon which the Emerging Strategy relies, it has proved very difficult to determine what constitutes the evidence base. This is often 'hidden away' in several of the different source documents posted on the Council's website. This dilemma places respondents to the consultation at a real disadvantage. It is likely to have had a deterrent effect on some prospective respondents deciding whether to make representations and to have adversely affected the scope, depth and accuracy of comments submitted by others.

2 Issues-based approach

The Plan's 'Issues based' approach involved the selection of 'Top 5 key issues' from a list of 40 based on a comparatively small number of consultation responses. We feel you may need to do more to justify this methodology and provide reassurance that the Plan-making process, has not resulted in other objectives being neglected or side-lined.

Specific recommendation

You may need to do more to justify that the other 35 objectives you identified in the Issues and Options have not been traduced or neglected as a result of the Plan focusing on just five objectives and publish your assessment as part of the Evidence Base.

3 The process of selecting the Emerging Strategy including the absence of a Sustainability Appraisal of the Emerging Strategy

The "emerging growth strategy" summarised in section 4.2 of the Emerging Strategy Paper correctly describes itself as a 'hybrid'. The Council has in effect created a 'fifth' strategy option. The other four Options were all subject to Sustainability Appraisal (SA). To quote the Emerging Strategy document, the SA states, "*It may be worth considering the hybrid option*". The current SA does not therefore endorse or mandate or give a 'green light' to, the adoption of the hybrid strategy. The SA does not provide enough evidence to conclude whether this option is more (or less) sustainable than the other options or is sustainable 'in its own right'. A hybrid incorporating elements of other options, even where those options may be demonstrably broadly sustainable, will have different sustainability outcomes itself.

The chosen option must therefore be subjected to a full SA using the same methodology as was used for the other four options. This exercise must be treated as an extension to the current consultation on the Emerging Strategy. The result of this exercise then needs to be subject to further consultation. The Council's response to that extra consultation also needs to be published; and only at that stage (and subject to the outcome other substantial additional assessments which are also required (see comment below) would the Council be in a position to validate the hybrid option as the Council's 'preferred strategy'

On the strength of work to date and without a full SA of the hybrid option, it would be premature for the Council to confirm the hybrid as its preferred strategy. Nor should the Council wait until it publishes the final draft consultation Plan before publishing the results of additional SA and before seeking views on its preferred strategy, because by the time the draft consultation Plan is published, its contents would have morphed into the Council's settled position.

Your presentation of the Future Growth Strategy is also very difficult to follow. Section 2.3 identifies a requirement for at least 12,800 new homes during the 20-year Plan period. You then advise that 7,100 new homes have received planning permission or are already identified in the current Local Plan, leaving a requirement to identify for the current Local Plan Review to identify land for at least 5,700 more homes.

In Section 4.1 page 27, you set out different spatial options for the pattern of future growth, which can be summarised as: 1 Concentrated development, 2 Wider distribution, 3 Dispersal, 4 Growth Point. This is also when you first refresh the ideal a 'hybrid' option, originally broached in the Issues and Options consultation. This is referred to again on page 30 in the following terms:

"Sustainability Appraisal recommendation: It may be worth considering a hybrid option, which most resembles Option 1: Concentrated development, but which perhaps includes growth at the Sharpness growth point and/or one or two of the larger towns and villages as well (although this would need to avoid settlements where negative environmental effects on biodiversity/geodiversity, landscape/ townscape, historic environment, water quality and flooding are more likely)."

On page 28, you explain how you have identified potentially suitable, available sites from a range of sources, which you list. These sites have then been assigned to each option, 'depending on their location and size'. Sustainability Appraisal was then carried out on these options

You then present the results for each option on pages 28 to 30. However, the accompanying plans depict only the proposed location and size (number of houses) of the housing to be released by this Local Plan Review, not the 7,100 new homes comprising those with planning permission and those as identified in the existing Local Plan.

You state the number of new homes generated by each Option is either close or exceeds the 5,700 target.

It is only when setting out the emerging growth strategy in section 4.2 (page 32) that the original total requirement for 12,800 new homes is referred to again. The plan showing the emerging growth strategy (page 33), depicts the distribution of all 12,800 new homes. As with the options plans, the size of circles on the plan appears to reflect the number of houses proposed, but unhelpfully on this Plan no numbers are provided. The circle depicting Newtown and Sharpness appears to have grown in size relative to the other allocations, when compared to the earlier Options plans. This may well be reflected in part by the fact the commentary at page 81 refers to 2,400 houses. There appear also to be several hundred more new homes in Berkeley, in the form of current, permissions, existing local plan allocations and SALA sites. In relation to the 'hybrid' Emerging Strategy no information is provided to explain the 'trade off' in sites (i.e. which sites from the two original Options have been retained and which have been sacrificed, and why).

Page 31 seeks to describe and show diagrammatically the additional work that has been leading up to the selection of the Emerging Strategy. But it does not describe, explain or justify how a tentative suggestion made in the Sustainability Appraisal (*"It may be worth considering a hybrid option...."* Etc.) has morphed into the 'emerging growth strategy' outlined on the following page (page 32). Whilst the strategy is badged as 'emerging', the description of it is written with a confidence and in a way (*"The emerging growth strategy will (my emphasis)"* Etc.) that it appears to be the Council's settled position.

We have several concerns about this:

The Council's decision to generate a 'hybrid strategy' is considered to be precipitative and premature for the following reasons:

Firstly, there is no clear need or justification to revert to the hybrid option. You have demonstrated that Option 1 is capable of delivering the additional new homes required and is also comfortably the best performing Option in the Sustainability Appraisal and Transport Assessment. There is therefore no prima facie justification for not selecting Option 1, and consequently no requirement to release land at Sharpness and Newtown (Sanigar Farm).

The further releases proposed in the emerging growth strategy appear likely to result in a substantial over-provision, because the Developer's estimate for new homes on the Sharpness and New Town (Sanigar Farm) site (up to 5,000) taken together with the Council's other proposed sites in the emerging growth strategy (in the Berkeley Cluster and in the other identified towns), would substantially exceed the Council's estimate of 5,700 new homes needed during the Plan period;

There are key process and procedural stages missing in the Council's journey towards selecting the emerging strategy, not the least of which is the absence of a Sustainability Appraisal for this Option, as set out above.

Also, if there has been a sequential decision process leading to the emerging growth strategy (as outlined on page 31), there is a lack of transparency and a lack of detail describing this process and therefore there has been no opportunity for consultees to review and comment on it.

We will also demonstrate later on in this document that the evidence base sitting behind the proposed Sharpness and New Town (Sanigar Farm) is insufficient for a site of this scale and complexity and does not enable a satisfactory assessment of the site against a range of key tests, which need to be completed in advance to inform the decision about whether to allocate the site, including suitability, capacity, viability and deliverability.

Furthermore, the evidence base such as it is (including the SAHA, SA and Transport Assessment) demonstrates that the site actually performs poorly against some key parameters; and is subject to a number of significant constraints. This calls into question why it was selected for inclusion in the Plan; and why it was selected ahead of other sites, particularly because the hybrid strategy must have introduced a greater element of choice of sites for selection.

Formal request

Please treat the hybrid option as a new and separate option and carry out a full Sustainability Appraisal on this option and consult on its findings and on the Council's response, including consulting on a revised and updated Emerging Strategy in advance of producing the Council's preferred option, which itself should be published and consulted on in advance of the Final Draft Plan.

Please provide a table setting out the 'potentially suitable available sites from a range of sources' (page 28) which you assigned to each option, and for each site name the source.

Please publish the details of the sequential assessment and decision process resulting in the Council's selection of the hybrid emerging growth strategy including the process of selection and elimination of sites earmarked for inclusion in the other individual Options.

4 The Evidence Base is incomplete and provides insufficient information to support the assessment of strategy options, the selection of an emerging growth strategy and the identification of the sites needed to deliver the strategy.

The Sustainability Appraisal is just one of a series of studies and assessments, the completion of which is essential to provide the necessary minimum evidence base needed to inform, justify and validate the Plan's emerging strategy and its proposed site allocations, including the proposed major land release in the Berkeley Cluster. Much of this evidence base is conspicuous by its absence. Consequently, the Council is putting forward a spatial strategy in the absence of vital studies.

The absence of these studies invalidates the decision process described in the Emerging Strategy document and its conclusions; or at best renders them unreliable and premature. Furthermore, consultees are being asked to comment on a strategy and sites without being provided with enough information to properly understand or challenge the Council's position. This creates a democratic deficit.

It is accepted that the development of an evidence base should be proportionate to the stage reached in the Plan-making process. But as the Strategy has already progressed to the publication of what is in all but name a preferred spatial strategy and includes proposed site-specific allocations, an appropriate level and range of supporting assessments represents a minimum requirement.

The evidence base supporting the proposed allocation of the Berkeley cluster is lacking in detail and falls short of the minimum acceptable for such a large Local Plan allocation and new settlement and falls short of the advice in Government Planning Policy Guidance.

Reliance has been placed on the Developer's promotional document to provide more information, but the Outline Masterplan does not contain enough detail to enable existing occupiers to identify the extent to which the proposals will impact on them and their property.

It is not clear from your study the extent to which you have focused on brownfield sites / previously developed land as a first step in assessing housing land availability across the District; and therefore, the extent to which you may be able to avoid developing on green field sites? It is also not clear what proportion of the proposed Sharpness Garden Village site and other allocations in the Berkeley cluster are previously developed land or green field. Will you be able to demonstrate a coherent approach to brownfield and green field sites in terms of the wider plan and your approach to this part of the Plan, which is consistent with the latest Government policy and guidance?

It is not clear how far you have followed Government advice in Planning Practice Guidance in Paragraph: 011 Reference ID: 3-011-20140306 Revision date: 06 03 2014 titled, How should sites/broad locations be identified?; which states:

"When carrying out a desk top review, plan makers should be proactive in identifying as wide a range as possible of sites and broad locations for development (including those existing sites that could be improved, intensified or changed)."

"Plan makers should not simply rely on sites that they have been informed about but actively identify sites through the desktop review process that may have a part to play in meeting the development needs of an area."

The proposed site allocations appear to be very largely developer promoted and controlled sites. Appreciating that this is not unusual, it does run the the risk of artificially constraining the range of spatial options and the choice of sites; and it becomes more tempting for the Authority to take the line of least resistance and select developer-promoted sites.

Consequently, we set out below our requests to the Council for the Evidence Base to be generated or augmented and for some consequential amendments and additions to the Plan-making programme. These proposals are intended to ensure adequate consultation and to help you ensure that the Plan will ultimately be found sound.

5 Additional evidence base which is required to validate the selection of an Emerging Strategy and site allocations

The following sections set out the additional studies that we consider need to be undertaken right now, in advance of confirming a preferred strategy and any site allocations.

5.1 Assessment of Housing Need

Coverage of Housing in the Emerging Strategy document is wholly focused on 'where the new development will go'. There is no coverage of the basis used for determining future housing need and whether and how the Council and other agencies have arrived at the calculation. Housing requirements appear to be simply 'taken as read' (Emerging Strategy Paper Section 2.3).

Some research of our own suggests that you may have been through a process of applying the Government's "Housing Delivery Test Measurement Rule Book, Method for calculating the Housing Delivery Test result". If so, these need to be published and consulted upon now.

You state that "Government has introduced **housing targets** to be met by every local authority in the country....". This feels like a slightly imprecise description of the current position, which needs to be clarified.

Recognising your further point in Section 2.3, that "Departing from these minimum targets can only be justified in exceptional circumstances", please can you confirm whether the Council has done due diligence or made some effort to constructively challenge the figures (however they have been calculated)? You owe it to those existing communities who will be the recipients of planned major new development.

Formal request

Please provide additional evidence base to confirm when, how and why you have calculated the requirement for Housing in the District, what sensitivity tests you have used and describe any dialogue you have engaged in with Government and other agencies to ensure that the Authority is not overproviding or taking a disproportionate amount of new housing development.

5.2 Infrastructure Delivery Plan

This study should have been completed in advance of publication of the Emerging Strategy. It should certainly be completed and consulted upon before any decisions are made to confirm a preferred strategy and to allocate sites.

The purpose of the Infrastructure Delivery Plan is to provide background evidence on the key elements of physical and social infrastructure likely to be needed in the planning authority area up to the end of the Plan period to support delivery of the Local Plan. A key output should be an understanding of the infrastructure projects for each of the housing and employment site allocations including Sharpness; and the locational and land use requirements and implications e.g. new or expanded wastewater treatment works, road network or road junction improvements.

New infrastructure required to support new settlement will have land use and land-take implications requirements and impacts and these need to be adequately understood before committing to major land releases such as Sharpness. They are also potentially fundamental to the viability and deliverability of schemes. The infrastructure development will have its own sustainability and environmental dimensions and effects. These need to be factored into the Sustainability Appraisal and other relevant topic-based assessments.

Having established the infrastructure required to deliver the strategy and sites for development (housing, employment etc.) the Council needs to assess the funding for new infrastructure which will come from a variety of sources e.g. delivered directly by utility or service providers, secured during the granting of planning permission through a "Section 106" agreement in order to make a development acceptable or through the Community Infrastructure Levy (CIL). Where there is a difference between the cost of the infrastructure required to support development and available funding there will be a "funding gap". This needs to be factored into the separate Viability study the Council is intending to do (Emerging Strategy section 6, page 95).

Given the scale and strategic importance of the proposed Berkeley Cluster, which includes the 'new settlement' at Sharpness and Newtown (Sanigar Farm), in the Council's emerging strategy, an Infrastructure Plan needs to be undertaken for this site now.

We note that your latest IDP was produced in 2014 but you are committed to producing an IDP for the current Plan Review. Given the scale and strategic importance of the proposed Sharpness and new Town (Sanigar Farm) allocation in the Council's emerging strategy, should be produced for this site as part of the Evidence Base.

We note you have produced an 'Infrastructure Position Statement for the existing Sharpness Strategic Local Plan Allocation (SA5) (2016)' and this provides a useful precedent and template. But we would recommend that you follow latest best practice and also consult in advance on the proposed scope of the IDP and again on the draft IDP document for Sharpness (Sanigar Farm).

Formal request

Please carry out and complete a Plan-wide Infrastructure Delivery Plan and also a site-specific Infrastructure Delivery Plan for the proposed Berkeley Cluster / new settlement; and then amend other evidence base documents where necessary to take on board this new evidence (and other evidence which has also been requested). And then review, revisit and amend the Emerging Strategy and site allocations in the light of these findings. All this work needs to be completed before confirming the Council's preferred strategy, which should be published separately and in advance of the publication of the Final Draft Local Plan.

5.3 Viability Assessment

The Council's website states, "The council have commissioned a **Local Plan and CIL viability study** to assess the viability of both residential and non-residential development in the planning authority area.

This study should have been completed in advance of publishing the Emerging Strategy. It should certainly be completed and consulted upon before any decisions are made to confirm a preferred strategy and to allocate sites.

This assessment should determine the viability of each of the proposed site allocations. This is particularly critical for the proposed Sharpness allocation because the viability and deliverability of this scheme including all the promised community facilities, sustainable transport services and necessary infrastructure etc. all need to be confirmed.

Will the proposed Sharpness development be capable of funding the necessary infrastructure (roads, schools, utilities, public transport services) through Community Infrastructure Levy (CIL), S106 Agreements etc. and if not, where will this investment will be sourced?

We note the Developer's proposed package appears to be based on being able to build up to 5,000 houses, which is a much greater number than the Council's own estimate. An agreed position needs to be established as a priority and the viability assessment based upon this.

The Council could reasonably request the promoter of the Sharpness site to commission (or fund the Council to commission) an independent consultant to undertake a capacity study for the site followed by a viability assessment.

Formal request

Please complete, publish and consult upon a viability assessment for the Sharpness Allocation to include a cost estimate to calculate the cost of associated infrastructure and mitigation measures and a calculation of how these will be funded. This study should be appropriately scoped to ensure that it addresses the specific question of whether Developer funding and other sources of available funding will be sufficient to deliver the proposals in the Developer's Vision document and all the necessary infrastructure (roads, schools, utilities, public transport services including rail link, green infrastructure etc.).

Please reconcile the different assumptions around numbers of houses to be accommodated and arrive at an agreed figure with the Developer. Use this figure (or range as applicable) in the other studies, including Viability Study.

5.4 Transport Assessment

The Council has produced the Stroud Local Plan Review - Strategy Options Transport Discussion Paper July 2018. This assesses the transport implications of the four strategy options:

- 1 Concentrated development
- 2 Wider distribution
- 3 Dispersal
- 4 Growth Point.

The first point to make is that the assessment does not include an analysis of the transport implications of the Council's 'hybrid' option, which constitutes the Council's Emerging Strategy and involves a combination of Option 1 and 4. The transport implications of the hybrid option are central to its sustainability and deliverability. Consequently, the Transport Assessment needs to be updated to include the hybrid option and its findings and their implications then need to be incorporated in the Sustainability Appraisal and other relevant assessments in the Evidence Base. It would be premature for the Council to confirm the hybrid strategy without this essential information,

Although it is difficult to draw any lessons from the study for the Emerging Strategy hybrid option, it may be worth noting in passing that the Newtown and Sharpness site is assessed under the Growth Point option (Option 4) and records the second highest quantum of growth in peak hour trips (Figure 4) and total peak hour trips (Figure 5). Option 4 is predicted to have a significant impact on M5 J14 in the south of the District. The predicted work place destinations from Berkeley to Stroud District destinations are comparatively lower than some more central cluster areas and are below 50% (Figure 7). All the options appear from Figure 8 to require improvements to the strategic, major and local road network and to bus services.

The report notes at paragraph 5.6 that, "Options 1 and 4 have more strategic development sites and are more likely to attract Government funding towards any required mitigation packages. However, it should be noted that due to the small number of sites in option 4 the scale of impact is more focussed and may be more expensive."

To provide a high-level summary of each of the four development options, the Report (section 6 pages 10-15) assessed each option against four relevant criteria (using a traffic light system colour coding system where red indicates lowest performance rating). The assessments for Newtown and Sharpness Growth Point are combined below. As can be seen this option is recorded as having the lowest performance rating for all four criteria:

Likely scale of mitigation required	Mitigation will require additional funding bid >£10m
Cumulative impact of the site	Site will impact on known pinch point and require significant infrastructure
Existing car use based on 2011 census data	Travel to work car use >85%
Propensity of using passenger transport	Site located on a corridor with PT frequency less than 60 mins

Other sites generally had mixed results.

Clearly the 'hybrid' option which forms the Council's emerging strategy, and which combines Option 1 – Concentrated Growth and 4 – Growth Point will yield a different result; but this needs to be tested.

We also note that you are intending to carry out further 'Transport strategy and assessment work' in 2019. This is to be welcomed but is considered to be particularly critical in relation to the Berkeley Hub including the Sharpness and Newtown allocation because it goes to the issue of viability and deliverability of this proposed allocation.

The study needs to build on the current high-level Transport Assessment considered above. It needs to consider private and public transport (bus and rail). The sustainable transport credentials of the Stroud and Newtown allocation appear to rely on improving public transport. The proposals for re-opening and operating the rail branch line to Sharpness which are included in the Developer's Vision document feel at best

aspirational and needs to be tested. We consider that an independent transport consultancy should be engaged to produce a study to test the feasibility of developing and operating bus and rail services to the new development including an assessment of the feasibility of reopening and operating the rail connection; the associated costs and funding and the potential modal shift that could be achieved. This study needs to be fast tracked to provide this essential part of the evidence base which is currently missing.

Formal request

Please update the Transport Assessment to include the Emerging Strategy 'hybrid' option which combines elements of Option 1 and Option 4 and then update all other parts of the evidence base to incorporate the findings of this exercise.

Please commission an independent transport feasibility study covering all transport modes but focusing on the feasibility and deliverability of public transport (bus and rail) for the proposed Berkeley Hub.

5.5 Evidence base for allocation of Sharpness and Newtown (Sanigar Farm)

Evidence base

Besides the Emerging Strategy Document, the Evidence Base to support the allocation of Sharpness and Newtown (Sanigar Farm) appears to comprise:

- a three-page assessment in Appendix 3 of the Council document, Strategic Assessment of Land Availability (SALA) 2017;
- a one-page colour coded assessment in the Sustainability Appraisal for the Emerging Strategy;
- sections in the Transport Assessment (please see 4.5 above);
- Sharpness Eco-village Vision Document.

Formal comment

The evidence base supporting the proposed allocation of the Berkeley cluster is lacking in detail and falls short of the minimum acceptable for such a large Local Plan allocation and falls short of the advice in Government Planning Policy Guidance.

Reliance has been placed on the Developer's promotional document to provide more information, but the Outline Masterplan does not contain sufficient detail to enable existing occupiers to identify the extent to which the proposals will impact on them and their property.

The SALA and Sustainability Appraisal are considered in turn below:

Strategic Assessment of Land Availability

Content

The Sharpness (Sanigar Farm) site is identified in the Council's Strategic Assessment of Land Availability 2017.

The SALA assessment does seek to capture key details, constraints (policy and physical) and to assess suitability, availability and achievability.

In the SALA, what is striking is that, at 326ha this is comfortably the largest site under consideration in either 2017 or 2018 SALA and yet the SALA analysis is very limited in length and detail and much smaller sites enjoy greater coverage.

The 2017 SALA does state, "Appendix 7 details the reasons for the inclusion of each site taken forward..." but the relevant table in Appendix 7 just has a one-line entry stating, "The site is considered suitable and available for the scale and type of development set out in the emerging strategy."

As an Evidence Base to underpin a decision to allocate this area for development in the Local Plan, this feels wholly inadequate.

Also, on closer examination of the SAHA proforma (computer page 69-70) flags up a number of unresolved substantive issues, requiring further investigation (see extracts from section titled 'Potential Impact Summary' below):

"Much more detailed assessment of the area's heritage significance and special architectural and historic interest is essential, to help determine the scope, nature and extent of any major development here..."

"...the site is adjoining a designated biodiversity interest site of international/national/local importance....."

"Further consideration and assessment should be given to these issues to avoid harm or loss to the acknowledged interest before the site can be proceeded with in the future."

Notwithstanding the above, the SAHA 'Suitability summary' states, inter alia:

"Although not currently policy compliant, the site may have longer term potential for comprehensive development, provided that physical constraints can be overcome and potential landscape and ecological impacts can be mitigated...."

It is noted that this statement is heavily caveated but even so still represents a 'leap of faith' that significant constraints can be overcome.

Formal recommendation

Given that this site is a cornerstone of the emerging Plan, we consider that substantially more baseline studies and assessments need to be undertaken at this stage in the Plan-making process and then subject to consultation, to confirm whether the site is even suitable for inclusion in the Plan and to check and calibrate the quantum and type of housing and employment it might actually be able to accommodate.

Some key constraints

Heritage

The heritage issue may conceivably be capable of being overcome through appropriate mitigation, but the full wording of the assessment suggests that this constraint may significantly restrict the development area.

"The impact on the setting of multiple heritage assets, including several farm-related listed buildings within and adjoining the site, would be likely to constrain the developable area."

This could in turn affect the number of housing units that can be accommodated with knock on effects on site viability and on securing the advantages and benefits of a larger settlement which are being factored into the Council's justification for the allocation and promoted by the Developer. For this reason, there should be further assessment undertaken of this issue now.

Habitats Regulations

The proximity of international biodiversity importance (SAC, SPA and RAMSAR sites) to Sharpness Newtown allocation is potentially a very significant constraint. The Developer has clearly been considering this issue as evidenced in the Sharpness Eco-village Vision Document 2018. This includes the provision of 'SANGs'. This issue is too important to leave until planning application stage due to its potential impact on the deliverability and scale of any development. As the site (and potentially other sites identified in the emerging Plan) is likely to have a significant effect, the Plan needs to be subject to an "appropriate assessment" under the Habitats Directive.

Under Article 6(3) of the Habitats Directive, an appropriate assessment is required where a plan or project is likely to have a significant effect upon a European site, either individually or in combination with other projects.

"Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject

to appropriate assessment of its implications for the site in view of the site's conservation objectives" Article 6(3)

Article 6(3) has been interpreted as meaning that any project is to be subject to an appropriate assessment if it cannot be proven, beyond reasonable scientific doubt, that there is no significant effect on that site (a precautionary approach), either alone or in combination with other plans or projects."

We note that the SALA also refers to the Council having done "an initial desktop biodiversity and geodiversity assessment of the site." The results of this exercise should be published so that respondents can be better informed about the details of the sites of international biodiversity importance, heritage sites etc.

To be fair to the Council, they have produced a "Habitats Regulations Assessment (HRA) of the Stroud District Local Plan at Emerging Strategy stage". This has confirmed that the potential impact of both the emerging strategy and the Stroud and Newtown allocations on European sites is a live and important consideration.

The report states, inter alia:

"A plan level HRA considers the implications of a plan or project for European wildlife sites, in terms of any possible harm to the habitats and species that form an interest feature of the European sites in close proximity to the proposed plan."

"This report is in the early stages of preparation along with the Emerging Strategy."

"The emerging plan site allocations are checked through this screening and scoping stage for risks to European sites."

"There is now a strong body of evidence showing how increasing levels of development, even when well outside the boundary of protected wildlife sites, can have negative impacts on the sites and their wildlife interest."

We note that the existing and proposed Sharpness and Newtown site allocations are specifically referenced in the document are shown (on 'Map 2: Potential Development Sites') to be within the Severn Estuary European sites buffer zones.

The study has undertaken initial screening of the proposed policies and allocations in the Plan for likely significant effects of development on European sites. In Table 3, the emerging growth strategy is amongst other policies assessed as having 'Likely significant effects' and the recommendation is that Appropriate Assessment is required.

Table 4 shows the proposed Sharpness and Newtown allocations (NEW002, NEW003a and NEW003b) as requiring screening for likely significant effects.

Under section 5, Screening Conclusions and Impact Pathways, the document states,

"The screening for likely significant effects at Tables 3 and 4 are high level due to the emerging nature of the Local Plan, with policies not yet developed. For this reason, recommended text additions or changes that can strengthen policy or completely avoid risks with the removal of potentially harmful aspects are not yet included."

It goes on to state:

"These will be clarifications, corrections or instructions for the development project HRA, that do not require further scrutiny at the appropriate assessment stage, and will be included when the plan is re-screened at the next stage."

"Additionally, at this early stage the consideration of in-combination effects has not yet been progressed as it will be more meaningful and applicable once the plan has progressed and the new visitor survey work is complete."

“The screening table for site allocations at Table 4 has flagged a number of allocations for more in-depth consideration within an appropriate assessment, based on proximity to European sites triggering particular potential impact pathways.”

The document goes on to describe these pathways but then states that these will be assessed in more detail in relation to the plan policies and allocations at the next plan making stage.”

We disagree with these conclusions. The emerging strategy has been demonstrated to put European protected sites ‘in harm’s way’ by incorporating sites close to these protected areas. The hybrid strategy relies to a considerable extent on the strategic Stroud and Newtown allocation which is close to the River Severn European site. The Strategy should therefore in our view be subject to further HRA screening and HRA as soon as this is practicable. This process could influence whether the strategy can be confirmed as the Council’s preferred strategy. Leaving the HRA screening and HRA to the next stage, which is the ‘Regulation 19’ ‘Final Draft Plan’ stage, runs the risk of building a whole Plan around a strategy, part of which may prove undeliverable.

We also disagree with the approach of waiting until Final Draft Plan stage to complete the HRA of the Plan and the Sharpness / Newtown allocation because the outcome of HRA screening and HRA could potentially confirm significant effects on the contiguous Severn Estuary European site which may in turn prevent, or restrict the extent of, the development proposed on this site, with implications for the deliverability of the site and of the overall emerging strategy.

Experience indicates that the Habitats Regulations cannot be traded and that a precautionary approach is the best course.

Specific request

Please expedite further Heritage assessment of the site.

Please publish the results of the initial desktop biodiversity and geodiversity assessment of the site.

Please expedite the carrying out of further Habitats Regulation Assessment (HRA) screening followed by HRA. Please complete this well in advance of confirming any ‘preferred strategy’ and well in advance of production of the Regulation 19 Final Draft Plan

Achievability

Under the heading, ‘Achievability Summary’ the Council conclude:

“From the information available, it is considered that there is a reasonable prospect that development as envisaged will be delivered on the site. It is also considered that the site is economically viable and the capacity of a developer to complete and sell the properties in the timeframe expected in this area is good.”

We believe the first conclusion is optimistic and (for the reasons set out above) is premature.

With respect to the conclusion that the site is ‘economically viable’, we can find no information in the Council’s evidence base demonstrating how you have come to this conclusion. Please publish and consult upon full details of any viability assessment you or the Developer have done for this site and for the wider Plan. Given the constraints flagged up in the SAHA and their potential impact on developability and potential developable area, any conclusions regarding viability appear premature at this stage.

In this regard, we note in Section 6 of Emerging Strategy Paper that you intend to carry out a ‘**Viability study**’ in 2019, but as at November 2018 this work had not yet started. On what basis, then, have you been able to draw conclusions on the viability of sites in the Emerging Strategy, including Sharpness Newtown (Sanigar Farm)? Please consult on the scope and content of the planned Viability study and please consult on the report when it is published, in advance of selecting sites for inclusion in the consultation draft Local Plan.

Formal request

Please publish and consult upon full details of any viability assessment you or the Developer have done for this site and for the wider Plan.

Please clarify and explain on what basis you have been able to draw conclusions on the viability of the sites in the Emerging Strategy and in particular, Sharpness Newtown (Sanigar Farm) and publish all relevant information.

Development potential summary

In light of our analysis, the 'Development potential summary' (reproduced below) also feels both optimistic and premature.

"Taking account of the character of the site and its surroundings, this site could be developed for a broad mix of uses including housing, retail, employment, community facilities, sports and leisure, open space. Housing development would involve a mix of all house types and tenures. The site is being promoted for up to 5000 houses and 30ha employment, but a detailed assessment would be required to confirm this figure."

The existence of a very substantial difference between the Council's and the Developers' estimate of housing numbers (see below) is a real cause for concern and needs to be resolved as a matter of absolute priority.

Council:	1425 (150 units per year (2026/27 – 2035/36))
Source:	Strategic Assessment of Land Availability 2017, Site ref: NEW002 Land at Sharpness (Sanigar Farm) (scanned extract from 2017 SALA attached)
Council:	Up to 2,400 by 2040
Source:	Emerging Strategy Paper page 80 The Berkeley Cluster, Potential sites and alternatives, Newtown and Sharpness
Developer:	Up to 5,000 dwellings
Source:	Sharpness Ecovillage Vision Document Prepared by Pegasus Group, September 2019, P16-0821-9F, page 41

Respondents to the current consultation do not know which figure is the correct one. This puts them at a disadvantage in making meaningful comments. The uncertainty also casts more doubt on the reliability of any calculations or assumptions around the viability of the site and the potential for it to deliver claimed benefits and necessary infrastructure.

We note also that other sites in the immediate vicinity, which are variously recorded by the Council as having planning permission, already allocated in the current adopted Plan or included in the latest SAHA, account for around an extra 1,000 houses (Berkeley, Mallow and Sharpness). So, the amount of housing development to take place in the Berkeley Hub may be substantially greater than people are assuming. Respondents need to be informed of the total quantity of development proposed in the Berkeley hub.

Formal request

Please liaise with the Developer and agree with them the number of houses that can be delivered on the Sharpness Newtown (Sanigar Farm) allocation and publish your assessment. Please clarify the number of houses in other committed and planned sites in the Berkeley Hub.

Sustainability Appraisal

The sustainability appraisal (SA) flags up some key negative aspects of the Berkeley Hub proposals, notably greenfield development, biodiversity and historic environment and integrity of existing settlements.

As a general observation, we feel that the Authority may be placing too much reliance on the findings of the SA to justify the direction of travel of the Emerging Strategy. The suite of other existing and planned evidence base documents provides more tangible and robust indicators of the actual effects and impact of different

development strategy options on the quality of life, biodiversity, landscape etc. in the District. Some way of distilling and combining this information will give a truer representation of the cumulative effects and of the 'environmental capacity' of the District and its constituent clusters to continue to absorb ever more development.

5.6 Council's additional evidence base

All of the completed, planned or 'work in progress' studies set out at Section 6 (page 96) of the Emerging Strategy are essential elements of the evidence base.

We would add air quality, land quality plus health, safety and well-being to the list.

Without exception, all of the studies listed are needed to inform a full and robust assessment of the emerging strategy and of the proposed Berkeley Hub including the Sharpness and Newtown (Sanigar Farm) site and the findings and recommendations have the potential to precipitate changes to the emerging strategy and site allocations.

To take one example, the Flood Risk Assessment feels potentially important in the context of the proposed Sharpness (Sanigar Farm) allocation in terms of resilience and future proofing against flood risk.

You have indicated that you are in the process of producing a Strategic Flood Risk Assessment (SFRA). The Council needs to scope the SFRA to ensure that it is sufficiently detailed to provide meaningful evidence to inform the assessment of flood risk and mitigation on a site by site basis. Otherwise, it needs to commission a more detailed FRA for the Berkeley Hub site allocations area and other strategically important sites which may be at risk from flooding.

As previously stated, a housing needs assessment is a key study. You have badged your proposed study 'Local housing needs assessment' and indicated this study is already under way. We are asking you to publish straightaway the basis for the housing numbers quoted for the District in the Emerging Strategy. The scope of the current study needs to be 'top down' and provide details of the overall calculation based on the Government formula; and not just focus on the division of these top-level figures into housing types and tenures by numbers and distribution.

You have also already stated that requirements in respect of housing numbers may change.

For all of the above reasons, the Council needs to make clearer that the emerging strategy and associated site allocations are provisional, draft and work-in-progress. It is essential that the Council does not commit to a preferred strategy or to sites until:

- it has had the benefit of all the additional studies and has updated and harmonised all cross-cutting elements of the evidence base;
- it has published and consulted on these studies; and
- it has produced and consulted on a revised emerging strategy.

Formal request

Please confirm that the emerging strategy and associated site allocations are provisional, draft and work-in-progress. It is essential that the Council does not commit to a preferred strategy or to specific sites until:

- ***it has had the benefit of all the additional studies and has updated and harmonised all cross-cutting elements of the evidence base;***
- ***it has published and consulted on these studies; and***
- ***it has produced and consulted on a revised emerging strategy.***

5.7 Status of the 'Emerging Strategy Paper', its relationship with the Council's compliance or otherwise with Local Plan Regulations

The Local Plan Review must be carried out in accordance with the Council's own Development Plan Scheme and the Local Plan regulations.

The Council's Local Development Scheme (LDS) 2017-2020 refers to the current stage of the Plan-making process as "Preferred Strategy (Reg. 18 consultation)". However, the Emerging Strategy Paper uses the term "Emerging Strategy" not "Preferred Strategy" in its title and in the text.

And whilst the document does set out on page 1 where it sits in the sequential Plan-making process, the difference of wording compared to the LDS and the absence of reference to relevant Local Plan regulations does not instil confidence as to the status of this document. If it is an 'emerging strategy', how wedded is the Council to it and whether and when do the Council intends to publish its 'preferred strategy'.

It is also not explained whether and how it complies with the Local Plan Regulations.

You are also consulting on the "Stroud District Council DRAFT Statement of Community Involvement" (SCI). We consider that your current consultation on the Emerging Strategy may have fallen short of the requirements set out in the draft SCI with respect to the 'Survey' stage of Local Plan preparation which states:

"We will produce and publish data and studies about the area's needs and issues."

We have already set out where we consider the evidence base is currently deficient.

END OF DOCUMENT