

**EXAMINATION OF THE STROUD DISTRICT LOCAL
PLAN REVIEW**

INSPECTORS' MATTERS, ISSUES AND QUESTIONS

MATTER 6 Site Allocations:

Mater 6a: Site allocations – General questions

On behalf of: Robert Hitchins Ltd

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Pegasus is instructed by Robert Hitchins Ltd to submit a Statement in respect of Matter 6a, pursuant to the Matters and Questions identified by the Examination Inspectors.

Separately additional Statements have been submitted in respect of the following Matters:

- Matter 1
- Matter 2
- Matter 3
- Matter 6
- Matter 6a
- Matter 6c
- Matter 6d
- Matter 6g
- Matter 7
 - Matter 7a
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 - Matter 10c
 - Matter 10d
- Matter 11
 - Matter 11a
 - Matter 11b
 - Matter 11c

Following the submission of the Reg 19 representations in July 2021 Pegasus along with PFA Consulting and Pioneer Housing and Development Consultants have also responded to the Stroud District Local Plan Review Additional Technical Evidence in October 2022.

The Hearing Statements should be read alongside our representations and supporting evidence. As instructed, we have not repeated our representations of July 2021 or October 2022; but instead sort to highlight the salient points in response to the MIQs and indicated what changes we consider necessary in order for the Plan to be found sound.



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6. SITE ALLOCATIONS

6.1 Matter 6a – Site allocations – General questions

1. What is the purpose and status of the guiding principles for growth for each of the eight defined areas in Chapter 3 of the Plan?

1.1 This is a matter for the Council to justify.

2. Within the Plan, what is the status of the maps and diagrams for each defined area and site allocation? Are the maps in the Plan accurately duplicating the policies map?

2.1 This is a matter for the Council to justify.

3. Core Policy CP5 sets out environmental development principles for strategic sites.

- a. How does the policy relate to the strategic site allocation policies, which specify the location of the site, the density of development and set out detailed requirements including the production of a masterplan? What are the reasons for duplicating these elements?
- b. How does the policy relate to other Plan policies e.g., Core Policies DCP1 and CP14 and Delivery Policies ES1, ES2 and ES3? What are the reasons for any duplication and is this justified?
- c. How will the requirements A-H in the policy be measured and how will a decision-maker know if the required statement accords with the requirements? What are the benchmarks for assessment?
- d. Is it clear that the policy applies to all strategic sites set out in the Plan? Are all the requirements relevant to residential and employment strategic sites and are they justified and viable?
- e. Is the policy and supporting text clear on what a Construction Environmental Management Plan would contain and how will a decision-maker determine when this would need to be produced? Is this approach justified?
- f. Overall, is the policy consistent with the Framework and is it clear how it relates to national planning guidance including the National Design Guide and National Model Design Code?

3.1 There is some duplication with the strategic site allocation policies. Points 1 – 5 are virtually a check list for the proposed allocations. For reasons discussed elsewhere we consider that not all the proposed strategic allocations are consistent with this policy.

4. Site allocations that include housing development specify dwelling capacity figures.

- a. Is it clear how these have been determined for each site allocation? Are they based on the suggested yields from the SALA, or have they been updated to take account of more recent developer evidence or detailed assessments?

- b. **Is the scale of housing for each site allocation justified having regard to any constraints and the provision of necessary additional infrastructure?**
- c. **Do the site allocations achieve appropriate densities and make effective use of land, in accordance with the Framework?**
- d. **What are the reasons for using different terms for setting out the number of dwellings within each policy, such as 'comprising', 'comprising up to' and 'comprising approximately'? Is there a particular explanation as to why some sites are restricted by an 'up to' number and is this approach consistent with national policy?**
- e. **Overall, is the development density and capacity for each individual site justified?**

- 4.1 This is a question for the Council. The capacity of the sites is based on the work undertaken by the Council in preparing the plan. In so far as PS19a, and PS24 are concerned the assessment of capacity of the sites was increased (see paragraph 2.4.44 of EB9, but this does not take account of more recent developer evidence (particularly as submissions have been made to the Council in response to the consultation on the Plan.)
- 4.2 The capacity of PS46 can be increased – this has been demonstrated in our representations to the Plan and more recently in the planning application S.22/O423/OUT.

5. **Many of the site allocations propose a mix of development but only the number of dwellings is specified. Where other uses such as employment are also sought, why is the size of that other use (i.e., floorspace or land area) not also specified? How will a decision-maker determine if a future development proposal meets the policy and identified needs, if the requirements are not clearly defined?**

- 5.1 This is a matter for the Council and seems to apply to some of the local site allocations.
- 5.2 In terms of primary school education there are a number of uncertainties and the requirement for the school is thus uncertain. The provision of the school rests on it being demonstrated to be required at the time of the determination of a planning application.

6. **As regards the assessment of development impacting on the landscape and scenic beauty of the AONB, we note the Council's document on Development in the Cotswolds AONB dated May 2021 (EB39). This seeks to assist in justifying the two site allocations for housing development in the AONB (Policy PSO5 and Policy PS41). Whilst our questions on these specific sites are set out below, we have the following general queries about the assessment of development impacts on the AONB:**

- a. **Are the conclusions set out in EB39 justified and consistent with national policy?**
- b. **Have all relevant impacts on the AONB from proposed development in the Plan, including sites not within the AONB, been suitably assessed?**
- c. **How does the Plan's approach relate to the AONB Management Plan?**

d. Are the site allocations impacting on the AONB justified and is this clearly set out in the Plan?

6.1 No comment.

7. Which sites are located on the best and most versatile agricultural land and is the loss justified?

7.1 This is a matter for the Council.

7.2 The NPPF (2021) defines best and most versatile agricultural land as land within Grades 1, 2 and 3a of the Agricultural Land Classification.

7.3 PS19a **Land Stonehouse North West does not** have any land which comprises best and most versatile agricultural land.

7.4 PS46 **Land to the West of School Lane, Whitminster does not** have any land which comprises best and most versatile agricultural land.

7.5 In respect of PS19a and PS46 Agricultural Land Classification Assessments have been prepared as part of the preparation of the planning applications.

7.6 PS24 Cam North West through the preparation of the planning application this is addressed in the Environmental Statement (ES) under the Climate Change Chapter as advised by the Council following the Scoping Response (November 2020). Planning application S.21/1913/OUT was submitted in August 2021. The land varies in agricultural value, varying between 3a and 4 (based upon review of DEFRA maps).

7.7 The ES Climate Change Chapter paragraph 16.74

“The proposed Site is predominantly land in agricultural use and according to online DEFRA maps (post 1988 Agricultural Land Classification (ALC)) parts of the land constitute best and most versatile land. The majority being classified as falling within Grade 3 agricultural land and therefore development at any location has the potential to result in the loss of good quality agricultural land, dependent upon whether it is Grade 3a or Grade 3b. According to the post 1988 ALC, there would be no loss of Grade 1 Excellent quality or Grade 2 Very good quality land.”

7.8 The ES concludes at paragraph 16.117 – 16.119 that although land contains some 3a and 3b, the functionality as a working farm within a surrounding urban context is limited when the public benefits of the site are taken into account. SDC assessed the site in the SA (CD3) in determining the site’s potential allocation and have taken the view that *“the land is relatively unconstrained for instance in landscape terms and that the benefits of development including addressing housing need, outweighed any loss of agricultural land on this Site.”*

7.9 The ES concluded that:

“It is considered that the loss of agricultural land results in a Minor Adverse effect, which are outweighed by the public benefits of the Proposed Development. Furthermore, biodiversity benefits are expected as a result of the cessation of intense agricultural practice.”



8. Does the Plan clearly identify which site allocations are within the SAC, SPA and Ramsar core catchment zones and have suitable assessments been carried out to identify any impacts and appropriate mitigation measures where necessary?

8.1 This is a matter for the Council.

9. Some of the site allocation policies require the provision of 'accessible natural green space' and 'outdoor playing space' and either on-site sports facilities or contributions to off-site facilities, all to be 'in accordance with local standards'.

a. What are these local standards, are they based on up-to-date assessments of need, and do they form part of the Plan?

b. Is the approach to use 'local standards' in this context, consistent with paragraph 98 of the Framework?

9.1 This is a matter for the Council.

10. What amendments are necessary to reflect the latest Use Classes Order?

10.1 This is a matter for the Council.

11. The Local Site Allocation Policies include an open list of 'particular issues to address' but these are mostly generic in nature. Limited site specific details are provided of what is required from development. Paragraph 16 of the Framework identifies that policies should be 'clearly written and unambiguous, so it is evident how a decision-maker should react to proposals' and should 'serve a clear purpose, avoiding unnecessary duplication of policies.

a. Whilst we set out our specific questions for each site allocation below, we would like to understand why the policies are written so generally, whether the duplication of any policy wording is justified, and how this approach accords with the above national policy?

b. Is there sufficient detail in the supporting text to clarify what is required or should this be included in the policy?

11.1 This is a matter for the Council.

12. Can the Council confirm which sites in the Plan have been allocated in a previous plan and explain why these sites have not been successfully delivered? Do the same reasons exist now, and if so, why does the Council consider the sites will be delivered during this plan period?

12.1 This is a matter for the Council.

12.2 Land at Sharpness Docks was allocated (Policy SA5 Sharpness Docks) in the adopted Local Plan (2015). An application was submitted in April 2017 (S17/O798/OUT) extending over 42 hectares for a mixed use development including 300 dwellings adjacent to the estuary and the commercial docks. The application remains undetermined. This raises questions about the site and location, in particular why the site has not been developed despite the preparation of an Estate Strategy in 2013 which led to the allocation. It should be noted that in the adopted Local Plan (2015) paragraph 3.59 states that *"Whilst Sharpness Docks is a thriving and busy port, the former employment allocations have not been taken up as envisaged in the 2005 Local Plan and accessibility remains an issue."* (my emphasis)

13. The site allocation policies refer to the production of masterplans and/or development briefs but no further details are set out.

- a. Does the Plan clearly define what masterplans and development briefs are required to be informed by and what they need to include? Is this set out in policy?**
- b. Is it appropriate for every site allocation to require a masterplan and/or development brief, particularly the smaller sites? Is this justified and proportionate to the scale of development?**
- c. Is the process by which the masterplans and development briefs would be approved by the Council, clearly defined in the Plan? How long would this process take? Are they to be approved before decisions on planning applications are made? If so, what impact, if any, would this have on site delivery timescales?**
- d. Has the proposed delivery of each site taken appropriate account of the timescales for producing and approving masterplans and development briefs, particularly for those sites to be delivered during the first five years from adoption, and the larger or more complex sites?**

13.1 We have objected to the inclusion in the site allocation policies that a development brief including a masterplan is required to be prepared and approved by the Council. We have proposed a modification/ revised wording which has not been summarised in the Summary of Regulation 20 responses to the Pre-Submission Draft Plan Reg 19 (SLP-O1a). Please see below for the Proposed Modification as submitted in July 2021.

13.2 The preparation of a development brief and masterplan is considered inappropriate whatever the scale of the site. If the Council were to approve each development brief and masterplan, it is considered that this will lead to delay in the preparation of planning applications, resulting in an unnecessary slowing down of the delivery of housing and undermining the housing trajectory.

13.3 In the case of several sites PS24 Cam North West and PS46 Land to the west of School Lane, Whitminster planning applications have been prepared and submitted and in the case of PS19a Stonehouse North West the planning application is already advanced. In all cases masterplans have been prepared (informed for example, by detailed landscape, heritage, ecological impact assessments and transport assessment) and these have been subject to public consultation as part of the preparation of the planning applications. The planning applications are being prepared in parallel with the drafting of the Local Plan, so that applications can be submitted as soon as possible. Development can then take place in order to support the delivery of housing in a

timely manner in the plan period which is inconsistent with the overall objective to boost housing supply.

13.4 The following wording is suggested to replace paragraph 2 of the policy:

“The Proposals will be required to deliver a masterplan that has been informed by detailed landscape, visual, heritage and ecological impact assessments and demonstrates an appropriate scale, layout and form.”

14. Has an appropriate lead-in time and delivery rate been used when determining the delivery timeframe for each site (whether residential, employment or mixed use) and is this realistic?

14.1 In responding to the Reg 19 consultation Table 6 only sets out the strategic housing allocations proposed in the Plan in five year periods, a total figure for commitments and a total figure for the smaller proposed local development sites in the Plan. There was no detailed breakdown year by year of anticipated delivery.

14.2 The only housing trajectory (and this was for strategic sites only) appears to be “hidden” in the Viability Evidence prepared by HDH May 2021 (page 135) EB70. No update is provided in EB111 the Viability Refresh 2022 (August 2022) (the same table and data is replicated in Table 7.5 on page 146).

14.3 In our Reg 19 representations for PS36 we stated that the evidence provided to date does not support the location of a new settlement at Sharpness. Our position has not changed. In fact, the consultation on the Additional Technical Evidence in autumn 2022 (EB98, EB108, EB109, EB110 and EB112) confirms our view, e.g., EB98 the updated traffic modelling continues to underestimate the traffic impacts on the wider highway network from the proposed allocation at Sharpness, and only assesses 2,400 dwellings as opposed to the total number planned of 5,000 dwellings. Further mitigation to that identified in the ‘Preferred Highway Mitigation Strategy’ would likely be required should the development traffic reductions assumed for sustainable travel from the site not be realised, or the additional housing comprising the total allocation for the site as a whole. EB108 STS Addendum does nothing to change our conclusions from our previous representations that the PS36 Sharpness allocation is in an unsustainable location some significant distance from the main movement corridors and major centres of employment. It does not offer a realistic choice of sustainable transport modes; the proposed new rail service cannot be guaranteed and the commercial case to provide a relevant bus or coach-based public transport service is in question. Consequently, development here will encourage travel by car which will have a significantly negative impact on air quality and do little to improve traffic congestion.

14.4 Pegasus object to the optimistic delivery assumed in the Plan which is inconsistent with national research on schemes of this size prepared by Lichfields (Start to Finish Second Edition February 2020). The research contains robust evidence on typical lead-in times and build-rate, (Figure 8.1 in Start to Finish) it found that from the date at which an outline application is validated for a scheme of 2,000 dwellings plus, the average time for the first home to be delivered is 8.4 years; such sites would make no contribution to completions in the first five years. As no application has been submitted for the new settlement at Sharpness, it is considered that this site will not

start to deliver until 2031 at the earliest, consequently pushing the delivery back. Research undertaken by Lichfields which found that the average annual build out rate for a scheme of 2,000 dwellings was 160 dwellings per annum. The research found that 61 dwellings per outlet on sites with one outlet, reducing to 51 dwellings for sites of two outlets, and 45 for sites with three outlets. These points are covered in more detail in our representations to Policy PS36 Sharpness and in response to Matter 5.

15. Overall, is each site allocation justified, viable and deliverable or developable (in accordance with the Framework definitions)?

15.1 Our representations to the Reg 19 Plan support the proposed allocations in principle with two exceptions – land at Sharpness PS36 and land at Wisloe PS37. Our representations have outlined in detail our objections to PS36 Sharpness and PS37.

15.2 Pegasus continue to object to further development over and above the current local plan allocations at Sharpness. In summary there are significant deliverability issues at Sharpness as a location and consequently it will not assist in meeting the districts housing needs. It is considered that irrespective of whether a new community at Sharpness is viable, its delivery is going to be inferior to sites better located to centres of population. Consequently, reliance on this site places a high risk on delivery.

15.3 All of the evidence that has been referred to in our representations to PS36 does not support the proposed new community at Sharpness, furthermore independent research such as the updated Lichfield’s Report “Start to Finish” February 2020 also confirms that the assumptions on delivery cannot be supported. The proposed new garden village at Sharpness will not achieve and deliver the number of dwellings anticipated in the plan period. Consequently, the proposed allocation of a new community at Sharpness is not justified and cannot be considered to be effective over the plan period, its inclusion in the Plan renders the Plan unsound (para 35 of the NPPF 2019). The new settlement at Sharpness should not form part of the strategy, the allocation should be deleted and the sustainable alternative development at Grove End Farm, Whitminster (ref WHI104 which has been considered by the Council in EB107 Additional Housing Options consultation {October 2020} and in the SA ref WHI007 in CD3b) should be included. Our representations to PS36 are covered in more detail in our objections to PS36 Sharpness and Matter 5 and Matter 11b. We have set out the proposed modifications to the Plan.

16. Our questions about housing supply and the trajectory as a whole are under a later matter. However, to assist us in understanding the delivery timescales for each housing site allocation, we would like the Council to provide the trajectory in a single table/spreadsheet, so that we can clearly see how many dwellings each allocated site is expected to deliver in each year of the plan period.

16.1 This is a matter for the Council and a matter that we raised in our representations to the Reg 19 Plan in July 2021. It would have been helpful if this information could have been provided in advance of the deadline for the MIQs particular as this was not originally included in the Plan.

17. **The table/spreadsheet should include a comments column at the end summarising in bullet form the evidence to justify the delivery information it contains. This should also provide an update on the planning status of each site (for example are there pre-application discussions, is there a PPA in place, does the site have outline or full planning permission etc), and it should also summarise any existing uses or known constraints.**

17.1 This is a matter for the Council.

18. **Moreover, if it is a previously allocated site that has not been delivered, we wish the Council to set out the reasons for this and to explain why they consider it will be built during this plan period. For completeness, the table/spreadsheet should also include completions (as a total) since the start of the plan period, the timescales for the delivery of commitments that are uncompleted/under construction, and windfall allowances for each relevant year.**

18.1 This is a matter for the Council.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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