



Examination of the Stroud District Local Plan Review

MATTER 6: SITE ALLOCATIONS

HEARING STATEMENT

Prepared by Blue Fox Planning Ltd on behalf of:

Persimmon Homes Severn Valley

February 2023



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1. Introduction

- 1.1 This Matter 6 Hearing Statement has been prepared by Blue Fox Planning Ltd on behalf of Persimmon Homes Severn Valley (PHSV). PHSV control the majority of the PS24 and are jointly promoting the site with Robert Hitchins Ltd who control the remaining area. This site is subject to a live planning application.
- 1.2 PSHV also control land allocated for development at 'South of Wickwar Road, Kingswood' (PS38) where a planning application for up to 54 dwellings is live and awaiting determination.
- 1.3 Our comments in response to the Matter 6 questions are prepared in the context of PS24 and PS38.

2. 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?

- 2.1 The introductory text states that developments are ‘**expected to accord with**’ Mini Vision, and ‘**have regard to**’ the Guiding Principles. This suggests a difference in terms of the required degree of compliance between the mini vision and the principles.
- 2.2 The Guiding Principles read as continuation of the Spatial Strategy, with references to scale and direction of growth. It is therefore questionable whether such principles are necessary. Principles 7, 8, 9 and 10 are universal principles, such as conserving and enhancing the area’s heritage assets (8) and maintaining the distinctiveness of individual settlements (7).
- 2.3 Their inclusion as Guiding Principles is an unnecessary duplication which does not aid its interpretation. There is also repetition with a number of the Strategic Objectives set out within the Plan as well as the expectations set out in CP4 (Place Making) and CP5 (Environmental development principles for strategic sites). Whilst repetition does not necessarily impact on the soundness of the Plan, the removal of such duplication would not result in a policy vacuum, but would provide for a more concise policy framework.
- 2.4 The Guiding Principle are not policy, but the requirement for development to ‘have regard to’ these principles, raises concerns over interpretation as to how compliance can be measured.

(2) Core Policy 5 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?

- 2.5 CP5 introduces ‘principles’ as policy requirements and unnecessarily repeats the provisions of other policies in the Local Plan. Such duplication is unnecessary.
- 2.6 We comment specifically in our response to Question 13, but the duplication for approved masterplans/development briefs is unnecessary.

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?

2.7 The principles of CP5 all have a policy basis within the Plan, for example DCP1, ES1, ES2 and ES3, therefore the plan would still function and implement the requirements in the absence of CP5.

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?

2.8 A-H repeats the requirements of ES1 and ES2. The requirement within CP5 for development to show how the proposal 'maximises' the contribution to the objectives set out at A-H lacks clarity. Any threshold/standard is not defined or quantified, which questions the effectiveness of this policy in terms of ensuring compliance.

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?

2.9 CP5 has been prepared to directly reference 'strategic sites' and therefore its application would be considered to apply to sites defined in the Local Plan as strategic.

2.10 Whether CP5 is justified and viable relies upon clearly establishing the benchmarks and thresholds against which compliance is to be assessed. A-H fail to provide any clarity on how compliance can be measured and the expectations on developments in terms of achieving the requirements.

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?

2.11 CP5 does not define the requirements of a CEMP and therefore is it difficult to conclude that this is an effective policy as there are no criteria against which compliance can be assessed. It would be sensible for any CEMP requirements to be presented in the Council's Planning Application Validation Checklists.

(3) 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?

2.12 It is not apparent how the overall quantum of development proposed at the PS24 has been determined. Prior to the submission of the Local Plan (25th October 2021), a

planning application was submitted to the District Council (28th July 2021) – LPA Ref: S.21/1875/OUT by PHSV for up to 795 dwellings.

- 2.13 Alongside this, Robert Hitchins Ltd have submitted a separate application (August 2021) for the remaining PS24 area (LPA ref: S.21/1913/OUT) for up to 235 dwellings. Whilst PSHV and RHL have submitted separate planning applications, there is joint working to ensure the comprehensive delivery of the entire allocation. Together this planning applications provide for **1,030** dwellings at the PS24.
- 2.14 Both applications were subject to an EIA Scoping process and pre-application engagement and were submitted in advance of the Local Plan submission for Examination.
- 2.15 PS24 has a higher potential development capacity than suggested in the wording of the Policy. The Council has not raised any concerns over the quantum of homes provided as presented in the planning applications. Accordingly, it is considered necessary and appropriate to revise PS24 to more accurately reflect the scale of development that can be achieved.

b. Is the scale of development for each site allocation justified having regard to any constraints and the provision of necessary infrastructure?

- 2.16 In terms of PS24, the Council has failed to respond positively through Local Plan to recognise the increased capacity at this site as demonstrated in the planning application submission.

c. Do the site allocations achieve appropriate densities and make effective use of land, in accordance with the Framework?

- 2.17 Planning applications at PS24 provide for up to 1,030 dwellings with varied density across the site (40dph-50dph), which is shown on the density parameter plan at Figure 31 of the Design and Access Statement (EB92).
- 2.18 Accordingly, appropriate densities can be achieved at the PS24 strategic allocation.

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?

- 2.19 The phrase 'approximately' in respect of PS24 is supported as a matter of principle. However, the scale of development referenced should accurately reflect the capacity of this site. The current planning applications propose development of 1,030 dwellings.

2.20 References to the quantum of development should be framed in a positive context and provide for sufficient flexibility to allow detailed proposals to maximise development, where this is consistent with other relevant policy requirements. It should not be applied as a cap or target as this would arbitrarily restrict opportunities for sustainable development and creative design.

e. Overall, is the development density and capacity for each individual site justified?

2.21 Please see response to Question3(a).

(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?

2.22 The inclusion of ‘particular issues’ does not conform with the NPPF (paragraph 16) due to the generic nature of the wording proposed. In respect of PS38 (South of Wickwar Road), the issues identified merely summarise the objectives/requirements of other policies within the plan. For example, the particular issue of “*conserving and enhancing local biodiversity*” is already addressed within Policy ES6.

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

2.23 In the context of PS38, the supporting text (paragraph 3.7.6) provides a greater level of detail than the policy wording itself, although this is still limited but considered appropriate as supporting text. In any event, the supporting text continues to outline the provisions of specific policies contained elsewhere in the Plan.

(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?

2.24 PS38 and PS24 are sites which differ significantly in their scale, but the 'requirements' for a Masterplan and/or Development brief are the same and there is no indication as to what is required to satisfy these policy requirements.

2.25 The lack of clarity carries with it the risk of delay in advancing proposals which will impact on the delivery of allocated sites.

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?

2.26 For smaller sites the requirement is disproportionate and not based on any specific justification. It is not clear what additional function an approved masterplan would have, compared to the normal preparation, submission and determination of a planning application, where developments relatively modest in scale and unlikely to have the same level of complexity as large scale strategic sites.

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?

2.27 There is no adequate explanation as to when masterplans/development briefs would be required, it appears to suggest that this is pre-application. If this is not the case, then we question the need for an approved masterplan/development brief as such matters would form part of the normal planning application submission documentation and approved at the point of determination.

2.28 This requirement applied to PS24 and PS38 has been overtaken by events with the submission of planning applications. There is no scope to respond appropriately in such circumstances and there is concern that this will add delay in the determination planning applications.

2.29 The requirements for planning applications and the supporting illustrative and descriptive information now required through validation checklists means that sufficiently detailed plans must be submitted.

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?

2.30 There is no evidence to demonstrate how delivery profiles factor in any time implications associated with the requirements for masterplans/development briefs, where these are required prior to the application process.

(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?

2.31 In the context of PS24, as part of the agreed Statement of Common Ground a delivery profile has been provided and is shown below and reflects the joint promoters of this site.

Year	PHSV	Robert Hitchins Ltd
	Completions	
2020		
2021		
2022		
2023		
2024	80	
2025	80	
2026	80	35
2027	80	50
2028	80	50
2029	80	50
2030	80	50
2031	80	
2032	80	
2033	75	
2034		
2035		
2036		
2037		
2038		
2039		
2040		
Total	795	235

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

2.32 In the context of PS24 and PS38, the selection of these sites is based on a sound and justifiable process, reflecting the role and function of these locations and the capacity to deliver sustainable patterns of development. Both sites have been carefully considered by Stroud District Council in the formulation of the Local Plan and informed by technical work. Their allocation is reinforced through their promotion by PHSV and there is confidence that the development can be delivered in a viable manner. Specific

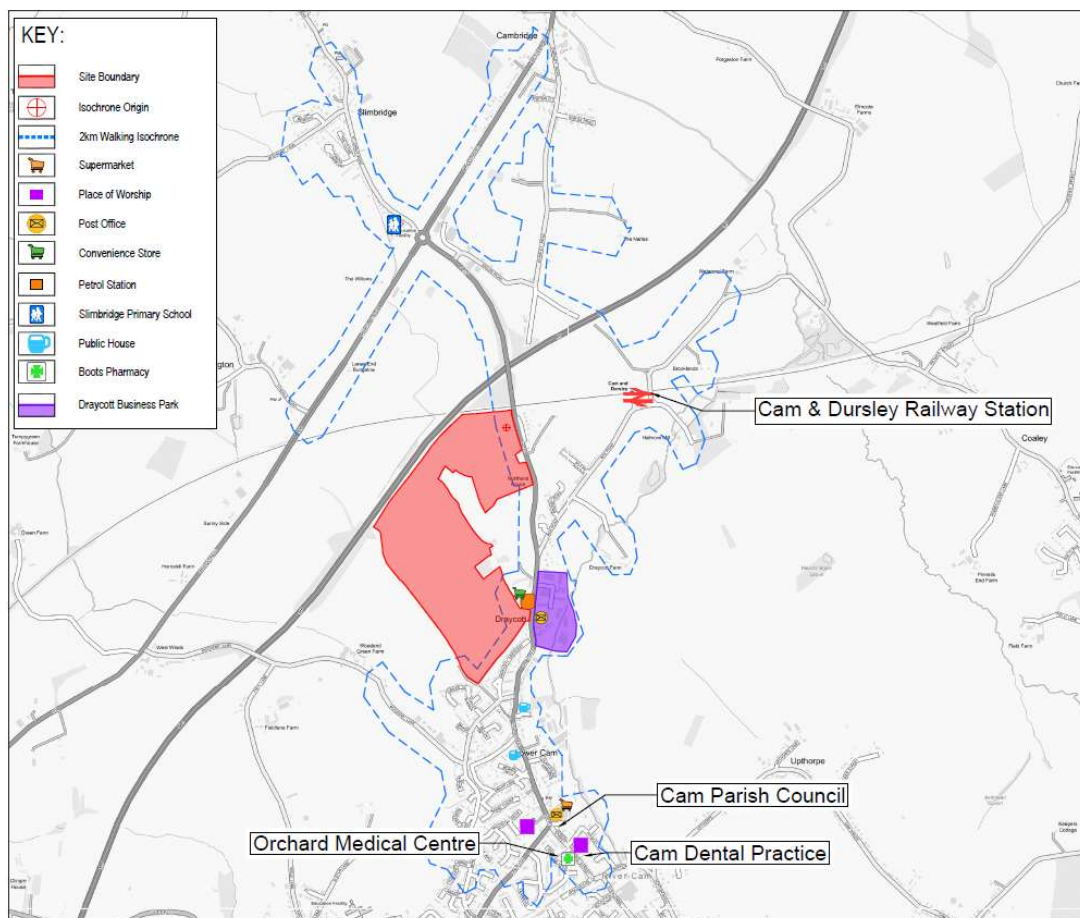
concerns related to the policy requirements are set out in our responses to other questions, but fundamentally these sites are viable and deliverable.

3. Matter 6d Cam and Dursley Site Allocations



a. Paragraph 3.3.6 of the Plan states that the development will include ‘residential and community uses that meet the day to day needs of its residents’. Whilst the policy seeks educational and healthcare provision or contributions, there appears to be no provision for employment and retail uses which are generally necessary to meet day to day needs. Is this because such facilities are within close proximity and if so, what are the walking distances to such facilities from within the site?

3.1 The Local Plan (Page 122) describes the settlement role and function of Cam and notes that it has a strong local retail offer which serves day to day needs. It goes on to note that Cam and Dursley benefit from ‘the best access to key services and facilities of anywhere in the district’. As such PS24 is well located to provide access to a range of uses, including employment and retail such that the day to day needs of future residents can be satisfied.

3.2 The range of facilities and services that lie within a ‘reasonable’ walking distance of the site (typically defined as 2km) is shown below.



- 3.3 The site connected by an existing network of footways and footpaths that run through Cam, with this network combining to create continuous routes to facilitate journeys to and from the site on foot. Generally, this network provides streetlights, footways/footpaths of a reasonable quality and pedestrian crossing facilities.
- 3.4 The distance and estimated journey times (for walking and cycling) from the site to the identified facilities and services are summarised below. The estimated journey times are calculated based on a walking speed of 1.4 metres per second (abstracted from IHT, 2000) and a cycling speed of 4 metres per second.
- 3.5 There are several existing bus stops within close proximity to the site (between 50-200m) along the A4135 and Manor Avenue which can be easily reached on foot and provide public transport access to facilities and services in Cam, Dursley and beyond.

Service/Facility	Location		Walking Distance (metres)	 (minutes)	Cycling Distance (metres)	 (minutes)
Community						
Shell (spar convenience store)	A4135 Draycott	GL11 5DH	700	8	700	8
Post Office	Noel Lee Way	GL11 5PS	1700	20	1700	7
Tesco Superstore	High St	GL11 5LE	1700	20	1700	7
Education						
Slimbridge Primary School	St John's Rd	GL2 7DB	1100	13	1100	5
Employment						
Draycott Business Estate	A4135	GL11 5DQ	600	7	600	3
Place of Worship						
St Bartholomew's Church	Cam Pitch	GL11 5JX	1700	20	1700	7
Cam Methodist Church	Chapel Street	GL11 5NU	1800	21	1800	8
St John the Evangelist	Slimbridge	GL2 7BJ	1900	23	1900	8
Public House						
Berkeley Arms	High Street	GL11 5LA	1600	19	1600	7
Recreation						
Cam Football Club	Cam	GL11 5UL	1300	15	1300	5

b. Are all the 18 criteria, which list a varied range of requirements, justified by robust evidence? Are they sufficiently clear in their detail and is the policy wording effective?

- 3.6 A number of PS24 criteria duplicate policy requirements contained elsewhere within the Plan. The following are considered to be unnecessary owing to the fact that they duplicate other policies in the Local Plan. These being, 6, 7, 8, 10, and 15.
- 3.7 The specific reference to the requirement for EV charging points is now considered unnecessary and so superfluous due to the requirements set out in Building Regulations (Part S).
- 3.8 The remaining criteria include site specific requirements which, as a matter of principle, would support their inclusions within PS24. However, there are some concerns with these specific requirements, as summarised below.
- 3.9 **Requirement 2** sets out the need for a 2 form entry primary school on a 2ha site and contributions towards secondary and further education provision. This requirement provides no flexibility or recognition that should evidence demonstrate that this is not necessary/required at the point of determination of the planning application, then this requirement would not be applicable.
- 3.10 Greater flexibility associated with education requirements would provide a more effective policy basis upon which such provision can be sought, with this being triggered where there is a justified need.
- 3.11 **Criteria 13** requires a 'bus loop' through the site. However, the diversion of existing services and/or new services is a matter which falls under the control of the local service provider, in this case Stagecoach. Stagecoach have made representations to the Local Plan, which the Gloucestershire County Council Highways consultee responses to the planning application references and accepts that Stagecoach advocate new stops on the A4135 road as opposed to bus penetration of the site. The requirements for a 'bus loop' should therefore be removed.
- 3.12 This removes the need for criterion 13 as the objectives of this criterion related to public transport access is already enshrined within other policies in the plan.

c. Have impacts of the development on existing infrastructure been suitably assessed and are all necessary infrastructure improvements and requirements justified and set out clearly within the policy?

- 3.13 Representations to Technical Evidence (October 2022) consultation were submitted and form the basis of our comments on infrastructure associated with development at PS24.
- 3.14 The assessment presented within **EB98** includes an allowance for 900 dwellings at PS24, which reflects the policy, but does not consider or acknowledge the current applications which provide for 1,030 dwellings. Furthermore, the impact of travel patterns in 2021 since COVID 19 have not been considered as set out in representations to **EB98**.
- 3.15 In response to the IDP (**EB110**) our representations recommend that the allocation of costs in Appendix A of the IDP is reviewed as some items listed for PS24 have a higher allocated cost when compared with other schemes that also have the same item identified. Furthermore, any allocation of transport costs would need to be directly related to the proposals and proportionate in terms of the scheme's impact.
- 3.16 In terms of infrastructure funding, there are concerns that the approach artificially prevents an equitable apportionment of infrastructure costs as it deliberately excludes sites below 150 dwellings. Such an approach is likely result in some smaller sites (including windfall sites) which may be in less sustainable locations, enjoying a significantly lower level of transport contribution, irrespective of their sustainability credentials. It is therefore considered sensible for the approach to apportionment to be reviewed in order to provide a more equitable basis on which infrastructure funding is secured and to provide a framework which is both effective and justified.
- 3.17 It is noted within the IDP that GGC Education has commissioned a review of the Pupil Produce Ratios (PPR) and this three-stage process is on-going. Moreover, there is an acknowledgment within the IDP that *"in the absence of an up to date evidenced backed method to assess pupil demand arising from new development, it is recommended that the education demands arising from each applications for those sites proposed to be allocated within the Local Plan Review is assessed on a case by case basis."* (Page 4 of IDP). Section 3.2 provides details of the education contributions which are sought from the Cam (PS24) allocation. These are based on the Interim PPRs which are subject to on-going and, as yet, still be concluded review.

d. Do any policy requirements duplicate other Plan policies and if so, why is this necessary?

- 3.18 It is unnecessary to repeat within PS24 requirements which are already established within other policies. By way of example, PS24 requirements 7 and 8 deal with drainage, surface water and wastewater, yet such matters are dealt with in detail within Local Plan policy ES4 (Water resources, quality and Flood Risk).
- 3.19 Another example is PS24 requirement '10' which, in summary, requires the layout to prioritise walking and cycling and minimise the use of the private car. Such

requirements are covered extensively within other policies contained within the Local Plan, such as DCP1, CP4, CP5, CP8, HC1 and CP13.

- 3.20 The test for specific requirements to be included within PS24 should be whether or not such matters are dealt elsewhere within the Plan. In circumstances where this is the case then there is no sound reason why such requirements need to form part of the requirement list within PS24.

e. Paragraph 3.3.9 of the Plan refers to the need for substantial structural landscaping to protect Cam's landscape setting and views from the AONB escarpment. Is this effectively set out in the policy and does the approach accord with paragraph 176 of the Framework as regards the setting of the AONB?

- 3.21 The site is noted as being visually prominent from the AONB to the east, although intervening vegetation and built form, combined with topography filter and limit a number of these views. Where views are afforded these are typically transient with only parts of the site visible.

- 3.22 Criterion 5 of PS24, repeats this emphasis on structural landscaping, although it does not refer specifically to the AONB. Notwithstanding this, as referenced within the Design and Access Statement (**EB92**), the proposed landscape strategy includes positive structural tree belt planting and retention of existing site features including hedgerows as a key component of the landscape-led masterplanning for development at PS24.

- 3.23 Landscape policy requirements, including those associated with the AONB are established within Policy ES7. ES7 confirms that proposals that are likely to impact on, or create change in, the landscape of the AONB should have regard to, be compatible with and reinforce the landscape character of the location. As such there is consistency between ES7 and paragraph 176 of the NPPF, against which proposals at PS24 will be assessed against.

f. Reference has been made within the representations to potential adverse impacts on the Severn Estuary SPA, SAC and RAMSAR site. This potential is recognised in paragraph 3.3.10 of the Plan. Has the impact of the site allocation been suitably assessed and any necessary mitigation determined in these regards?

- 3.24 PS24 is within the identified 7.7km catchment of the Severn Estuary, where new development has the potential to result in negative impacts through increased recreational pressure on SPA qualifying bird assemblages.

- 3.25 In response to the live planning application the District Council Biodiversity Team confirm that the applicant will be required to either provide a contribution paying into SDC's avoidance mitigation strategy or to provide a bespoke mitigation strategy, to be

agreed with Natural England prior to the determination of the planning application. This is consistent with the requirements set out in PS24.

- 3.26 The proposed Heads of Terms submitted as part of the planning application commit the applicant to making contributions pursuant to the Council's adopted strategy for the avoidance of Likely Significant Adverse Effects on the Severn Estuary SAC. It is also noted that the Habitats Regulation Assessment has not identified any issues or impacts which are not capable of mitigation.

4. Matter 6h The Wootton cluster site allocations

(48) The site is allocated for 50 dwellings and open space uses.

a. What type and level of open space uses would be required or is this covered by other policies?

- 4.1 This is assumed to relate to the standard requirements, rather than any level of open space provision which deviates from policy requirements established elsewhere in the Plan.
- 4.2 The current live planning application (LPA ref: S.20/0887/FUL) provides for 54 dwellings set within a site area of 1.95ha (4.82 acres), at a density of 30 units per hectare, with a total of XXha of public open space, consistent with the policy requirements for open space.

b. The policy states that 'local biodiversity' issues need to be addressed for this site. The policy also refers to 'integrating the development into the landscape setting'. The supporting text states that development will retain and enhance existing trees and hedgerows to support these two aims, but this is not set out in the policy. Is this approach justified? Do specific biodiversity and landscape requirements need to be made clear in the policy or are such issues covered by other Plan policies?

- 4.3 Within the Local Plan there are specific policies which provide the policy basis for the 'local biodiversity' issues, specifically ES6 which provides criteria against which development proposals are to be assessed. Likewise, ES7 (Landscape Character) and ES8 (Trees, hedgerows and woodlands) also provide the policy basis against which proposals will be appraised. Alongside the provisions of the NPPF, the Local Plan, when read as a whole, sufficiently covers the matters referenced in PS38 and provides the policy framework within which these matters will be considered and the application assessed against.

c. The supporting text also refers to walking and cycling routes being within the site but these are not set out in the policy. Can the Council clarify the reasons why and explain whether they are justified as requirements?

- 4.4 The site comprises undeveloped greenfield land parcels and as such there are currently no walking or cycling routes. It is assumed that the supporting text is referring to the need for development to facilitate such linkages in order to provide connectivity and accessibility from the site to the surrounding area. The planning application responds positively to the overarching point on connectivity. Notably, the open space provided is sensibly located for safe movements to it from the neighbouring built up areas.

4.5 Such requirements are covered extensively with the Local Plan, including DCP1, CP4, CP5, CP8, HC1 and CP13.

d. The requirement for highway safety improvements to access services within the village is referenced in the policy? What specifically would the development need to provide, and would they be justified and viable?

4.6 The application is supported by a Transport Statement which concludes that the existing local highway network operates efficiently and safely and that the traffic arising from the development will have no material impact on the existing situation. This is accepted by the highways authority within their most recent comments on the planning application (August 2022).

4.7 No specific road improvements have been presented in the Local Plan nor have any been highlighted nor sought through engagement on the application. Design amendments have been submitted and discussions relating to the application of the Manual for Gloucestershire Streets have taken place with the application's development control officer, such that all concerns have been allayed.

e. Some of the representations raise concerns about other issues relating to the development of the site, including increased traffic impact and the availability of local services and facilities. Have such factors been suitably assessed as part of the process to allocate this site?

4.8 As explained in response to Question d. above, the highways authority has considered the conclusions of the Transport Statement that the proposed development. They have responded and discussions have taken place with the planning officer coupled with positive amendments to the proposed layout in response. There will be no material impact on the existing road network and the planning officer has not identified any further issues associated with this application.

4.9 The evidence base which supports the spatial strategy settlement hierarchy (EB72) provides a comprehensive analysis of Kingswood, which informs the categorisation of Kingswood as a Tier 3a settlement. As a Tier 3a settlement this recognises that it is "*generally well-connected and accessible places, which provide a good range of local services and facilities for their communities.*" (CP3).

4.10 The live planning application is supported by a Pedestrian and Cycle Environment Review and Audit Report which assesses the quality of the existing environment for both pedestrian and cyclists between the site and a number of key destinations. This report concludes that the quality of the environment is good and provides direct and safe links for pedestrian and cyclists between and the Kingswood village centre.