

## **BER016/17 Reg-19 Response to Stroud Local Plan 2021**

BER016/17 - Land at Lynch Road, Berkeley - is **unsound**. It is not justified, not effective, and not consistent with the National Planning Policy Framework (NPPF). It has not been positively prepared. BER016/17 is also **legally non-compliant**.

The reasons for all the above are outlined below:

1. Sarah's Field Community Wildlife Space
2. Wildlife Corridor
3. Flooding
4. Traffic through Berkeley Town Centre
5. Access to Power Station
6. Process
7. BER016/17 is Not Legally Compliant
8. Suggested Changes to Local Plan

### **1. Sarah's Field Community Wildlife Space**

Sarah's Field is an important community green space for Berkeley. It is on Lynch Road and very close to BER016/17.

The Local Plan has failed to show Sarah's Field on the map for BER016/17.

Sarah's Field's western boundary is the brook which drains BER016/17 and some of PS36. The brook is already prone to flooding and nearby houses on Lynch Road have been flooded as has the road. Lynch road is the road to the Power Station.

Sarah's Field was given to Berkeley and with the help of volunteers it has been turned into a wildlife area with ponds, meadow, and apple trees. It also is a recreational area with benches and grassy footpaths, some of which go around the area near the brook.

The Local Plan has failed to acknowledge the existence of Sarah's Field let alone consider the impact of an increase in flooding from BER016/17 and PS36 which would cause loss and long-term damage to a valuable community amenity.

### **2. Wildlife Corridor**

Development of BER016/17 will be harmful to the wildlife corridor which goes through the little vale here. Furthermore, this corridor/vale is vulnerable to flooding, so some surrounding land is necessary for times of flood.

### **3. Flooding**

The brook below and to the east of BER016/17 is already prone to flooding and nearby houses on Lynch Road have been flooded as has the road (to the Power Station).

That brook drains into Berkeley Pill.

Any increase in the rate of water entering the Pill - which is likely if BER016/17 or PS36 is developed and due to climate change - will increase the already high risk and level of flooding not just downstream but also upstream into Berkeley when the Pill backs up due during tidal lock. E.g., flooding in Berkeley in January 2001 and November 2012.

With increasing storms and increasing sea levels from climate change, the Pill sluice gates near the mouth to the Severn will have to be closed more frequently and for longer periods of time.

Development of BER016/17 will only exacerbate flooding over a wider area.

### **4. Traffic through Berkeley Town Centre**

Access to BER016/17 will be through Berkeley's historic town centre and will only exacerbate its traffic and parking problems. The one alternative route of narrow country lanes to the A38 at Stone via Ham will be used as a rat run.

### **5. Access to Power Station**

Development on BER016/17 will limit any future solution to traffic to the Power Station area bypassing Berkeley town centre.

### **6. Process**

Issues raised by many residents have not been addressed or taken into account by the council.

The evidence has been unwieldy to navigate and find with much of it buried away. The council could have taken some little steps to make the evidence much easier to find and quicker to access. For example, on the website each heritage document could be presented with a list of which sites are included. Publication dates could be included by each document. There could have been an evidence index for each site/allocation. The HRA documents and flood appendices could be organised by area. Many documents are exceedingly long and do not have hyperlinked contents and require lengthy scrolling. E.g., the 336-page Stroud District Employment Land Review 2021 which has only a bare skeleton contents page.

During the 2018 consultation I asked the council if they could present an indication of the relevant site or area by each response document so that one did not have to open and read every single one for the whole district (an impractical task). The council responded that they could not do that due to data protection rules. That does not make any sense as it would not be publishing any more information.

The timing on the vote and the short Reg 19 consultation length (initially only 6 weeks, extended to 8 weeks part way through) was unacceptable considering the pandemic and covid restrictions. There was no information on how to fill in the response form or, for example, how to present photos. The document on how to respond and offering more flexibility regarding having to do the response form was added with just 3 weeks to the deadline - this guide is biased and unbalanced as it includes ticks by all the questions.

Please also see my 'Not legally Compliant' section below.

## **7. BER016/17 is Not Legally Compliant**

Stroud District Council's Regulation 19 Pre-submission Local Plan published in 2021 is not legally compliant with regards to the inclusion of BER016/17.

This is because:

- a) The Stroud Level 2 Strategic Flood Risk Assessment was issued on 20 May 2021, after Stroud District Council voted to accept the Local Plan and its supporting evidence on 30 April 2021.
- b) The Stroud Level Strategic Flood Risk Assessment issued in May 2021 states in 3.1.3 that updated guidance for flood-risk modelling is due to be released in 2021 and should be incorporated. Meanwhile it has used 2016 guidance.
- c) There has been a lack of sufficient oversight of the maps published in the various Flood Risk Appendices. This is evident from the screenshots including the department's chat messages.
- d) In the circumstances, it was an abuse of powers, unreasonable and disproportionate for the council to hold the vote when they did because:
  - i) The council elections were long overdue due to the pandemic restrictions and the local elections were shortly coming up on 6 May 2021 (some councillors who voted were not re-elected).
  - ii) Due to covid restrictions since the last consultation, residents did not have the opportunity to campaign. They were not even informed the vote was happening, not even those who had registered email addresses to be kept informed. It took people by surprise.
  - iii) There was no urgent need to proceed so soon, the Local Plan will have major, far reaching and permanent consequences for people and the environment and makes allocations up to 2050 (further than necessary).
  - iv) The HRA evidence base was awaiting key documents which were still in the pipeline and would be subsequently published for consultation.
  - v) The Stroud Level Strategic Flood Risk Assessment issued in May 2021 states in 3.1.3 that updated guidance for flood-risk modelling is due to be released in 2021 and should be incorporated.
  - vi) Due to continuing covid restrictions there has not been the opportunity for the public to make full use of the consultation period.
  - vii) The Local Plan is being rushed through before government

changes to planning policy which may require more detailed and enforceable mitigation at the local plan stage due to the removal of scrutiny at later stages, and before the impact on the Local Plan of the Beirut explosion is known.

Note that the flood assessments for PS36 are relevant to BERR016/17 because for drainage, BER016/17 shares a flood prone brook with PS36. That brook runs below PS36, then BER016/17, then under Lynch Road and into Berkeley Pill. This brook is already prone to flooding Lynch Road, and the Berkeley Pill has well known flooding issues to do with fluvial flooding and backing up from tidal-lock.

## **8. Suggested Changes to Local Plan**

BER016/17 should be removed from the Local Plan.

**THE END**

