

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

**INSPECTORS' MATTERS, ISSUES AND QUESTIONS**

**MATTER 1:  
Compliance with Statutory Procedures and Legal Matters**

**On Behalf of: Redrow Homes**

**February 2023**



**Introduction**

CarneySweeney has been instructed by Redrow Homes to submit a Hearing Statement in respect of Matter 1 pursuant to the Issues, Matters and Questions identified by the Local Plan Examination Inspectors in respect of Stroud District Council's Local Plan Review.

This Hearing Statement should be read alongside the representations we have previously made to the Local Plan and in particular, the representations made to the Regulation 19 Consultation (July 2021) and Technical Evidence Consultation (October 2022).



**Matter 1 Compliance with statutory procedures and legal matters**

**Issue 1.1 – Has the Council met the statutory duty to cooperate as set out under Sections 20(5)c and 33A of the Planning and Compulsory Purchase Act 2004?**

**1. Has the Council submitted robust evidence to demonstrate that the duty to cooperate has been met? In particular:**

- a. Have all relevant strategic matters been identified and has the process for identification been robust? What actions have been taken to address these matters and are there any outstanding concerns?**

No comment at this stage– for the Council to respond.

- b. Has the Council carried out effective engagement with neighbouring local authorities and other prescribed bodies on all relevant strategic matters and have all outcomes been adequately evidenced? Is there robust evidence to support the cooperation activities that have taken place?**

No comment at this stage– for the Council to respond.

- c. Have any unmet needs been appropriately considered when preparing the Plan?**

No comment at this stage – for the Council to respond.

**Issue 1.2 – Has the Plan been prepared in accordance with other legal and procedural requirements?**

No issues are raised in relation to the preparation of the plan in so far as legal and procedural requirements are concerned.

**Sustainability appraisal (SA)**

**2. Paragraph 32 of the National Planning Policy Framework (the Framework) indicates that local plans should be informed throughout their preparation by a SA that meets the relevant legal requirements.**

- a. Has the SA methodology been robust? Are the key sustainability issues identified comprehensive and are they suitably reflected in the SA objectives and sub-objectives?**

No comment at this stage – for the Council to respond.

**3. Does the SA adequately consider the likely significant effects of reasonable alternatives where these exist, including in respect of the scale of housing and employment provision and the balance between them?**



No comment at this stage – for the Council to respond.

- 4. *Has appropriate account been taken of the Cotswolds Area of Outstanding Natural Beauty (AONB) and other natural and historic environment designations within the appraisal and the alternatives assessed?***

No comment at this stage – for the Council to respond.

- 5. *Have unreasonable alternatives been appropriately considered and have adequate reasons been given as to why these have not been selected?***

No comment at this stage – for the Council to respond.

- 6. *Is it clear how the SA has informed judgements about future growth within the Plan and the choice of spatial strategy? Does it support the spatial strategy or is there anything in the SA which indicates that changes should be made to the Plan?***

Redrow Homes, as part of the Candidate Site process and subsequent Local Plan Review consultations, have provided the Council with a comprehensive suite of technical site specific assessments in support of the allocation of Land South of Hardwicke (Policy G1). Such assessments have included Ecology Reports, Protected Species Surveys and Reports, Flood Risk, Drainage Strategy, Services and Utilities, Landscape and Visual Assessment, Arboriculture Assessment, Heritage Assessment, Archaeological Assessments and Highways and Transportation information to inform this process. Redrow Homes also supplemented the original Candidate Site submission with a Constraints and Opportunities Plan as well as an Illustrative Masterplan to demonstrate how the site could be developed in a sustainable manner and as a positive response to the known site constraints and opportunities.

It is therefore considered that in the context of Strategic Site Allocation G1: Land to South of Hardwicke, the Council has always had the benefit of having a comprehensive up to date suite of site-specific technical assessments and evidence on which to base their assessments upon alongside their own sources of information and assessments.

The technical assessments and masterplan exercises which have been undertaken in relation to the Land South of Hardwicke have also been used to inform Redrow Homes Regulation 19 Response to the Council’s Sustainability Appraisal of the site in relation to a number of set Sustainability Objectives and Scores given in both 2019 and 2021. On the whole, Redrow Homes’ agreed with the Council’s assessment/scores of the site, as set out by the Sustainability Appraisal. Where we did not agree with the Council’s scoring, further information was provided in order to justify and evidence the newly suggested score which further reinforced Hardwicke’s performance in respect of the Sustainability Objectives and Land South of Hardwicke as being an appropriate location for,



and to deliver, sustainable strategic development within the Gloucester Fringe and Stroud District.

- 7. Overall, does the SA adequately assess the environmental, social and economic effects of the Plan in accordance with legal and national policy requirements?**

No comment at this stage – for the Council to respond.

#### **Habitats Regulations Assessment (HRA)**

- 8. Does the HRA meet the legal requirements for Appropriate Assessment in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended)?**

No comment at this stage – for the Council to respond.

- 9. Does the HRA adequately address whether the Plan would adversely affect the integrity of relevant European sites either alone or in combination with other plans or projects? Are the HRA conclusions robust?**

No comment at this stage – for the Council to respond.

- 10. Have all HRA recommendations been suitably reflected in the Plan?**

No comment at this stage – for the Council to respond.

#### **Consultation**

- 11. Has the Plan been prepared in accordance with the Council's Statement of Community Involvement and statutory consultation requirements? Has all relevant and available evidence been made available for consultation, at the various stages of Plan preparation?**

No comment at this stage – for the Council to respond.

#### **Other regulatory and procedural requirements**

- 12. Regulation 8(5) of the Town and Country Planning (Local Plan) (England) Regulations 2012 requires any new plan to list the policies in existing adopted plans which it is intended to supersede. The Plan before us appears to be a review of the existing adopted Stroud Local Plan (2015). Is the Plan proposing to supersede all the policies in this existing adopted plan and if so is this clearly set out? Is the Plan proposing to supersede any other adopted plans? Is there a list of policies proposed to be superseded, as required by the Regulations?**

No comment at this stage – for the Council to respond.



- 13. The Plan identifies ‘Core Policies’ and ‘Delivery Policies’. Paragraph 21 of the National Planning Policy Framework (the Framework) requires plans to ‘make explicit which policies are strategic policies, and that these should be limited to the strategic priorities for the area and any relevant cross-boundary issues. Does the Plan accord with this requirement? Are strategic and non-strategic policies clearly distinguishable?’**

No comment at this stage – for the Council to respond.

- 14. In relation to the Public Sector Equality Duty, we note that the Council has submitted an ‘Equalities Impact Assessment Form’ dated September 2021. Are the positive and neutral impact findings of this assessment reasonable? Is it clear how the Plan seeks to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010, in relation to those who have a relevant protected characteristic?’**

No comment at this stage – for the Council to respond.

