

Stroud District Local Plan Review Additional Technical Evidence – Limited Consultation.

On behalf of Robert Hitchins Ltd for Land North West Cam
(west of Draycott)

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APPENDIX 1: PIONEER RESPONSE TO EB11, EB11A AND EB111B



1. Introduction

- 1.1. Pegasus Group has been instructed by Robert Hitchins Ltd to respond to the consultation on Stroud District Local Plan Review Additional Technical Evidence. This follows from our representations to the Reg 19 Local Plan consultation submitted in July 2021 in respect of PS24 Cam North West (West of Draycott).

- 1.2. JUBB and Pioneer Housing and Development Consultants have responded to the following documents:
 - EB98 Traffic Forecasting Report Addendum
 - EB108 Sustainable Transport Strategy Addendum (July 2022)
 - EB109 Transport Funding and Delivery Plan (July 2022)
 - EB110 Infrastructure Delivery Plan (IDP) Addendum Report (August 2022)
 - EB111 Stroud Local Plan Viability Assessment 2022 Refresh Report (August 2022)
 - EB111a Stroud Local Plan Viability Assessment 2022 Refresh Appendices 1-11
 - EB111b Stroud Local Plan Viability Assessment 2022 Refresh Appendices 12-18
 - EB112 SALA Accessibility Scoring Note (August 2022)
 - EB112a SALA Transport Accessibility Assessment November 2020
 - EB112b SALA Transport Accessibility Assessment October 2019
 - EB112c SALA Transport Accessibility Assessment July 2018

- 1.3. The full response to EB11 is attached as an Appendix 1

2. EB98 Traffic Forecasting Report Addendum

2.1. Comments: Which sites or policies do our comments relate to:

- Policy PS24 Cam North West (West of Draycott).

2.2. On review of document EB98 a number of recommended changes have been identified in relation to the proposals at Cam North West (PS24) that relate to the following topics:

- Level of Assessed Development
- Development Traffic Generation
- Assessed Scenarios

2.3. Details of these recommended changes are discussed in turn below.

Level of Assessed Development

2.4. It is evident that the assessment as reviewed within the EB98 Traffic Forecasting Report Addendum include for an allowance 900 dwellings at the Cam North West site in accordance with draft policy PS24. The inclusion of this site is appropriate as a key strategic allocation providing a sustainable extension of Draycott. Notwithstanding this it is noted that the current proposals at this site, as outlined in the associated planning applications dated August 2021 (Planning Reference S.21/1913/OUT and S.21/1875/OUT), include for a potential housing delivery of up to 1,030 dwellings.

2.5. An associated masterplan has also been submitted that demonstrates that the site has sufficient capacity to accommodate this level of development whilst providing appropriate levels of density in accordance with the development character of the area. As explained within the live planning application, the proposed development builds upon the special characteristics, features and history of the site and its environmental context, to deliver a pattern of development which is appropriate to its setting and location. The site is in a highly sustainable location ensuring that the scale of development proposed will provide access to a range of services and facilities, including health, education, employment, retail and open spaces, whilst maximising opportunities for sustainable travel. Thus, in order to be in accordance with the current application in relation to this site it is recommended that the assessment be revised to include for up 1,030 units within the Cam North West site.

Development Traffic Generation

2.6. The EB98 document does not outline whether any adjustments have been made to take account of the impacts of Covid 19 on travel patterns which has resulted in more home working that has reduced commuting trips in the long term. It is noted that further research into travel patterns following the Covid 19 pandemic has been published by the Centre for Research into Energy Demand Solutions on the 16th March 2022 under the title "Less is more: Changing travel in a post-pandemic society". This piece of research looked at travel patterns in 2021 following the Covid 19 pandemic controls. The research makes the following statement in relation to commuting travel patterns:

“It has previously been assumed that when planning for economic growth it will be necessary to anticipate more car travel. Certainly, that was the case in the latter half of the last century. However, car travel per head of population has fallen since the turn of the millennium (Marsden et al., 2019). It has fallen most amongst the wealthiest part of the population. As can be seen by the split between weekend and weekday activities in Section 1.1, weekday traffic has not returned to pre-pandemic levels in the way that weekend travel has. This is, in large part, due to the continued prevalence of home working which impacts on both the commute and business travel. Whilst in our survey only 11.6% of worked days were spent working at home pre-Covid, this rose to 41% in June 2021.”

- 2.7. Furthermore, the conclusion of this research also includes estimates for plausible ongoing reduction in commuter journeys in consideration of some home working switching back to a regular commute. This forecast estimates that even in consideration of this transfer a 16% reduction in commuter mileage could still be achieved in the long term.
- 2.8. The proposals at the Cam North West site will also be developed in consideration of the recommended approach as set out within the “TRICS Guidance Note – On the Practical Implementation of the Decide & Provide Approach” which advocates the design of communities with sustainable travel at their cornerstone. Thus, the proposals will be designed to encourage travel by sustainable modes with high quality linkages by active modes and by public transport.
- 2.9. In this regard, assuming no account has been undertaken of the above elements, it is likely that traffic generation as set out within Table 3.1 of the EB98 document would represent a significant overestimate of traffic levels on a per dwelling basis. On this basis it is recommended that associated adjustments are considered to these models in particular to take account of the impacts of Covid 19.

Assessed Scenarios

- 2.10. The assessment includes for two mitigation scenarios that are as follows:
- 2040 Local Plan with Preferred Highway Mitigation
 - 2040 Local Plan with Preferred Highway Mitigation and Sustainable Transport Strategy
- 2.11. It is noted that one mitigation scenario that is missing from the assessment would be a scenario that includes the Sustainable Transport Strategy but excludes Preferred Highway Mitigation (i.e., 2040 Local Plan with Sustainable Transport Strategy). The inclusion of this scenario is important on the basis that Sustainable Transport improvements may serve to reduce the requirement for highway infrastructure. This is important to ensure efficient use of land and resource and at the same time ensuring that excess highway capacity is not provided that may serve to encourage greater vehicle use than would otherwise be the case without these highway enhancements.

3. EB108 Sustainable Transport Strategy Addendum (July 2022)

3.1. Comments: Which sites or policies do our comments relate to:

- Policy PS24 Cam North West (West of Draycott).
- Policy CP6 Infrastructure and developer contributions
- Policy CP13 Demand management and sustainable travel
- Policy EI12 Promoting transport choice and accessibility

3.2. The developer of proposals at Cam North West (PS24) is supportive of strategies that serve to encourage trips by sustainable modes of transport. Thus, contributions will be made to sustainable transport strategies relating to key routes on desire lines from the site. Any contributions would however need to be proportionate and reflect the scale of the likely impact from these proposals.

3.3. Page 18 of document EB108 refers to the draft allocation being increased from 700 new dwellings to 900 dwellings and states that this increase will generate greater demand for sustainable and active travel services and routes. It is also noted that an increase in dwellings will also enhance the viability of bus services by providing additional patronage for such routes and associated increase in revenues.

3.4. As discussed above (see comment in relation to EB98) the current planning application at Cam North West is for up to 1,030 dwellings and documents submitted with this application demonstrate that this level of development is achievable and sympathetic to the local area. It is noted that an increase in development numbers would also enhance bus patronage further and would therefore serve to contribute to the viability of high quality and convenient public transport connections in the long term to the benefit of the existing residents of the local area.

4. EB109 Transport Funding and Delivery Plan (July 2022)

4.1. Comments: Which sites or policies do our comments relate to:

- Policy PS24 Cam North West (West of Draycott).
- Policy CP6 Infrastructure and developer contributions
- Policy CP13 Demand management and sustainable travel
- Policy EI12 Promoting transport choice and accessibility

4.2. The developer of Cam North West welcomes the approach as set out in the document that states that “sustainable travel schemes to further reduce traffic demand on the network will be the first approach for delivering mitigation”. It is therefore recommended that any models used to inform this approach consider a scenario whereby sustainable travel mitigation is implemented but highway measures are excluded in the first instance. This will therefore present a clear picture as to what highway infrastructure is needed and will ensure that excess highway capacity is not introduced into the network that would serve to encourage further vehicle journeys onto the network.

4.3. It is noted that paragraph 5.13 states that “Funding for the strategic mitigation packages is assumed to only be available from the growth originating from the SDLP development allocations, and the growth from neighbouring authority strategic / large scale developments”. Furthermore, paragraph 5.15 also states that “Sites delivering over 150 dwellings or 5ha of employment have been considered capable of contributing to strategic Mitigation Packages”.

4.4. It is considered that this approach would not provide an equitable apportionment of infrastructure costs and would unfairly target larger sites over 150 dwellings such as Cam North West that would be appropriately delivered through the local plan process. Thus, if this approach were to be implemented, this would mean that smaller sites and windfall sites in potentially less desirable locations in terms of sustainability could have significantly lower levels of transport contribution. On this basis it is recommended that this mechanism of cost allocation be reviewed.

5. EB110 Infrastructure Delivery Plan (IDP) Addendum Report (August 2022)

5.1. Comments: Which sites or policies do our comments relate to:

- Policy PS24 Cam North West (West of Draycott).
- Policy CP6 Infrastructure and developer contributions
- Policy CP13 Demand management and sustainable travel
- Policy EI12 Promoting transport choice and accessibility

5.2. The IDP 2022 provides an update to the IDP Infrastructure Assessment that was available when the Local Plan was subject to the Reg 19 consultation in summer 2021.

Transport

5.3. As discussed above (see comment in relation to EB98) the current planning application at Cam North West is for up to 1,030 dwellings and documents submitted with this application demonstrate that this level of development is achievable and sympathetic to the local area. On this basis it is recommended that this be taken account of in the IDP.

5.4. It is noted the document identifies the potential for a sustainable transport hub within the Cam North West site as presented in the Local Transport Plan. Whilst the proposals could deliver a potential hub within the site for active travel modes it is noted that any connections by public transport would be facilitated offsite via the A4135 in accordance with the local bus providers requirements (i.e., to ensure journey times along this corridor are maintained).

5.5. It is recommended that the allocation of costs in Appendix A of the IDP be reviewed. Whilst the document states that “No apportionment analysis has taken place for transport and highway schemes” and that “The costs provided are total estimated costs as per the AECOM Mitigation Review” there appears to be some items listed for Cam North West site that 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 schemes impact.

Education

The need for the Local Plan Review to set out a clear policy requirement

5.6. Section 2.2.4 of EB110 (the IDP) recognises that there is no up-to-date evidence backed method to assess pupil demand arising from new development.

5.7. In the absence of this necessary evidence the IDP proposes that, for the allocated sites, the number of pupils arising should be assessed on a case-by-case basis having regard to a range of material considerations.

- 5.8. This would mean that the Local Plan Review would be contrary to national policy and guidance including because:
- i. It would not set out the levels of educational infrastructure required, contrary to paragraph 34 of the NPPF.
 - ii. A new untested approach could be introduced after the adoption of the Local Plan which may undermine the deliverability of the Local Plan Review contrary to paragraph 34 of the NPPF, as has happened in the recent past with the County Council introducing a new untested approach through the Local Developer Guide.
 - iii. The policy requirement would not be clear, contrary to the PPG (23b-004).
 - iv. The policy requirement would not be informed by evidence of infrastructure need contrary to the PPG (23b-004) and the PPG (23b-005).
 - v. The policy would defer the approach to be set out in supplementary planning documents or supporting evidence base documents contrary to the PPG (23b-004).
 - vi. The deferral to documents which are not Development Plan Documents would have the effect of introducing a new standard or policy requirement contrary to the PPG (61-008), which would be contrary to Regulation 5(1)(a)(iv) of the Town and Country Planning Act and unlawful according to the High Court in numerous cases including *William Davis Ltd v Charnwood Borough Council [2017] EWHC 3006 (Admin)*, and *Skipton Properties Ltd v Craven District Council [2017] EWHC 534 (Admin)*.
 - vii. Local communities would not be involved in the setting of the policy requirement contrary to the PPG (23b-004).
 - viii. In the absence of a clear standard, it would not be possible to viability assess the combined policy requirements to demonstrate that the package of policies do not undermine the deliverability of the Development Plan contrary to the PPG (23b-003), (23b-004), (23b-005), and (23b-011) and the third bullet point of the Purpose of the DfE guidance entitled Securing Developer Contributions for Education.
 - ix. It would not set out the contributions expected towards educational infrastructure including pupil yields contrary to the PPG (23b-008).
 - x. The policy requirement would not be fairly and openly tested at examination contrary to the PPG (23b-004) and (23b-013)
 - xi. It would not contain a policy requirement for calculating educational needs contrary to paragraphs 14 and 19 of Securing Developer Contributions for Education (DfE).
- 5.9. National policy and guidance are therefore explicit that the levels of educational infrastructure required are to be set out in the Development Plan, and the introduction of a different policy requirement through a subsequent Supplementary Planning Document or evidence base as proposed is not only explicitly contrary to the PPG (23b-004), but it would be contrary to the regulations and unlawful.
- 5.10. Indeed, as has proved to be the case in Gloucestershire recently, the County Council sought to introduce a new approach through an evidence-based document, namely the Local

Developer Guide, which was found to be methodologically flawed in the appeal decision at Land at Coombe Hill. The introduction of this new approach was demonstrated to undermine the deliverability of a number of Development Plan Documents across Gloucestershire (particularly in Gloucester City). It also resulted in significant delays to the delivery of sites whilst viability assessments were undertaken to demonstrate that individual developments could not accommodate this new approach and in consequence delivered a reduced level of affordable housing, until after a couple of years this new approach was found to be flawed in the appeal decision.

- 5.11. The requirement for pupil yields to be set out in the Local Plan Review is not only necessary to accord with national policy and guidance, but this is particularly important in Gloucestershire where the County Council are in the process of updating their pupil yields and will doubtlessly seek to apply these once the work has been completed. At this stage there is no indication that the County Council's update will be based on a robust and transparent method. It will be introduced at a later date, untested through the Local Plan Examination process and, ultimately, could lead to significant delays in delivery of the allocated sites yet again. This new work could theoretically identify a need for early years places which could place an additional financial burden equivalent to that which arises from primary school places¹ which has not been taken into account in the Viability Assessment. This significant additional cost could undermine the deliverability of the Local Plan Review, which is why it is necessary to set out the pupil yields in the Local Plan Review and for these to be viability assessed as set out repeatedly in the PPG and the DfE guidance and for educational needs to be assessed on this basis until the Local Plan Review is reviewed and viability assessed to take account of any newly arising evidence on the number of pupils arising.
- 5.12. In such circumstances, to accord with national policy the District Council must either:
- i. robustly assess the pupil yields based on the information that is currently available, viability assess the consequences of these, set them out in the Development Plan and apply these until such time as the Local Plan Review is reviewed in the knowledge that the County Council is currently in the process of preparing new evidence; or
 - ii. await the completion of the work by the County Council and take account of this alongside the other available evidence to identify robust pupil yields, viability assess the consequences of these, set them out in the Development Plan and apply them accordingly.

The pupil yields

- 5.13. In light of the Land at Coombe Hill appeal decision, the County Council has recognised that the pupil yields of the previous Local Developer Guide are flawed and should not be relied upon. To address these flaws, the County Council has prepared an Interim Position Statement which adjusts the pupil yields of the Local Developer Guide based on a series of unrepresentative datasets. The County Council acknowledges that this is only an interim position which they recommend is applied prior to the publication of a comprehensive review

¹ According to Table 4 of the IDP.

of pupil yields. Clearly, it would be inappropriate for a Development Plan which may not be reviewed for five years to rely upon such an interim position.

- 5.14. Furthermore, the IDP correctly recognises in section 2.2.3 that the pupil yields identified in the Interim Position Statement are much higher than would be expected, with a total of 7,420 primary to post-16 pupils arising as compared to the 5,211 that would be expected based on the District Council's own analysis. If further confirmation of this is required, the Interim Position Statement assumes that there will be 61 additional pupils in every 100 homes whereas in reality over the previous five-years the number of pupils across Gloucestershire has increased by 4,567 during which time 16,117 net additional homes have been developed providing an actual pupil yield of 28 additional pupils in every 100 homes.
- 5.15. This significant over-estimation is likely to be at least in part attributable to the fact that the pupil yields of the Interim Position Statement assume that every resident pupil in a new home will be additional to the local population which was found to be "mistaken" in the Land at Coombe Hill appeal decision.
- 5.16. In light of this, it would not be justified to draw reference to the pupil yields of the Interim Position Statement as proposed in section 2.2.4 of the IDP given that the District Council recognise that these are anomalous.

The proposal of section 2.2.4

- 5.17. The proposal of the IDP is that educational needs should be considered on a case-by-case basis taking account of numerous different potential pupil yields including that set out in the Interim Position Statement, that identified by the District Council and any subsequent estimates.
- 5.18. This provides no clarity as to how educational needs will be determined contrary to the requirements of the PPG (23b-004) and as such this cannot be accurately accounted for in the price paid for land. Depending on the yields applied this may then result in developments becoming unviable with the result that some developments may be unnecessarily delayed, and a reduced level of affordable housing may be delivered, or unable to come forward at all.
- 5.19. This lack of clarity also allows the County Council (as they have done previously) or indeed developers to introduce untested new pupil yields which supersede those currently available on an ad-hoc basis to justify a different level of educational contribution. This would inevitably result in significant debate and therefore delay in the determination of planning applications.
- 5.20. For all of these reasons, the proposal set out in section 2.2.4 of the IDP is not only contrary to national policy, but it is so vague as to be ineffective and is likely to have significant adverse effects on the delivery of sites.

The funding mechanism

- 5.21. In paragraph 10.39 of EB111, it is identified that the infrastructure required on strategic sites will be funded in part by CIL, although no detail is provided on how this will operate in practice, and this will again be material to the viability of the Local Plan Review. In the absence of such clarity, the Local Plan will not be effective in supporting the timely determination of viable planning applications.

- 5.22. It is assumed that the methodology set out in Appendix E of the Infrastructure Funding Statement (EB102) will continue to apply such that all educational infrastructure, with the exception of primary schools on strategic sites will be funded by CIL as this is the basis upon which the operative CIL Charging Schedule was justified. This should be set out in the Development Plan as inferred by the PPG (25-010) and (25-021) to ensure that there is a viable, clear and effective mechanism to determine planning applications.
- 5.23. Without such clarity, developers may either resist submitting planning applications as they may consider these unviable if educational infrastructure is to be secured through s106, or decision-takers may mistakenly request s106 contributions towards education contrary to the intended operation of the CIL Charging Schedule and the recently adopted Infrastructure Funding Statement.

Cam North West Extension (PS24)

- 5.24. The available evidence demonstrates that there is no need for a primary school to be provided at Cam North West Extension given the significant available capacity in nearby schools.
- 5.25. In order to calculate the need for additional school places to serve a proposed development, it is necessary to forecast the number of pupils and places that will exist without the proposed development, and then to assess whether there is sufficient capacity to accommodate the proposed development.
- 5.26. When forecasting the number of pupils that will exist in the absence of a proposed development, it is important to ensure that account is taken of the fact that trend-based forecasts of pupil numbers will have already accounted for house-building trends and assume that historic rates housing delivery will persist. Therefore, these trend-based forecasts should only be adjusted where house-building rates are expected to change significantly from previous trends, as set out in the DfE guidance². This has been correctly and consistently accepted by the County Council in recent s78 appeals wherein the County Council has supported the use of forecasts excluding any adjustment for planned developments.
- 5.27. Based on the County Council's forecasts in the published School Places Strategy 2021 – 2026, without the adjustments for planned development, there will be available capacity within the school planning areas of Berkeley and Dursley to accommodate the 362 pupils.
- 5.28. The growth incorporated into the trend-based projections is based on historic trends occurring across the local authority area over the preceding five years (2015/16 – 2019/20). From a review of the Stroud District Housing Land Availability Reports, 533 additional homes were completed within the parishes that are considered to be a reasonable fit for the school catchment areas during this period. The latest published housing land supply statement anticipates that 703 homes will be delivered in those parishes by 2025/2026. This may prove to be an optimistic figure but, even if the LPA's housing land supply forecasts do prove to be correct, the effect of developments in the pipeline should only reflect the anticipated growth above that of the County Council's projections. Therefore, in this case, the pupils generated from 170 additional homes should be taken into account. It is therefore appropriate to take

² See page 17 of the SCAP 2021 Guide to Forecasting Pupil Numbers

account of the pupils arising from the proposed allocated site as well as these additional 170 homes which are not taken account of within the trend-based projections.

- 5.29. The starting point is therefore that there will be 362 available places to accommodate the pupils arising from the delivery of the allocated site compared to the 286 pupils expected to arise from the development.
- 5.30. Nevertheless, the IDP identifies that the County Council expect that a new primary school will need to be provided on site. The need or otherwise for such a school will be determined by the forecast capacity in nearby schools at the time planning permission is granted³. These cannot be pre-empted at the current time and as such there is at least a prospect that no such primary school will be required to be provided on this site. As such, the policy requirement for such a school is not justified and the policy wording should be amended to require the provision of this school only if it is demonstrated to be required at the time of the determination of a planning application.

Recreation Mitigation Strategies (page 6)

Severn Estuary Recreation and Mitigation Strategy (IDP page 8)

- 5.31. In our representations to Policy P24 we objected to the policy wording as currently drafted it was not considered appropriate as it implied that on site mitigation is required which would be unrealistic to deliver. We are aware in terms of the Severn Estuary, there is already a mitigation scheme in place for developers to contribute to for impacts from development within a 7.7km impacts zone around the site.
- 5.32. The IDP states that Visitor surveys are currently being undertaken to determine a zone of influence for recreational pressures. It is anticipated that the strategy will be adopted by December 2022. The IDP states that "Until that time, the existing Recreation & Mitigation Strategy should be used to determine whether a development would have impacts upon the Severn Estuary. The cost of £385.00 per dwelling (subject to inflation and administrative costs) should be applied to development within the zone of influence to contribution towards suitable mitigation."
- 5.33. In our representations to the wording of Policy PS24 we considered that the policy should be amended to state that any identified impacts in relation to the Severn Estuary SAC/SPA/Ramsar and Cotswold Beechwoods SAC should be considered and contributions to the approved SDC mitigation schemes or an independent mitigation strategy should be undertaken as appropriate.
- 5.34. The site is not within the zone of influence for the Cotswold Beechwood SAC Recreation Mitigation Strategy.

³ As well as the pupil yields that will need to be set out in the Local Plan Review to accord with national policy.

Para 3.2.4 Health and Social Care (page 10)

- 5.35. *"The 2021 IDP sets out that the scale of development at North West Cam is likely to be sufficient to warrant the need for a new doctor's surgery, with over 200sqm of new surgery space required at a cost of £846,000."*
- 5.36. *The latest version of the IDP now states that "If a surgery wasn't to be provided, the Gloucestershire Clinical Commissioning Group (CCG) Primary Care Infrastructure Plan outlines that development options are being explored to expand the Cam & Uley Family Practice. The development options include the possible expansion of premises at the existing site, together with associated facilities such as parking. The practice has been in contact with CCG around potential funding mechanisms."*
- 5.37. In our representations to Policy PS24 in response to the policy requirement we objected and stated that a surgery is normally commercially funded and is viable without the need for contributions.

6. EB111 Stroud Local Plan Viability Assessment 2022 Refresh Report (August 2022)

EB111a Stroud Local Plan Viability Assessment 2022 Refresh Appendices 1–11

EB111b Stroud Local Plan Viability Assessment 2022 Refresh Appendices 12–18

Comments: Which sites or policies do our comments relate to:

- 6.1. The response prepared to EB111 and appendices EB111a and E111b is attached in full at appendix 5. This response applies to all site typologies assessed within EB111 and appendices (including proposed allocations) as it raises concerns in respect of various assumptions and approaches within EB111 which are applied to all of the modelled typologies. The appraisal outcomes are considered in Section 6 2 of Appendix 5 to this consultation response.
- 6.2. Listed below are the relevant policies we made reps on:
- Policy PS24 Cam North West (West of Draycott).**
- 6.3. General viability concerns regarding EB111, EB111a and EB111b are set out in the summary below and in more detail in Appendix 5.
- Policy DCP2 Supporting older people and people with mobility issues**
- 6.4. Policy wording states that ‘major developments will be expected to provide’ two bedroom homes including bungalows that are desirable to older people. The cost to development of this requirement has not been viability tested – EB111 states that ‘this policy does not make any requirements on development, rather it sets out types of development that will be supported’ (paragraph 8.24). This is clearly no longer the case, and the impacts of the new policy requirements need to be viability tested.
- 6.5. EB111 viability tests the use of optional Building Regulations: Approved Document M Category 2 and 3 accessibility and adaptability and wheelchair standards (pages 154 to 155). However, this assessment still fails to reflect the impact of larger floor area and specification requirements on land take and masterplanning, all of which have impacts on scheme viability. Furthermore, given the concerns raised in respect of an underestimation of costs in EB111 (see Appendix 5) the cumulative impact of this policy requirement is not demonstrated to be viable.
- 6.6. Viability concerns raised in the response submitted regarding this policy in June 2021 on behalf of Robert Hitchins Ltd as part of the Pre-Submission Draft Local Plan for Publication consultation remain as stated and unaddressed.



Policy CP7: Inclusive communities

- 6.7. It is unclear how the Council can viability assess the cumulative impact upon development of the cost of imposing the indistinctly described requirements within Policy CP7. Indeed, EB111 and Appendices (and the prior May 2021 Local Plan Viability Assessment Working Draft – “WDLPVA”) confirm that ‘the policy is general in nature’. As such it is not viability tested. Viability concerns raised in the response submitted regarding this policy in June 2021 on behalf of Robert Hitchins Ltd as part of the Pre-Submission Draft Local Plan for Publication consultation remain as stated and unaddressed.

Policy CP8: New Housing Development

- 6.8. The EB111 and appendices do not reflect the impact of different housing mix and tenure requirements where these are to be applied at a Parish Cluster level or specifically assess viability at a sub-area level based on the extent of the Parish Cluster areas having regard to differences in land values and differing mix requirements. EB11 confirms the viability is prepared based on a general mix taken from the 2019 Gloucestershire Local Housing Needs Assessment as opposed to being based on a Parish Cluster specific mix. Viability concerns raised in the response submitted regarding this policy in June 2021 on behalf of Robert Hitchins Ltd as part of the Pre-Submission Draft Local Plan for Publication consultation remain as stated and unaddressed.

Policy CP9: Affordable Housing

- 6.9. First Homes: EB111 states in paragraphs 4.83 and 8.43 that First Homes are tested in a scenario, although confusingly it is noted that paragraph 2.56 states that: ‘The Council does not consider First Homes to be affordable, so these are not included in the base mix.’ However, Government First Homes guidance suggests proposals by applicants should be supported even where transitional Plan Policy arrangements apply.
- 6.10. The Residential Appraisal iterations tested set out in Appendix 12 in EB111b do not appear to include any First Homes and the prior WDLPVA only appeared to test First Homes in conjunction with Affordable Rent as opposed to with Social Rent which will be problematic if the Council seeks Social Rent in conjunction with any proposals including First Homes as any viability impacts will not have been tested at the Plan making stage. Other concerns regarding First Homes and potential viability impacts are detailed in Section 2 of Appendix 5 to this consultation response.
- 6.11. The wording within Core Policy 9 seeks ‘at least’ 30% affordable housing. It is impossible to have an understanding of the economic viability or practical impacts of an open-ended proposition such as ‘at least 30%’ affordable housing – the varied Affordable Housing testing summarised at pages 204 to 208 of the EB111 cease at 30%. The Policy wording results in a lack of certainty for those seeking to bring land forwards for development as a full understanding of likely policy cost burdens and masterplanning impacts will not be known. Even if the wording is adjusted to remove the text ‘at least’ it is not robustly demonstrated in EB111 that ‘30%’ let alone ‘at least’ 30% will be deliverable in the District alongside the other development cost burdens that will apply.
- 6.12. Affordable housing is one of the largest cost burdens faced by development, and where other mitigating factors cannot be removed / reduced this is a requirement that will need to flex downwards. The majority of the sites tested struggle to support 30% affordable housing under the emerging Plan policies even subject to the adjustments suggested in EB111, and

none will be able to do so where additional County Council education s106 contributions are imposed and if realistic BLVs are applied.

- 6.13. Viability concerns raised in the response submitted regarding this policy in June 2021 on behalf of Robert Hitchins Ltd as part of the Pre-Submission Draft Local Plan for Publication consultation remain unaddressed.

Policy HC3: Self-build and custom-build housing provision

- 6.14. There is no robust consideration within EB111 of the potential impacts of seeking self-build / custom build contribution from Strategic Sites allocated in the Plan (not only in terms of plot sale values but also in terms of marketing, masterplanning, timing and any other specific delivery costs).
- 6.15. It is impossible to have an understanding of the economic viability or practical impacts of an open-ended proposition such as 'a minimum of 2%'.
- 6.16. EB111 states in Paragraph 8.49 that the delivery of Policy HC3 has been tested. However, there is no explanation of what the cost has been assumed to be, or on how it is applied within the modelling (including in terms of timing and delivery mechanisms) and the Appraisal sheets are not appended for consideration that may shed light on this. Concerns were raised about this in response to the draft LPVA and the WDLPVA and in the response submitted regarding this policy in June 2021 on behalf of Robert Hitchins Ltd as part of the Pre-Submission Draft Local Plan for Publication consultation; these remain unaddressed.

Policy HC4 Local housing need (exception sites)

- 6.17. No comments to add

Summary

- 6.18. EB111 presents a variety of 'sensitivity' appraisal summaries in addition to the baseline iterations. EB111 also presents appraisal summaries in Appendix 14 of EB111b which reflect the combined impact of 30% Affordable Housing, CIL, s106 at £20k per unit (which broadly reflects the County Education costs plus a £5k per unit local authority s106 cost – subject to further revisions to the County's formula) and the cumulative Draft Plan Policy costs. These confirm that once the combined cost of all these factors are considered, and the Residual Land Values ("RLV") compared to the Benchmark Land Values ("BLV") set in EB111, c.76% of the generic sites tested will be unviable.
- 6.19. County education s106 costs are stated to be reflected in EB111 modelled assumptions for the strategic sites tested, although the May 2021 IDP fails to transparently set out, on a site-by-site basis, how all the different infrastructure items required will be funded (i.e., including in respect of s106 and or CIL), the total costs of this, or the timing of these costs. EB111 confirms that new Strategic Allocations will be subject CIL payments.
- 6.20. Not all of the policy requirements proposed in the Stroud Draft Local Plan will be able to be sought even without factoring in: the concerns raised in Appendix 5 to this consultation response regarding EB111 modelling, additional s106 burdens being sought by the County Council, reduced revenues from Registered Providers as a result of the wider requirements for First Homes and the new Shared Ownership model in the areas in which they operate and how global economics may worsen. As stated in response to the draft LPVA and WDLPVA:

emerging policies must be revisited, with wish list policies removed and cost burdens reduced (including through looking at existing Plan policy burdens) to ensure the Plan is deliverable, particularly given the pressures revealed in EB111 to be being placed on ALL of the Strategic Allocations tested.

- 6.21. The adjustments to policies suggested in paragraphs 12.66 and 12.67 of EB111 (which include moving the Affordable Housing tenure to a 50:50 rent / sale split) will not be enough.
- 6.22. Furthermore, the sensitivity testing of combined increased cost / reduced value scenarios (and having regard to the full extent of Affordable Housing, CIL and s106 costs) is crucial. Within the next 5 years (the shortest length of time that usually applies until a review of the evidence base let alone policy) significant economic shocks are likely to occur, particularly due to various global events and significant shifts in Government economic policy here in the UK. Political events in October 2022 have resulted in a significant economic shock seeing markets tumble and the pound falling to its lowest value in decades. Whilst the market has steadied and the pound recovered to a degree, mortgages across all deposit levels are now reported to be at fixed rates of 6.29% to 6.47% – above rates last seen in 2008/2010. Interest rates and lending criteria for borrowing in general (including by housebuilders) can be expected to be impacted.
- 6.23. There have been significant increases in build costs of c.30% over the last eighteen months and since the July 2022 baseline position tested in the LPVA (which will be subject to reporting delays). Tender Price Forecasts (Gardiner and Theobald) suggest a UK average 5.5% annual percentage change for Quarter 4 2022. There is also forecast to be significant further increases by the end of 2023, coupled with forecast reductions of ‘at least 10%’ in house prices being reported in the main stream media, emphasise the need for combined increased cost / reduced value scenarios to be robustly tested.
- 6.24. Appropriate testing within the evidence base can assist the Council with understanding the impact of these (at various trigger points in terms of cost increases / value decreases or combinations of the two) upon development and enable them to draft policies which can respond rapidly to such changes. Notwithstanding a need for additional sensitivity testing, the LPVA22 will need updating to reflect these latest economic impacts which will be having an immediate impact on development viability.
- 6.25. It is noted that NDSS is referred to as having been tested in Table 12.7 and paragraph 12.66 and yet EB111 does not now state that NDSS floor areas are tested when referencing NDSS in paragraph 8.104 and confirms that NDSS are not being sought through the Draft Local Plan (page 168). This point needs immediate clarification.
- 6.26. There is no clear evidence to support how the Strategic Site Scenario A and B costs in Table 7.3 and paragraph 10.8 ‘c’ of EB111 would be split between s106 and CIL, nor any guarantee that this will take place in practice in line with the 80% of CIL being used in lieu of s106 costs assumption in paragraph 10.20 of EB111.
- 6.27. Affordable housing is one of the largest cost burdens faced by development, and where other mitigating factors cannot be removed / reduced this is a requirement that will need to flex downwards. The majority of the sites tested struggle to support 30% affordable housing under the emerging Plan policies even subject to the adjustments suggested in EB111, and none will be able to do so where additional County Council education s106 contributions are imposed and if realistic BLVs are applied.

- 6.28. In this regard the Council's claim in paragraph 12.65 'b' that infrastructure can be funded by CIL so it is unnecessary to assess the full worst case for developer contributions is simply not evidenced anywhere in EB111 to be the position that developers will be faced with in practice. These concerns also apply in terms of how CIL and s106 will interact (if at all) in respect of windfall sites (particularly larger Greenfield windfall sites) such as are tested within EB111 through the generic typologies – the testing should not be relying on arbitrary assumptions promulgated by the Council on the proportion that s106 burdens will be reduced by due to CIL, particularly if no clarity can be provided by the Council to confirm that a new County formulaic approach to education contributions will not be sought from planning applications in Stroud.
- 6.29. In this regard it must be noted that, EB111 (and previously the draft LPVA and WDLPVA) Greenfield Site BLV of £25k plus £350,000 per gross hectare appears to fail to reflect EB111 author's own evidence of policy compliant land sales suggesting an average land sale value of £761k and a median value of £820k (presumably per gross hectare) Gloucestershire wide.
- 6.30. When land is being marketed on the basis of seeking offers for promotion agreements, it is usual that all bidders need to include in their offers, the minimum landowner return figure being proposed. The market is competitive. If realistic offers are not made land will not be secured. The EB111 BLV of £25k plus £350,000 per gross hectare does not reflect reality (based on the experience of Robert Hitchins Ltd as per the information provided in response to the WDLPVA consultation) that in Gloucestershire values will range between £450k to £775k per gross hectare.
- 6.31. The EB111 recommendation that in the cases of the site typologies where development remains unviable even after policy adjustments within 12.66 and 12.67 of EB111 the Council reverts to site by site viability testing is contrary to the approach advocated within the NPPF paragraphs 34 and 58 which, together with the accompanying national planning practice guidance, places a significant emphasis on the assessment of viability by local authorities at the Plan making stage (albeit with site by site testing remaining an option where justified by planning applicants at the planning application stage).

APPENDIX 1: PIONEER RESPONSE TO EB11, EB11A AND EB111B

7. EB112 SALA Accessibility Scoring Note (August 2022)

EB112a SALA Transport Accessibility Assessment November 2020

EB112b SALA Transport Accessibility Assessment October 2019

EB112c SALA Transport Accessibility Assessment July 2018

7.1. Comments: Which sites or policies do our comments relate to:

- Policy PS24 Cam North West (West of Draycott).

7.2. On review of document EB112 it is recommended that any assessment of development sites not only consider existing accessibility but also how the proposals would serve to enhance existing links. For example, enhancements as put forward in relation to the Cam North West proposals will include improvements to offsite active travel links and bus connections that will further improve accessibility via sustainable modes of transport.

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

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