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Dear Sir/Madam

#### **STROUD DISTRICT LOCAL PLAN REVIEW – EXAMINATION PAUSE TECHNICAL EVIDENCE CONSULTATION 2024**

Nexus Planning (Nexus) is instructed by Crest Nicholson (Crest) to act in respect of the Stroud District Local Plan Review and has participated at the examination on behalf of Crest under reference: **Crest Nicholson 897**.

This submission is made in the context of land interests controlled by Crest, comprising the major component of land identified under draft policy PS30 – Hunts Grove Extension.

In the context of the emerging policy framework, it is important to acknowledge the status of the site as a development commitment that has been examined as a strategic component of the adopted development plan for the district (Policy SA4). The status of the land as a strategic housing delivery component of the policy framework for the district is therefore established.

These representations to the Examination Pause Technical Evidence Consultation 2024 are submitted in the context of previous submissions made to the examination.

Submissions are limited to matters in respect of which Crest has a direct interest and are made to assist the Inspectors in determining whether the Technical Evidence subject to this consultation exercise addresses the soundness concerns articulated within correspondence exchanged by the Inspectors and the planning authority between August 2023 and March 2024, when the examination was paused.

These representations are concerned with planning matters arising from the consultation. Further comments addressing the technical highway related evidence are submitted on behalf of Crest by Calibro, who also provided evidence to the examination hearings under reference: **Crest Nicholson 897**.

Long form submissions are prepared in the form of this letter to be submitted via email to the planning policy team at Stroud District Council. The relevant sections and summary responses will also be submitted via the consultation portal.

Specifically in this regard submissions are made in respect of:

### Strategic Road Network

- **EB133b - Design and Costing M5 Junctions 12 and 14 Funding Overview**
- **EB133c – Design and Costing M5 Junction 12 Stage 2 Optioneering Report**

### Housing Delivery

- **EB134 – Housing Delivery**
- **EB134 - Appendix 1 Housing Delivery**
- **EB135 – M5 Junctions 12 and 14 Scenarios**
- **EB135 – Appendix 1 M5 Junctions 12 and 14 Scenarios**

The consultation exercise poses questions on the matters set out above:

**Q1a. Are the proposed works to M5 Junction 12 effective and do they overcome the junction capacity constraints to local plan growth? (Please provide a 250-word summary)**

**Q3a. Do you have any comments on the housing trajectory presented in EB134 Housing Delivery? (Please provide a 250-word summary)**

**Q4a. Do you have any comments on the junction scenarios impacting housing delivery presented in EB135 M5 Junctions 12 and 14 scenarios? (Please provide a 250-word summary)**

The 250-word summary responses to each of these questions are provided at **Appendix 1**.

It is relevant to the submissions that the context for the consultation exercise is highlighted and specifically the questions posed by the Inspectors in correspondence. The changing national context regarding the operation of the planning system is also highly relevant when assessing both the soundness of the Local Plan Review submission document and the most appropriate way forward for the examination process.

### Context

The initial stage of the Local Plan examination hearing sessions concluded at the end of June 2023. The Inspectors advised participants that a summer recess would occur during which they would reflect on evidence heard and advise on an appropriate way forward.

On 04 August 2023 the Inspectors wrote to the district council (ID-010) advising of ***fundamental concerns on issues surrounding the Strategic Road Network (SRN) and the Sharpness new settlement*** (para.2). These concerns were in respect of the soundness of the plan and therefore directly affect the progress and purpose of the examination.

The letter expressed significant concerns arising in respect of the proposed Wisloe New Settlement allocation; the Strategic Road Network (SRN), and the Sharpness New Settlement allocation. The comments submitted herein on behalf of Crest relate principally to the concerns expressed surrounding the impact of the proposed policy framework of the emerging Local Plan on the SRN. However, such concerns inevitably relate also to the two proposed new settlement allocations, each of which has an impact on the operation of the SRN. For the purposes of these submissions the focus is upon the questions relating to the SRN.

ID-10 establishes that the principal concerns relate to the safe operation of junctions 12 and 14 of the M5 and the agreement by all parties to the examination that the need for significant improvements to each junction are required to support the proposed spatial strategy of the emerging Local Plan. On this point the Inspectors advise **that the evidence does not clearly set out when the improvements would be required during the plan period and how they would be funded and secured. We consider convincing evidence on these points to be fundamental to the soundness of the Plan** (Para.7).

Further to this point the letter notes: **As things stand, there are no current realistic plans for how and when the improvements to Junction 12 and Junction 14 would be funded or delivered. Based on the evidence, we have significant concerns as to whether the SRN infrastructure improvements required to accommodate the planned growth would be delivered during the plan period.** (Para.13).

The importance of the SRN improvements is made clear within the letter: **the Council's list usefully emphasises the fact that the delivery of the Plan's spatial strategy for growth, which includes the creation of two new settlements, is dependent upon the SRN infrastructure improvements at Junctions 12 and 14** (Para.16).

The Inspectors advised in respect of the SRN: **Based on our concerns as expressed above, we do not at this stage have confidence that necessary improvements to M5 Junctions 12 and 14 will be funded and delivered during the plan period. We therefore cannot conclude that there is a reasonable prospect that the relevant site allocations will be delivered and, therefore, that the spatial strategy as a whole is sound.** (Para.18).

The letter goes in the concluding sections to comment on the appropriate way forward for the examination process, reflecting on whether, in the interests of pragmatism and responding to the Council's entreaties, an early review of the Plan would address the points of concern: **However, we believe that our concerns are so fundamental to the Plan as a whole that this would not be something that could be appropriately addressed by an early review of the Plan. Moreover, recognising our concerns about how long it would be likely to take to progress this additional evidence, particularly in relation to the successful securing of external funding bids and determining when the infrastructure would be delivered, we seriously question the usefulness of allowing a delay to the Examination which could be for an extensive period** (Para.23).

The Inspectors conclude at paragraphs 27 and 28 of the letter making very clear that their significant concerns go to the heart of the Plan and are unlikely to be capable of successful resolution given the range of factors that are in play: **Consequently, whilst we recognise the need for pragmatism in the examination of local plans and the desirability of an up-to-date plan for Stroud District being found sound as soon as possible, we think it only fair to advise you that we currently consider that withdrawal of the Stroud District Local Plan Review from this Examination may well be the most appropriate way forward. Given that the Plan's spatial strategy needs to be supported by necessary infrastructure provision, and we have raised fundamental concerns about this issue, we seriously question how such matters could be addressed by alternative means** (Para.27).

In their letter of 02 October 2023 (ID-012) the Inspectors advised that they were considering the Council's request for a six-month pause in the examination and clarified in respect of J.12 and J.14 the nature of the information they would be seeking to assist in their determination of whether the proposed spatial strategy could be determined as sound. The correspondence makes clear that a critical component of the information sought would relate to future funding of the infrastructure improvements: **Whilst we note that the Action Plan refers to identifying sources of funding, our letter dated 4 August acknowledged that it can usually take many years to bid for and secure appropriate funding for strategic road infrastructure. If we were to agree to pause the Examination for six months to allow for the completion**

***of the Action Plan, we will require evidence (agreed with all relevant parties) of a firm commitment to the funding and delivery of improvements to J12 and J14 including clarification of when they would be programmed for implementation. Can this be achieved? (Page 2). Making clear their requirements the letter states: Specific funding streams will need to be identified and secured to provide certainty. Importantly from what we have heard to date this infrastructure would need to be delivered during the Plan period and so significant external funds would need to be secured prior to this. Is this realistic and achievable?***

Thereafter, in the following paragraph the letter states that even with completion of the work contained in the Joint Action Plan there is no guarantee that the Plan will be found sound. The paragraph notes: ***However, we feel it is only appropriate for us to highlight the possibility that following the pause we could still be in the position of writing to advise you that withdrawing the Plan remains the best option, in our view. Accordingly, there are risks, in terms of time and cost, associated with undertaking the proposed additional work, if it does not provide the evidence we seek.***

The next letter from the Inspectors, dated 24 October 2023 (ID-013) refers to the initial letter (ID-010): ***removing site allocations from the Local Plan that would have an impact on J12 or J14 may well represent a significant alteration to the spatial strategy for the Local Plan. As stated, this is likely to require further extensive consultation and assessment leading to further delays in the Examination process.*** The Inspectors made clear in earlier correspondence that any requirement for further lengthy delays to the examination process would be unacceptable.

Referring to the need for certainty of delivery the letter states: ***However, in the case of large-scale infrastructure projects costing tens of millions of pounds the likelihood of the cost of that scheme being able to be met by developer contributions is much smaller due to the sheer scale of the amount of financial contributions that would be required. All parties have agreed that a source of external funding would be required due to the scale of the costs involved but the source of this external funding has yet to be identified. Therefore, in this case a lack of specific identified funds makes the delivery of these large-scale infrastructure projects much less certain. As a result, whether there is a reasonable prospect of these schemes being delivered is called into question.***

Making clear their ongoing concerns the Inspectors provided further advice to the Council on 18 December 2023 (ID-014) relating to the Joint Action Plan (JAP) work. While acknowledging progress, a note of caution is sounded regarding the effectiveness of the work being undertaken relative to the specific concerns that will affect views reached on the soundness of the spatial strategy. Commenting on the GCC observation that funding sources may be identified, the Inspectors note: ***However, at the conclusion of this work no external committed funding will have been identified for these schemes. The schemes will therefore remain unfunded. In the context of significantly costly SRN improvements, it is the lack of secured funding and plans for implementation that calls their deliverability into question and that remains one of our fundamental concerns about the soundness of the Plan.*** (Para.9)

In connection with their initial observations in ID-010 (Paras 23 and 24) expressing concerns about significant revisions to the strategy of the Plan that would necessitate lengthy delays the letter (ID-014) notes that the work being undertaken may result in revisions to the spatial strategy of the Plan: ***..it follows that there will be sites that cannot come forward due to severe SRN impacts and a lack of deliverable mitigation. We note that the Council and other respondents to our most recent letter have referred to a potential Main Modification (MM) to the Local Plan that could alter or add a policy to manage this development and in effect prevent it from coming forwards until adequate mitigation can be delivered.***(Para.13) ***Clearly whether or not such an MM will be justified or whether any wording that is put to us will adequately address the issue will be a matter for ourselves to consider. However, it is worth noting that there is a range of options open to Inspectors including the deletion of allocated sites from a Local Plan in the event that they are not deliverable. It may well be in this case that there are a number of allocated sites that are***

***deemed undeliverable and therefore their deletion from the Plan would be justified.*** (Para.14). It is important to consider these observations in the light of paragraphs 23 and 24 of ID-010. Commenting further on the scope of the work being carried out the Inspectors were careful to remind the Council: ***Regarding the JAP, we wish to emphasise that even once this work has been completed it will be unlikely that significant external funding will have been secured. As such the deliverability of the SRN mitigation schemes will remain a fundamental Plan soundness question*** (Para.16).

The final letter detailing the nature of the work to be carried out and the date for its submission (05 December 2024) (ID-015) is dated 05 February 2024. Importantly it makes abundantly clear the Inspectors' expectations regarding the funding of the necessary improvements to the SRN at paragraph 4 (III): ***External sources of funding to ensure that the junction improvements can be delivered at the right time during the Plan period should be clearly identified. The information should include the source of funding, the amount of funding that will be provided, the date the funding will be available and whether the funding has been committed and secured.***

Drawing all the points together there is absolute clarity regarding the Inspectors' expectations of the evidence that is being prepared, which may be summarised as set out below:

- There are fundamental soundness concerns arising from the requirement for significant improvements to the SRN (notably junctions 12 and 15 of the M5) to support delivery of the spatial strategy of the Local Plan.
- The evidence base does not provide the required certainty that the works can be delivered during the Plan period.
- In this regard there is a lack of clarity regarding the nature of the works, when they will be required, and how they will be funded. In absence of information addressing these points it is unlikely the Plan could be found sound.
- The concerns are so fundamental that they could not be addressed by an early review of the Plan.
- Extensive delays to the examination process should be avoided.
- The works to the SRN are so fundamental to the soundness of the spatial strategy and the Plan that there must be certainty regarding the funding of the works and their delivery during the Plan period. Without this information the Plan is likely to be found unsound.

The comments provided on the reports are arranged in logical order, dealing firstly with the options for the improvements to Junction 12 (Crest has no direct interest for the purposes of these submissions in Junction 14, other than to apply the same in-principle concerns to these works that are similarly fundamental to the soundness of the Plan), before turning to the Design and Costings overview report.

## Strategic Road Network

### EB133c – Design and Costing M5 Junction 12 Stage 2 Optioneering Report

Sections 1 and 2 of the WSP report outline the context and terms of reference for the report. Notable, in the context of the Inspectors' clear requirements for the additional evidence is the final bullet point of paragraph 1.1.2 (Baseline Objectives) which advises that the work will:

*Provide an indication of cost to enable SDC to provide evidence that there is a reasonable prospect the scheme can be delivered.*

The correspondence between the Inspectors and the Council is clear as to the requirements of the evidence; there is a need for certainty of the cost of delivery, the timing of delivery, and the specificity and security of the funding. The terms of reference are therefore inadequate: an *'indication'* of cost and the provision of a *'reasonable prospect'* that the schemes can be delivered do not address the Inspectors' specific and repeated requests within the correspondence for certainty on these matters.

Section 3 of the report deals with the options considered and their assessment. Further to the point raised in the paragraph above the report relates only to the consideration of 'concept designs' and does not consider matters relating to traffic management, drainage, detailed design, land acquisition. All these matters are germane to delivery of the infrastructure improvements and will have an impact on the certainty that attaches to the delivery of the junction schemes. The level of detail that is proposed does not therefore offer the certainty that the correspondence states will be necessary.

The Options considered comprise seven schemes that can be characterised as follows:

- Option 1 – light touch, minimal intervention involving lane re-assignments/additions and walking and cycling improvements.
- Option 2 (a/b/c/d) - Four options based around a widened overbridge providing two north bound lanes and additional roundabout and signalisation options.
- Option 3 (a/b) – Two options based on a two-bridge roundabout and full gyratory link to the A38.

High level costings are provided in Table 3-2 broken down into direct and indirect construction costs and further iterations building in allowances for risk and inflation. The inflation metric assumes that the scheme would be delivered in 2041 (which is beyond the end of the Plan period, which extends to 2040<sup>1</sup>).

The Options are costed (incorporating allowances for direct and indirect costs, risk, and inflation) within the ranges:

- Option 1 c.£22.8mn
- Option 2 c.£144 – £145mn
- Option 3 c.£206 - £209mn

The options are subject to a high-level analysis before the concluding section of the report recommends that Options 2a and 3a are carried forward for further development. Option 2a (£92.6mn excluding inflation) includes a widened bridge to provide two lanes northbound, which delivers capacity improvements and reduced delays compared to Option 1. The option is characterised as supporting the objective of accommodating the increased travel demand associated with the Local Plan development but does demonstrate some remaining minor capacity constraints on the B4008 and Stonehouse Road. Option 3a (£134.6mn excluding inflation) involves the junction becoming a full gyratory and is the highest cost option. It would provide the greatest transport user benefits of the three options, including the delay on the B4008 being largely reduced due to the provision of two northbound lanes between the proposed new roundabout junction and M5 Junction 12.

The two options are offered as schemes that will require further development and clarification. In this regard the JAP work has not identified a fully developed and costed scheme that will provide the certainty that is sought by the Inspectors, and which has been articulated clearly and consistently within the correspondence. The only reasonable

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<sup>1</sup> Stroud District Local Plan Review – Pre-Submission Draft Plan 2021 – para 1.0.3

conclusion that can be reached regarding the progress of the examination is that the JAP work has not addressed the Inspectors' questions fully and therefore there will be a need to either set these concerns to one side and proceed absent of the further evidence that was requested, or for the Inspectors to recommend that the Plan is withdrawn.

### EB133b - Design and Costing M5 Junctions 12 and 14 Funding Overview

Turning to the funding overview report this notes that there are two potential schemes for J.12 and therefore a cost range is applied (£140mn - £210mn), which does not tie in with the costings table in the WSP report. Paragraph 2.3.5 mistakenly assumes that the costs do not include allowances for inflation (which the WSP report builds into these figures), indicating a lack of overall coordination in the work that has been produced.

The document considers at Section 3 Funding from Local Contributions. Paragraph 3.2.2 notes that there is no agreement within the Transport Working Group (TWG) regarding the apportionment of local contributions to the junction improvement works. In absence of such an assumption is made that it is appropriate to assume that 15% of the cost of the works will be met from local funding sources. The assumption removes any threshold relating to impacts on the junctions arising from schemes that are planned and therefore simply assumes that contributions to the SRN works will be secured from all developments. A formula for calculating the apportionment of funding from neighbouring authorities is used in absence of any agreement. Thereafter the report considers different scenarios that may arise at Table 3-1 for both junctions. For Junction 12 this involves Core/Interim/Worst cases for the split between funding from schemes arising in Stroud District and 'Other Local Authorities'. The split between Stroud/Other is set out for each of the scenarios below:

- Core 34%:66%
- Interim 67%:33%
- Worst 100%:0%

What the above demonstrates is that there is a complete lack of clarity regarding how funds will be secured locally. The clarity sought by the Inspectors is therefore absent.

Section 4 of the report then considers the Strategic Funding Case. Over the course of 8 pages the report offers a series of vague and wide-ranging reasons why the improvements should be funded based on 'cases' relating to 'Housing Delivery', 'Western Gateway', and 'National Highways'. Nothing provided within the report offers clarity or detail concerning the securing of funding for the conceptual junction improvement works. Reference is again made to the requirements of the Inspectors set out at ID-015 Para.4 III specifically:

- **External sources of funding to ensure that the junction improvements can be delivered at the right time during the Plan period should be clearly identified:**
- **The information should include:**
  - **The source of funding**
  - **The amount of funding that will be provided**
  - **The date the funding will be available**
  - **Whether the funding has been committed and secured.**

None of these questions is answered by the report. Regarding sources of funding the report states only that an 'assumed' split of 15% from local development sources and 85% from national sources is proposed. There is no clarity

as to the apportionment of funding locally between local authorities beyond Stroud. This does not constitute the ‘clear identification’ sought by the Inspectors.

The report goes on to explain that *‘It is envisioned that the remaining funding requirement will be secured through an approach to Central Government’*<sup>2</sup>. There is nothing further offered; ‘an approach to Central Government’ does not provide the level of certainty sought by the Inspectors, and there is nothing offered in terms of the amount of funding, the date it will be available, or whether any such funding is committed/secured. The report is entirely deficient on all of these points, which are fundamental to whether the Plan has any realistic prospect of being found sound.

All that is offered is a wide ranging and ‘strategic’ case to support a possible future funding application. The work that has been undertaken does not advance the understanding beyond that which was discussed at the hearing sessions in 2023. The Council offered a similar broad-based narrative based on the need for housing delivery and safe operation of the SRN and the contribution that such growth would make to wider strategic aspirations. The Inspectors were clear during these discussions that this would not provide the level of certainty sought.

The work that has been undertaken and is comprised within the reports referred to above is insufficiently detailed and certain such that it fails to address the specific requirements of the Inspectors set out within correspondence. Accordingly, based on the work undertaken, the only reasonable option available to the Inspectors is to advise the Council that the additional evidence does not overcome the specific concerns relating to soundness raised initially in ID-010, and subsequent clarificatory letters.

## Housing Delivery

### EB134 – Housing Delivery

#### EB134 - Appendix 1 Housing Delivery

The EB134 note explains the approach adopted within the additional evidence provided to the examination and raises no matters on which submissions are made.

The accompanying Appendix sets out proposed rates of delivery from the sources of supply grouped by completions and commitments (large and small sites), strategic site allocations, and local site allocations. The trajectory shows delivery during the Plan period to 2040 and demarcates the plan period into five-year tranches. Columns G-K provide the five-year supply period relevant to the examination hearings that are scheduled to re-commence in March 2025, subject to the examination process continuing (ID-017).

The Local Plan is being examined based on a housing requirement of 630 dwellings per annum. On this basis, under the terms of the December 2023 version of the NPPF there is only a requirement to identify a supply of 3,150 homes for the five-year period beginning when the Plan is adopted. For these purposes it is assumed that this will be the period covered by columns G-K.

The trajectory provided at Appendix 1 shows that commitments (large and small sites -incorporating a 22% discount) would deliver 1,858 dwellings during the five-year period. Local site allocations and the windfall allowance would provide 1,035 dwellings. The strategic site allocations unaffected by infrastructure improvements needed to the SRN would deliver a further 632 dwellings, indicating that the claimed five-year supply for sites that the Council believe are

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<sup>2</sup> Paragraph 5.2.3



deliverable without the SRN works coming forward is 3,525 dwellings, constituting the five-year supply that is required by the December 2023 version of the NPPF. These figures would allow the Council to also discount the windfall allowance from the five-year supply (304 dwellings/3,221 dwellings) and retain the necessary supply.

The evidence being consulted upon does not include deliverability statements/evidence provided in support of the figures, only a statement that the figures used are based on advice from the owners/promoters of the sites in question. The Inspectors will need to be satisfied given the relatively small margin of comfort that the evidence is robust.

### EB135 – M5 Junctions 12 and 14 Scenarios

#### EB135 – Appendix 1 M5 Junctions 12 and 14 Scenarios

The explanatory note and Appendix consider housing supply scenarios within a table that addresses delivery outcomes depending on the period examined and the existence, or otherwise, of constraints impacting on supply. The purpose of the consultation is to determine the extent to which the improvements to the SRN required to facilitate delivery of the strategic site allocations are likely to be delivered. As set out in submissions on the evidence provided, there is no evidence that fully costed schemes for the motorway junctions have been finalised, or any funding sources identified or secured; accordingly, an unconstrained supply scenario(s) is not relevant. The table also includes delivery contributions beyond the plan period (post-2040), which are also not relevant to the soundness considerations arising.

Consequently, the most relevant considerations arising from the table relate only to those circumstances that consider nil supply from sites that have an impact on J.12 and J.14 of the M5, and to a lesser extent (subject to testing of the evidence) the scenarios relating to up to 1,000 dwellings being delivered at Sharpness/from other sites within this capacity ceiling (on the assumption that J.14 of the M5 is able to manage such a level of growth before the improvements that all parties to the examination agree are necessary, are implemented). However, it should be noted that the scenarios involving 1,000 dwellings from Sharpness/from other sites impacting J.14 are untested and should therefore be treated with a high degree of caution (for the purposes of robustness it would be prudent to assume that these scenarios are undeliverable given the evidence presented to the examination).

Excluding sites affecting the SRN only 63% of the Local Plan housing requirement can be delivered pursuant to the spatial strategy submitted for examination. This demonstrates that more than a third of the Council's housing supply relied upon to achieve the Local Plan housing requirement cannot be delivered during the plan period. This, by any reasonable assessment, is significant and would mean that the Plan cannot be delivered in accordance with the proposed spatial strategy. The spatial strategy as submitted is therefore clearly unsound and the Inspectors' advice in this regard within ID-013 is clear that the removal of such sites from the Plan, while an option that is available (ID-014), would likely result in a significant change to the plan requiring further modification and consultation and therefore further delay, which the Inspectors have made clear is not tenable (ID-010).

### Conclusions/Implications Arising

Aside from the significant soundness concerns that must remain following the submission of this suite of evidence documents, it is highly material that since the pause in the examination was agreed to in March 2024 (ID-017) there has been a General Election resulting in a change in national Government and consultation on significant reform of the planning system.

At the time of writing, while the proposed reforms are yet to be enacted and may be subject to change, there is a very strong likelihood that the provisions will be carried forward largely in the form consulted upon and the examination of this Plan will recommence against the backdrop of a newly published NPPF that generates a significantly higher minimum local housing need figure for Stroud District. It is in this context that any decisions on the soundness of this inadequate plan will need to be made. Highly relevant to any decision will be the advice within the NPPF (that is unchanged by the proposed reforms) at paragraphs 31 and 33 (32 and 34 under the reforms) on preparing and reviewing plans, which states:

***The preparation and review of all policies should be underpinned by relevant and up to date evidence (31) Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary...Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future (33).***

Therefore, quite apart from any other consideration, national policy is unequivocal: if the minimum housing need figure for a planning authority area has/or is shortly expected to change significantly, plans should be reviewed to take this into account. It holds therefore (even allowing for the proposed transitional provisions within the revised NPPF) that under circumstances where a plan is being examined against what will soon be an out-of-date local housing need figure (significantly below the new figure) and that plan is subject to other fundamental soundness concerns, it would be imprudent/perverse to continue with the examination.

In this case the planning authority is unable to demonstrate that it can implement the proposed spatial strategy it has submitted for examination, because of which it cannot provide the scale of housing required to meet what will soon be an out-of-date and under-performing housing requirement figure.

The new standard methodology generates a local housing need requirement for Stroud of 844 dwellings per annum, compared to the Local Plan Review requirement of 630 dwellings per annum. This will generate a minimum local housing need figure for an equivalent 20-year plan period of 16,880 dwellings. The Council has stated within EB135 that it is able to provide for only 63% of the Local Plan Review housing requirement (12,600 dwellings) before the SRN improvements are achieved.

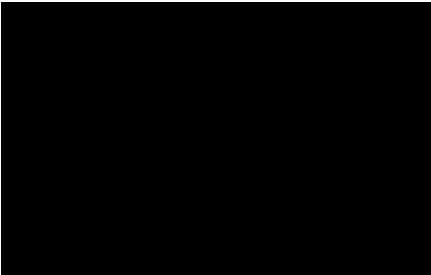
Anticipating that the planning reforms will be published before the hearing sessions recommence this would mean that a plan is being advanced based on a spatial development strategy that can provide a housing supply equivalent to only 47% of the minimum local housing need figure for the district that will be generated by the revised standard methodology.

There are significant soundness concerns that relate to the submitted plan and its failure to achieve a robust spatial strategy based on the proposed housing requirement. When these concerns are placed alongside the changes that will shortly be introduced via the proposed reform of the NPPF, resulting in a significantly higher housing requirement for the district, and therefore the need to reconsider how housing delivery can be significantly uplifted, it would be perverse to continue with this examination which can only hope to produce an imperfect, short-term response, the effectiveness of which, in any event, is very much in doubt.

Having regard to the terms of reference for the pause in the examination process, the Inspectors' very clear guidance on the evidence required to address their concerns, and the failure of the material to provide the information sought

the only realistic course of action is for the Local Plan Review to be withdrawn and preparation of a new plan to commence under the new NPPF.

Yours sincerely



**Tony Clements**  
Executive Director



# Appendix 1

## Questions

### **Q1a. Are the proposed works to M5 Junction 12 effective and do they overcome the junction capacity constraints to local plan growth? (Please provide a 250-word summary)**

The proposed junction works are not effective in accordance with the appropriate considerations described at paragraph 35 (c) of the NPPF. As there is no certainty that the proposed junction works can be delivered during the plan period the evidence provided by the local planning authority fails to meet this test. Regarding the apportionment of funding to meet the costs of the proposed infrastructure works, which are in development and are yet to reflect the full range of costs that will apply, there is a lack of clarity regarding the sources of funding, their timing, and certainty. The submitted evidence attests to an absence of any agreement at the local level regarding how the anticipated local component of funding (15% of the whole) will be apportioned. The cross-boundary working in this respect has not been effective in producing a clear and costed solution. The evidence does not provide the clarity sought by the Inspectors and fails to address the fundamental soundness concerns raised in correspondence between August 2023 and March 2024. The failure to provide clear and concise answers to the questions set out means that the proposed works are not effective because they lack the required certainty of delivery necessary to facilitate the strategic growth on which the spatial strategy of the Local Plan Review relies.

### **Q3a. Do you have any comments on the housing trajectory presented in EB134 Housing Delivery? (Please provide a 250-word summary)**

The Local Plan is being examined based on a housing requirement of 630 dwellings per annum. On this basis, under the terms of the December 2023 version of the NPPF there is only a requirement to identify a supply of 3,150 homes for the five-year period beginning when the Plan is adopted. For these purposes it is assumed that this will be the period covered by columns G-K.

The trajectory provided at Appendix 1 of EB134 shows that commitments (large and small sites -incorporating a 22% discount) would deliver 1,858 dwellings during the five-year period. Local site allocations and the windfall allowance would provide 1,035 dwellings. The strategic site allocations unaffected by infrastructure improvements needed to the SRN would deliver a further 632 dwellings, indicating that the claimed five-year supply for sites that the Council believe are deliverable without the SRN works coming forward is 3,525 dwellings, constituting the five-year supply that is required by the December 2023 version of the NPPF. These figures would allow the Council to also discount the windfall allowance from the five-year supply (304 dwellings/3,221 dwellings) and retain the necessary supply.

The evidence being consulted upon does not include deliverability statements/evidence provided in support of the figures, only a statement that the figures used are based on advice from the owners/promoters of the sites in question. The Inspectors will need to be satisfied given the relatively small margin of comfort that the evidence is robust.

### **Q4a. Do you have any comments on the junction scenarios impacting housing delivery presented in EB135 M5 Junctions 12 and 14 scenarios? (Please provide a 250-word summary)**

There is no certainty that costed schemes for the motorway junctions are finalised, and funding sources are identified and secured; accordingly, an unconstrained supply scenario(s) is not relevant. The table includes delivery contributions beyond the plan period (post-2040), which are not relevant to the soundness considerations arising.

Consequently, only scenarios that consider nil supply from sites that have an impact on J.12 and J.14 of the M5, and (to a lesser extent subject to testing of the evidence), scenarios involving up to 1,000 dwellings at Sharpness/other locations affecting J.14 of the M5 are relevant. It should be noted that the scenarios involving 1,000 dwellings from Sharpness or from other sites impacting on J.14 are untested and should therefore be treated with significant caution. For the purposes of robustness, in this context, it is reasonable to assume that the SRN constraint is fixed.

Excluding sites affecting the SRN means only 63% (less than two thirds) of the Local Plan housing requirement can be delivered pursuant to the spatial strategy submitted for examination, during the plan period. This means the Plan cannot be delivered in accordance with the proposed spatial strategy, which must lead to the conclusion that the spatial strategy is unsound. The Inspectors' advice in this regard (ID-013) is clear: removal of undeliverable sites from the Plan is an option that is available (ID-014) but would likely result in a significant change to the plan requiring modification, consultation, and therefore further delay, which the Inspectors advise is not tenable (ID-010).