

Stroud Representation Statement

Stroud Local Plan

In respect of:
Land at Dursley

On behalf of:
Avant Homes

January 2020





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1.0 Introduction

- 1.1. McLoughlin Planning has been instructed by Avant Homes to submit Representations on behalf of its land interests in Dursley for the Stroud District Local Plan Review Preferred Option Draft Plan 2019. In terms of the Draft Plan, Avant wishes to make a number of Representations about the policies contained in the Draft Plan and wishes to highlight a considerable number of elements which make the Plan unsound.
- 1.2. Avant's land interests expressly relate to land at South East Dursley and in addition to the Representations on the policies contained in the Plan, a site-specific Representation is also made as part of this document.
- 1.3. With the above structure in mind, this document is structured as follows:
 - Section 2 – Responses to individual policies.
 - Section 3 – Site-specific Representation.



2.0 Response to specific policies

- 2.1. This Section of the Statement sets out Avant’s response to various policies in the Local Plan.

40 Key Issues - Page 14 to Page 19

- 2.2. Avant wish to make the following observations.

- 2.3. The second priority issue on page 14 of the Plan is to ensure that new housing development is located in:

“the right place supported by the right services and infrastructure to create sustainable developments”.

- 2.4. In response, Avant supports this underlying logic to providing new development in the District. However, in terms of realising that approach, Avant is concerned that the Plan has a significant failure in terms of the overall allocation of housing land at Dursley. Dursley is identified in the Plan and in the evidence base as one of the main centres in the District. As a result, the lack of significant housing allocations to the town brings into doubt the strategy being proposed in the Plan in terms of providing housing in the “right place”.

- 2.5. Turning to Page 15, Avant recognise the need to make use of brownfield sites as per national guidance. However, as drafted, it is concerned that the Plan introduces an element of ambiguity into the policy framework for a new housing development by “prioritising” the use of brownfield land (third bullet point). It should be made clear that part of the approach of the Plan is not to adopt a sequential approach to the delivery of housing sites. It is suggested that the Plan is amended so it better reflects the guidance and Paragraph 117 of the NPPF which seeks to merely make “as much use as possible”. Furthermore, in terms of dealing with the brownfield land issue, given the overall development requirements being placed on the District by the Standard Methodology, it is simply unrealistic to expect the Local Plan to deliver a significant quantum of housing on brownfield land. Therefore, it is imperative that sufficient greenfield allocations are made to facilitate meeting housing targets.

- 2.6. Furthermore, as will be demonstrated in other Representations, the Plan is reliant on a number of brownfield sites carried forward from both the previous Plan and its predecessor to that. Avant is concerned that the continued reliance on clearly unviable and/or undeliverable brownfield sites carried forward from previous Local Plans on



unimplemented/lapsed consents undermines the Council's aspirations of achieving the housing requirements placed on it by the Standard Method.

- 2.7. Avant supports objectives 9 to 17 in the Plan in terms of their general thrust of delivering housing to meet identified housing target and affordable housing to meet identified affordable housing needs. In respect to its land interests at Dursley, it is concerned that the Plan does not provide sufficient flexibility to ensure the delivery of affordable housing in the town, given the lack of any sizeable housing allocation. In addition, Avant is equally concerned at the lack of flexibility in the Plan, given the distribution of housing allocations across 7 key strategic sites. Avant's concerns are that this does not provide a sufficient magnitude of choice for affordable housing for meeting local needs and places an overall reliance on the strategic sites coming forward.
- 2.8. In terms of objectives 18 to 26, Avant recognises the need to minimise environmental impact arising from new development. However, such impacts will be minimised through the correct application of national planning policy and statutory guidance in respect of environmental considerations. Avant is concerned however, that the Plan is unrealistic and contrary to national guidance insofar as recognising the overall character of the area and the need to travel by the private car. Objective 18 seeks to achieve a "better transport system" in terms of how this manifests itself in limiting the use of private car and it has to be recognised that Stroud is a predominantly rural district. It is simply unsound in planning terms to expect all developments to be serviced by a high degree of public transport and that there will always be an element of private car usage that will be required for the economic and the personal wellbeing of its residents of the District. In this instance, it is Avant's position that the objective should better reflect the guidance in paragraph 103 of the NPPF.
- 2.9. Page 19, in ensuring "value for money for our taxpayers" the Plan identifies a number of objectives. In identifying those objectives, Avant wish to reiterate the guidance that is found in the framework and the CIL Regulations that it seeks to ensure that planning obligations are directly related to the development. It is concerned that reference to "innovative funding mechanisms" could give rise to instances where inappropriate Section 106 or CIL contributions are sought on new developments.

Page 27 and 28 - What this strategy means for where you live

- 2.10. Avant supports the recognition in the Plan of the role of Cam and Dursley in providing a focal point for development in the District. However, at Paragraph 2.21, Avant consider that the approach to Dursley is unsound in the fact that it does not provide



any additional greenfield housing requirements, given the failure of the Plan to identify any greenfield housing site in the town. The Plan's strategy means that Dursley is over reliant on Cam for meeting its housing needs.

2.5 Housing - Stroud District housing requirement up to 2040 (Paragraphs 2.41 to 2.45 and Table 2)

- 2.11. Avant supports the Plan's aspirations to deliver 638 new homes per annum as required by the Standard Methodology. However, whilst the Local Housing Needs Assessment confirms the Government's requirements for the plan period, the Plan makes no allowance for an increase in housing numbers that maybe required through a much-needed revision of the Standard Method, nor does it make any allowance for economic growth.
- 2.12. In terms of providing new housing, guidance in the Framework and NPPG are clear in terms that the Standard Method figure is essentially considered as the minimum figure for new housing targets in Local Plans. It is fully anticipated by both sources of national guidance that this figure will be exceeded, to take into account economic growth and other issues.
- 2.13. There is no evidence in Section 2.5 of the Plan and Table 2, that any allowance has taken place to allow for a higher level of development. In addition to the above, Avant is equally concerned about the overall level of housing allocated in the Local Plan. Table 2 makes an allowance for 8,725 new homes to be provided in the Plan over the plan period. However, of this figure some 7,680 are already accounted for on 8 strategic sites, all of which have to be delivered by 2040 to ensure the Plan achieves its housing requirement. Furthermore, of the 7,600 proposed on the 8 strategic allocations, 3,900 dwellings are to be constructed on entirely new garden settlements, where there is currently little in terms of available social infrastructure, economic opportunity and community facilities. Whilst Avant are not hostile to the concept of large urban extensions per se or Garden Villages, it is extremely concerned about the Plan's over reliance on such large allocations coming forward and the particular clustering of those allocations in the southern part of the District.
- 2.14. It is considered that this approach directly conflicts with the Housing Strategy set out on Page 35 of the Plan, which seeks to have on the second bullet point a "mix of brownfield and greenfield allocated sites of varying sizes". In this case, it is simply an unrealistic aspiration in that the Plan's Housing Strategy is very "heavily wedded" to 8 strategic development sites. Any failure in their delivery at any given point in the Plan,



means that the District Council will have serious issues in maintaining a 5-year Housing Land Supply. Furthermore, it will equally mean that any failure in delivery will mean that the District is also failing to deliver affordable housing and community infrastructure as required by the policies.

Policy DCP1

2.15. Avant consider this Policy to be unsound for the following reasons:

- Discouraging the use of private car – Stroud is a predominantly rural district with a series of urban areas connected by roads. It has a significant amount of out commuting to Gloucester, Bristol and beyond. It remains to be seen how all new developments would be expected to discourage the use of the private car. Such terminology represents an active approach in terms of discouraging the use of the private car and it is not clear how such an approach would impact on the social and economic wellbeing of future residents of the District. If the Plan wishes to maintain such an approach, further development adjacent to established settlements is critical. This makes the need for further housing allocation at Dursley necessary.
- Avant support the use and provision of green infrastructure. However, it is not clear as to how all new developments are expected to support “local food production”. There are no prescribed standards in national guidance or indeed, in the Local Plan, as to what is expected. Furthermore, there may be instances where the provision of green infrastructure/supporting local food consumption maybe incompatible with the need to sequestration carbon.

Core Policy CP2 - Strategic Growth and Development Locations

2.16. In conjunction with other submissions, Avant is concerned that the provision of at least 12,800 new dwellings in the District is unsound in that the target does not reflect national guidance regarding the minimum housing figure proposed in the Standard Method. In addition, out of the policy, the following urban extensions are objected to. These are as follows:

- Cam North-West – 700 units.
- Cam North-East extension – 180 units.
- Sharpness Docks – 300 units.
- Sharpness – 2,400 units.



- Wisloe – 1,500 units.

2.17. This equates to 3,900 units to be constructed on significant urban extensions. Avant's concerns with the provision of 3,900 units on 5 urban extension sites are that:

- These are situated within 5 miles of each other.
- There is insufficient evidence presented supporting the ability of the local housing market to absorb the magnitude of development which is being proposed.

2.18. Therefore, there is a question as to whether the Plan is "effective" in that there is no evidence of a delivery timetable for each site. If there is any delay in the uptake of residential units, this will lead to questions about the overall deliverability of the allocations being provided with the attending concerns on the District not being able to demonstrate a 5-Year Housing Land Supply. Furthermore, such an approach is highly inflexible in the failure to deliver Wisloe or Sharpness by way of example, means that there is no alternative allocation strategy in the Plan to ensure that other sites can come forward of significant magnitude to make up the shortfall in any supply that may occur during the period whilst these strategic sites come on stream.

2.19. A further concern with Core Policy CP2 is the failure of the Plan to allocate any greenfield housing land at Dursley. The fact that only 10 dwellings are allocated in the settlement shows that the Plan is effectively disregarding Dursley as a location for additional development. This is notwithstanding the fact that there are greenfield non AONB locations that can come forward. Finally, such an approach is considered contrary to the provisions of Core Policy 3, which identifies Dursley as a main settlement.

Core Policy 3

2.20. Avant supports Dursley's position as a main settlement and Tier 1 status in the Plan. Given it's the "primary focus for growth and development", Avant is concerned that the Plans approach to Dursley is unsound because of the failure of the Plan to allocate any greenfield housing sites at the settlement, notwithstanding the evidence base demonstrating that sites can come forward.

PS01 Brimscombe Mill

2.21. Avant object to the continued allocation of Brimscombe Mill for 40 residential units. This site has been allocated for development for some significant time (Site SA1d in 2015 Local Plan) and it is considered that this site remains undeliverable because of land ownership and drainage concerns.



PS02 - Brimscombe Port

- 2.22. Avant consider that the continued allocation of Brimscombe Port for 150 dwellings and canal related tourism development is unsound. The site was subject to a planning application in the past 10 years for mixed-use development in 2011 (S.11/0799/OUT) for a mixed-use development of 234 dwellings. However, this was not determined (according to the planning register). It is understood that there are significant infrastructure costs in terms of the provision of a new canal link servicing the site and need to access and acquire third party land, it has not been possible for this site to be delivered. The Plan offers no convincing evidence about the overall viability of the proposal. Currently, the site is in an active economic use and it is considered that the long-term aspirations of the Plan to deliver this site are simply unrealistic.

PS06 - The New Lawn, Nympsfield

- 2.23. Avant object to the allocation of 80 dwellings at New Lawn Football Ground (home of Forest Green Rovers). It is considered that this allocation and its success is wholly dependent upon the successful delivery of the Planning Permission S19/1418/OUT for a replacement Football Stadium on land adjacent to Junction 13 of the M5 (PS20). Guidance in the NPPF regarding the redevelopment of sports pitches is explicitly clear in terms of what is required by way of replacement provision. As of yet, the Plan does not make any requirement to link the delivery of PS06 with the successful development of a replacement facility at PS20. As a result, PS06 should be deleted from the Plan until such time it is proved to be deliverable and therefore, sound.

PS10 - Railway Land/Car Parks, Cheapside

- 2.24. The land at Stroud Railway Station is allocated for 75 dwellings. It is not clear from the Plan as to whether ownership considerations have been taken into account and/or whether the site can be successfully developed without objections being raised by Network Rail. The railway line itself presents a significant physical constraint and its inclusion in the red-line boundary would be dependent on infrastructure to allow the site to come forward.

PS11 - Merrywalks Arches, Merrywalks

- 2.25. It is not clear from the Plan as to whether the deliverability of the site is viable given the significant levels changes and ground stabilisation works that are required.



PS12 - Police Station/Magistrates Court

- 2.26. Avant object to the redevelopment to the Police Station as there is no evidence of a Plan in place for the provision of a new Police Station. This would need to be resolved before any development can start on the site.

PS13 - Central River/Canal Corridor

- 2.27. This site is almost entirely within Flood Zone 3 due to its proximity to the River Frome. This site would result in the loss of significant amount of B Class Employment Development. The site is constrained by the A46 to the south and the Stroud Water Navigation Canal to the north. It is not clear from the Plan or the policies whether there have been any detailed technical discussions relating to delivering access into the site. Furthermore, it has demonstrated that this is a deliverable option.

PS24 - West of Draycott

- 2.28. In conjunction with other submissions, Avant is concerned about the soundness of the allocation, given the proximity of other urban extensions/garden villages in close proximity to the site.

PS25 - East of River Cam

- 2.29. Whilst it is recognised that the site benefits from being adjacent to a permitted urban extension, it is not clear from the Plan, or the evidence base, how the site will be delivered. Masterplans available on the Council's Case File (S.15/2804/OUT) do not show any access solution into the site. Furthermore, there appears to be no other points of access into the site. As a result, the allocations is unsound because of the lack of evidence supporting the allocation.

PS27 & PS28

- 2.30. Avant object to the allocation of both sites being situated within Dursley's Conservation Area and their proximity to a significant number of Listed Buildings. Given the need to preserve or enhance the character and appearance of Listed Buildings and Conservation Area, as well as the need to minimise harm to identified Heritage Assets, it is not clear as to whether the proposed development of the two allocations would have detrimental impact on the identified Heritage Assets, the Protection Policy Framework advocated in the NPPF, and the Planning and Listed Building Conservation Areas Act.



PS36 - Sharpness Garden Village

- 2.31. Avant is concerned that the Plan's treatment of the garden village is unsound, when based on the assumptions made in terms of the site delivering 2,400 houses within the Plan period.
- 2.32. PS36 is a vision for a new garden community of 2,400 dwellings and 10 ha of employment land. This will result in a population of circa 5,700 assuming an average size of 2.4 persons per dwelling.
- 2.33. In creating a new community, both the Plan and the promoter's material is keen to emphasise the self-containment of the development and the need to minimise the need to travel by private car. Much emphasis in the Policy, is given to the provision of a new Railway Station and service. However, in contrast, there is no such explicit commitment in the promotion material for a railway being provided as part of the first phase of development (i.e. before 2040). In addition, there is no evidence provided in any available documentation that a new station and railway service will be actually be provided and when that will happen. This brings into doubt the deliverability of the Garden Village as proposed.
- 2.34. Avant have another concern in terms of the timetable for delivery of the allocation. In order for the site to be delivered, the adoption of the Local Plan will be critical. This would be towards the end of 2022, assuming a suitable EiP period.
- 2.35. Once adopted, outline application is submitted with E.I.A. Outline Planning Permission follows with a S106 Agreement. In terms of delivery, publicly available research from Litchfields, concludes that sites in excess of 2,000 units take six to seven years to deliver. This means that it will not deliver first dwellings until 2028/2029 at the earliest. Matters could be further delayed by infrastructure requirements and the need/time taken to sell sites to third party developers. Even if delivery commenced in 2029, this would necessitate in a build out rate of 218 dwellings per annum for the next 11 years in order for the site to deliver 2040. This represents approximately 1/3 of the annual housing target for the District. The lack of a detailed trajectory for delivery means that Avant is unconvinced about the robustness of the evidence base supporting the allocation and the deliverability of the Plan as a whole. This then underlines the need for additional sites to make up the shortfall in the delivery of this allocation.



PS37 - New Settlement at Wisloe

- 2.36. As with PS36, Avant is concerned that the allocation is unsound, given questions marks regarding the robustness of the evidence base for delivering the site.
- 2.37. The Plan assumes that the site will be a “carbon neutral” development by 2030. As set out above, even if the Plan was adopted in 2022, there would be six-year lead in before the first houses were delivered. It is simply not possible for the Plan to deliver the site by 2030. In addition, assuming a 2029 start, there is no evidence to suggest how this site can be brought forward without compromising the delivery of Sharpness, as a competitor for house purchases.

Core Policy CP5

- 2.38. In conjunction with other submissions, Avant object to the Policy, considering the approach is unsound because it is not consistent with national policy. The Policy requires that development takes account of the District’s housing needs. However, given the concerns with the Local Housing Needs Assessment, it remains to be seen how this approach is consistent with the Framework.

Core Policy CP9

- 2.39. The approach in the Policy is unsound in that the Plan clearly identifies an annual affordable housing need, which is more than 50% of the Plan’s housing target. Therefore, the Policy cannot deliver enough affordable housing and fails as a whole to assist in “significantly boosting the supply of homes” as requested by paragraph 59 of the Framework.

Delivery Policy DHC5

- 2.40. Avant consider the Policy to be unsound in that it is not consistent with national guidance. The Policy introduces a requirement for proposals to have access to “healthy fresh and locally sourced food”. The concern with this requirement is that there are no metrics against which proposals could be assessed.

Delivery Policy DHC7

- 2.41. Avant support the need for new open space in housing developments. However, it considers the need to provide contributions to build sports facilities unjustified in that no evidence has been provided to support any request.



3.0 Site Specific Representation

- 3.1. This Section of the document sets out a Site-Specific Representation on behalf of Avant's land interests at Dursley. This was allocated in the Strategy Paper.
- 3.2. The attached Plan shows how the site could be developed for circa 80 units depending on masterplanning.
- 3.3. In reviewing a Local Plan, paragraph 67 of the Framework makes it clear that Local Planning Authorities must have an understanding of the land available in their area. It goes on to say in paragraph 68, first bullet point, that there is a requirement for Local Plans to identify the necessary sites to come forward within a five-year period. This provides the context for which the Avant's site should be considered.
- 3.4. In supporting the allocation of Avant's site for housing development, it is necessary to identify the evidence base which can be used to support the allocation. In this case, the 2017 SALA provides an analysis of the site under Parcels DUR010 and DUR013.
- 3.5. Turning to the analysis of the issues, this can be split into:
 - Landscape Impact.
 - Other Technical Matters.

Each is addressed in turn below.

Landscape Impact

- 3.6. In supporting the allocation of the site, the previous Appeal Decision refusing Planning Permission on landscape grounds has to be addressed.
- 3.7. Whilst it is necessary to highlight the Appeal Decision, the decision has to be seen in the context of what it was at the time. This was an Appeal against the refusal of Planning Permission under the previous Local Plan and the context of that decision does not necessarily carry forward into a subsequent review of the Local Plan. The Appeal Decision is useful in that it identifies landscape as an issue. However, this also provides a basis for revisiting the site and seeing how it is possible to address the concerns. To this end, the attached Plan shows development stepped back away from the highway, providing a clear buffer area which can be used as Public Open Space. This is a significant alteration to the scheme which was previously refused at Appeal and therefore, merits fresh consideration. To this end, the SALA provides the necessary



analysis for supporting the development of the site and showing, from the Council's perspective, how the previous landscape concern can be addressed.

- 3.8. It is noted from the previous consultation that the allocation has not been maintained. The rationale behind this change is provided in the 'Emergency Strategy Consultation Report – Part 2 Nov 2019', page 44. In terms of said response it states:

"Concerns remain that development may be apparent from some locations within the AONB and on balance, it is not considered that the provision of 80 new homes would be of sufficient positive benefit to outweigh the potential harm from development close to the edge of the AONB."

- 3.9. Paragraph 35 of the NPPF requires Plans to be "justified" which requires taking into account a proportionate evidence base. In this instance, the Plan is supported by a White Consultants Report "Evaluation of Site Landscape & Visual Issues", dated October 2019. Paragraph 1.1 of the document makes it clear that this is an "independent appraisal" of development sites within or adjacent to the AONB. This assessment includes:

- PS29 Gunzell Lane – Avant's site.

- 3.10. Paragraph 1.6 of the document notes discussions between SDC, the Cotswold Conservation Board and "relevant promoters". This did not include Avant. Critically, the conclusion of the site appraisal is that the site is suitable for development, directly contradicting the Council's conclusions in the Consultation Report. Avant are at pains to stress that it is actively reviewing the data for the site. However, the evidence base raises a more fundamental problem in that the decision not to allocate PS29 is clearly at odds with paragraph 35 of the NPPF.

Other Technical Matters

- 3.11. Having addressed the landscape concern, the Appeal Decision is notable for the fact that the Inspector saw no other technical concerns with the site. Therefore, it can be concluded that the site is:

- In a sustainable location within walking distance to shops and services and employment opportunities.
- From a Highway's perspective, it can be accessed safely and there are no material impacts on the Highway's network.



- From a Flood Risk perspective, the site is outside the floodplain and the site can be masterplanned to ensure that sustainable urban drainage methods are employed and not leading to any unacceptable elsewhere.
- From a Heritage perspective, there are no Heritage concerns or issues to be dealt with.

3.12. These conclusions are also mirrored in the 2017 SALA Assessments for the site. Therefore, there are no other technical barriers to the site being allocated and developed.

3.13. To conclude, Avant have looked carefully at the Appeal Inspector's findings and those of the White Consultants report and have sought to modify the scheme to provide a more sympathetic form of development, which better meets with the concerns expressed in the Appeal Decision and the analysis in the 2017 SALA. The full details of the layout's approach being adopted can be seen on the attached Plan that accompanies these Representations. The benefit of this revised approach is that essentially it seeks to take development away from the Highways and to provide a more softer edge through increased landscaping and areas of buffering between the existing development views in and out of the AONB. As a result of this work, it is considered that the proposal reflects on the concerns expressed by the Inspector and demonstrates a way by which these concerns can be overcome. Finally, it mirrors the conclusions of the Plan's own evidence base.



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