

12. DURSLEY

12.1 POLICY T13

The Objections

T13/226/0525	Mr S C Fowler
T13/388/1259	David Cheffings
T13 (DurTC)/317/0924	Oxford, Swindon & Gloucester Coop Society Ltd.
T13/444/1964	Various Clients of Andrew Watton
T13/428/1725	Newsquest (Wales & Western)
T13/537/2231	Mr & Mrs J Redfern
T13/428/1726	Newsquest (Wales & Western)
T13/141/0375	Mr G Moyser
T13/428/3548	Newsquest (Wales & Western)
T13 (DurTC)/317/0925	Oxford, Swindon & Gloucester Coop Society Ltd.

Summary of Objections

- (a) Line of relief road should be via Kingshill Lane and away from the centre.
- (b) Land should not be blighted for the Plan period.
- (c) Reference to new supermarket and housing are inappropriate in a Policy and paragraph dealing with road proposals.
- (d) Funding of road is inappropriate matter for the Plan and presupposes that sufficient funds will arise from planning obligations.
- (e) Policy gives no indication as to how the relief road is to be funded and at what cost.
- (f) Amend Dursley Inset Map in favour of a more indicative alignment.
- (g) Completion of the ring road towards the middle of the Plan period is misleading when its funding is not established.

Inspector's Reasoning and Conclusions

12.1.1 All but one of these objections were made at the Draft for Deposit stage of the Plan. Much has happened since then which deals with substantial parts of the objections. Policy T13 is now proposed to be deleted following agreement for a route to be provided as part of the redevelopment schemes for the Bymacks site (MU4) and the Lister Petter site (MU3). This follows from independent work undertaken on behalf of the County Council by Halcrow Group Limited, which looked critically at the T13 proposal and the key locations which would need relief from the traffic impact of development. In addition it recognised the need for wider environmental and regeneration benefits. The report also suggested that developers should not be constrained by a particular option, and subsequently a proposal has been submitted to the County Council comprising a variation of the Kingshill Lane to Uley Road relief route through Lister Petter and Bymacks sites. The County Council has confirmed this as an acceptable developer alternative, and it will be taken forward as part of the individual development proposals.

12.1.2 This is a brief explanation of the background to the latest Council proposals, as put

to me, as a consequence of which both County and District Councils seek to link the proposed supermarket with the Lister development via a direct access to the spine road. SWRDA will positively consider the provision of a link to the supermarket site as part of the Masterplan proposals, subject to certain commercial and highway considerations. As a consequence of this, Gloucestershire County Council, Stroud District Council, SWRDA and Crest Nicholson Residential are agreed that the Stroud Local Plan should be amended to delete Proposal T13: Dursley Relief Road, subject to the inclusion in the Local Plan of an objective to provide a continuous route through Dursley from Kingshill Lane to Uley Road via: i) a vehicular link between Kingshill Lane and Long Street in Proposal MU3; and ii) a vehicular link between Long Street and Uley Road in Proposal MU4.

12.1.3 So as to be clear, it is the wish of the District Council to change the Plan as follows:

i) Delete Proposal T13: Dursley Relief Road.

ii) In Proposal MU3: Lister-Petter:

Delete first bullet point, which states "Construction of the Dursley Relief Road through the site and contributions towards further construction outside the site".

Replace first bullet point with the following: "Construction of a vehicular link between Kingshill Lane and Long Street to enable connection with a vehicular link through the Bymacks Site (Proposal MU4) at Long Street".

iii) In Proposal MU4: Bymacks:

Delete first bullet point, which states "Construction of the Dursley Relief Road through the site, and contributions towards further construction outside the site". Replace first bullet point with the following: "Construction of a vehicular link between Long Street and Uley Road to enable connection with a vehicular link through the Lister Petter Site (Proposal MU3) at Long Street".

12.1.4 As I have already noted, this deals with the majority of concerns raised in the objections. In respect of outstanding matters, I have dealt with the supermarket allocation in the Town Centres and Retailing chapter of this report, which includes the question of funding for access. A further matter is the timing of the spine road in the Plan period: whilst I appreciate the point about completing the road before further housing development takes place, the prerequisite of planning permission for housing, supermarket or other substantial development will be the submission of a Transport Assessment. The Council will have to be satisfied that the development deals with generated/attracted traffic in an acceptable way.

12.1.5 I consider that the deletion of Policy T13, the Further Proposed Change to paragraph 9.14.2, and the agreed amendment set out in the 'Dursley Relief Road Agreement' meet most of the objections, are otherwise satisfactory, and should be put into effect.

RECOMMENDATION 12.1

Modify the Plan by deleting Policy T13, implementing the Further Proposed Change to paragraph 9.14.2 set out in the Council's response 'Transport Proposal T13/PG/01', and implementing the 'Agreed Amendments to the Local Plan' set out in Section 3 of Appendix 1 of that response.

12.2 POLICY H1 - SITE MU4

The Objections

H01 (MU4)/162/0413-CW	Mrs Beynon
H01 (MU4)/162/0417-CW	Mrs Beynon
H01 (MU4)/162/0418-CW	Mrs Beynon
H01 (MU4)/226/0524	Mr S C Fowler
H01 (MU4)/230/0598	Hallam Land Management Ltd
H01 (MU4)/424/1586	Stroud & Gloucestershire Green Party
H01 (MU4)/428/1730	Newsquest (Wales & Western)
H01 (MU4)/507/2176	Upper Cam Residents Focus Group
H01 (MU4)/553/2347	Moira Woodward
H01 (MU4)/553/2348	Moira Woodward
H01 (MU4)/558/2438	Robert Hitchins Limited
H01 (MU4)/564/2470	Airsprung Furniture Group
H01 (MU4)/580/2538	Coaley Parish Council

Summary of Objections

- (a) Acceptable development on this site will include retention of trees and industrial uses, footpath and low density housing.
- (b) Site should not be predominantly used for housing.
- (c) Density of housing should be reduced to reflect local employment opportunities.
- (d) Completion of relief road has implications for deliverability of site within plan period.
- (e) Relationship of relief road to allocation should be explained.
- (f) Additional obligation to screen adjacent commercial activities is needed and the location of housing away from adjoining premises.
- (g) May Lane junction is inadequate to support relief road and extra traffic from housing.
- (h) Site should be allocated for housing and open space and not employment.
- (i) Site should be allocated for retail or housing.
- (j) Obligations are too onerous and uneconomical for development.
- (k) Additional obligation to upgrade sewage infrastructure is required.

Proposed Changes

H01 (MU4)/PIC003/215/5074/CO	Diocese of Gloucester
H01 (MU4)/PIC003/315/5108/CO	J S Bloor Limited
H01 (MU4)/PIC003/297/5250/CO	Westbury Homes (Holdings) Ltd
H01 (MU4)/PIC003/230/5049/CO	Hallam Land Management Ltd
H01 (MU4)/PIC003/504/5034/CO	Countryside Strategic Projects
H01 (MU4)/PIC003/824/5286/CO	Mr T Cooper
H01 (MU4)/PIC005/824/5288/CO	Mr T Cooper
H01 (MU4)/PIC006/824/5289/CO	Mr T Cooper

Summary of Objections

- (a) Yellow Hundred Close extension should be deleted - it is greenfield land in a Principal Settlement.
- (b) Questions whether the indicated density can be achieved on this site.
- (c) Increased capacity is not adequate to ensure the construction of the Structure Plan allocation for the Plan.
- (d) Land at Yellow Hundred Close exacerbates fundamental concerns regarding the deliverability of the Bymacks site.

Inspector's Reasoning and Conclusions

12.2.1 Cam/Dursley is identified in the Plan as a Principal Settlement. As such it is an urban area where it is appropriate to seek opportunities for housing allocations. I accept that there is a difficulty in balancing housing and employment, and that ideally the two should match as far as possible. However, in a district such as Stroud there is a general mis-match, with the inevitable out-commuting. The Plan has policies and proposals which aim to increase the employment opportunities in the District. Nevertheless, this imbalance is likely to remain for the foreseeable future, albeit that the Plan should improve the balance. At the same time, it is important that the structure plan target for housing provision in the District is met – it cannot be undershot on the basis that there is insufficient employment.

12.2.2 Since re-development of this site will involve the loss of existing employment land, I consider that the mixed use allocation, to include an element of employment, is justified, although provision is also made on the Lister Petter site and in Cam. Otherwise, in this location, it is appropriate for the majority of the development to be for housing and public open space. I am not aware of there being any justification for retail development on the site. The juxtaposition of new housing with its surrounds will be a matter for detailed consideration at the development control stage, as will considerations relating to the preservation or enhancement of the character or appearance of the conservation area.

12.2.3 I consider that the objections here to the Dursley Relief Road have been overtaken by events – see section 12.1 above where I deal with Policy T13. Proposal MU4 is the subject of a Further Suggested Change by the Council as a consequence – a change which I support. The reasoned justification has also been the subject of proposed Pre-inquiry changes (PIC004 and PIC005) and Proposed Changes (PRO075 and PRO076). Again I support these changes, but note that there will need to be some further amendment to remove references to ‘the new Dursley Relief Road’ from the reasoned justification, and replace them with a reference to the ‘link road’.

12.2.4 With regard to the provisions which will be sought as obligations, these all seem to me to be required to ensure a satisfactory development that will relate properly to its surroundings, and to be in accord with the advice in Circular 1/97. Of necessity they will have to be subject to negotiations at the implementation stage. Concerning the objection referring to the need for improvement of the sewerage treatment works, Severn Trent Water plc has not requested the Council to seek contributions because this is covered by connection charges made for new dwellings. I agree that this is the appropriate approach.

12.2.5 Since Yellow Hundred Close is a small parcel of land I consider that it is right to take the opportunity of incorporating it into the development area. It is suitable in all other respects now that previous constraints have been overcome. As I have noted in the Strategy and Housing chapters, there must inevitably be some greenfield development in Stroud District in order to meet the Structure Plan housing target. I have also dealt in the Housing chapter with the

general question of delivering the housing target for the District. In relation to this particular site, I am told that there is a developer as prospective purchaser, subject to the grant of planning permission, and that a planning application had been submitted. I have no reason to doubt the deliverability of the site.

12.2.6 As to density, where a site is allocated for housing development, it is important that the land should be used as efficiently as possible. PPG3 – ‘Housing’ makes it clear that densities have to be higher than they have been. The Plan is right to aim at a capacity of 90 dwellings. It will be at the implementation stage when this will be considered in detail.

RECOMMENDATIONS 12.2

- 1) Modify Policy H1 MU4 in accordance with the Further Suggested Change set out in Section 4 of the Council’s response ‘Policy H1 (MU4)/PG/02, by removing the first bullet point item concerning the Dursley Relief Road and substituting therefor:
 - “Construction of a vehicular link between Long Street and Uley Road to enable connection with a vehicular link through the Lister Petter site (Proposal MU3) at Long Street.”.
- 2) Modify the Plan in accordance with Pre-Inquiry Changes PIC004 and PIC005 and Proposed Changes PRO075 and PRO076, subject to some further amendment to remove references to ‘the new Dursley Relief Road’, and replace them with a reference to the ‘Link Road’.

12.3 POLICY H1 - SITE MU3

The Objections

H01 (MU3)/157/0399	Cam Parish Council
H01 (MU3)/157/3072	Cam Parish Council
H01 (MU3)/197/3092	Dursley Town Council
H01 (MU3)/226/0523	Mr S C Fowler
H01 (MU3)/230/0597	Hallam Land Management Ltd
H01 (MU3)/314/0891-CW	Lister Petter Ltd.
H01 (MU3)/314/0894-CW	Lister Petter Ltd.
H01 (MU3)/323/0983	Caroline Smith
H01 (MU3)/324/0984	Shaun Lang
H01 (MU3)/351/1128	Dursley & District Liberal Democrats
H01 (MU3)/357/1194	Mr & Mrs G McFarland
H01 (MU3)/380/1243	June Workman
H01 (MU3)/406/3391	Mrs J Dunlop
H01 (MU3)/428/1731	Newsquest (Wales & Western)
H01 (MU3)/428/3549	Newsquest (Wales & Western)
H01 (MU3)/442/3619	South West RSL Planning Consortium
H01 (MU3)/444/1879	Various Clients of Andrew Watton
H01 (MU3)/507/2177	Upper Cam Residents Focus Group

H01 (MU3)/508/2184	Jonathan Williams
H01 (MU3)/517/2199	David & Ruth Gabb
H01 (MU3)/553/2346	Moira Woodward
H01 (MU3)/558/2437	Robert Hitchins Limited
H01 (MU3)/580/2537	Coaley Parish Council
H01 (MU3)/596/2567	Matthew & Janine Harris
H01 (MU3)/596/3889	Matthew & Janine Harris
H01 (MU3)/612/2625	Mr Billett
H01 (MU3)/596/3891	Matthew & Janine Harris
H01 (MU3)/157/3073	Cam Parish Council
H01 (MU3)/428/3551	Newsquest (Wales & Western)
H01 (MU3)/444/3694	Various Clients of Andrew Watton
H01 (MU3)/555/3796-CW	Environment Agency (Planning Liaison)
H01 (MU3)/596/3890	Matthew & Janine Harris
H01 (MU3)/428/3547	Newsquest (Wales & Western)
E01/306/3187	Persimmon Strategic Land
E01/428/1728	Newsquest (Wales & Western)
E01/444/3657	Various Clients of Andrew Watton
E01/444/3688	Various Clients of Andrew Watton
E01/507/2179	Upper Cam Residents Focus Group
E01/596/2568	Matthew & Janine Harris
H06/444/1891	Various Clients of Andrew Watton
H01 (MU3)/349/1121	Miss A N Menelaws
H01 (MU3)/349/3280	Miss A N Menelaws

Summary of Objections

- (a) Object to the allocation of industrial land in Dursley for use as housing sites. This contravenes policy E1 (protection of key employment land).
- (b) Development for housing will unacceptably add to traffic congestion and it will not help to sustain the rural economy.
- (c) Concerned about impact of traffic on Cam from mixed use development at Lister Petter.
- (d) Any development in the Cam parish part of Lister Petter site should be for housing and not industry - to be in keeping with the historical appearance of the area.
- (e) Object to lack of clarity in description of site. Is it in Cam or Dursley or both?
- (f) Too many houses have been allocated to Dursley. Housing should be related to employment provision. Only limited housing should be allocated to Dursley until local employment increases.
- (g) Concerns about suitability of the site for housing and its deliverability - unusual and problematical shape; depends on construction of the relief road; access difficulties; conflict with retained employment uses; loss of employment land; restrictions on retained employment land.
- (h) The site has greater capacity than the 210 dwellings stated. There should be no obligation to construct the Dursley relief road through the site or contribute to its construction off-site. Text should make clear that an initial allocation of 110 dwellings can proceed ahead of the construction of the relief road. It is inappropriate to ask the company to make substantial financial contributions to infrastructure and community facilities as the only reason the company is releasing this land is to generate funds to ensure its long term future.
- (i) The settlement boundary of Dursley should move east to incorporate allocation MU3 and avoid conflict with policy H17.

- (j) Cam should not accommodate the housing needs of Dursley. Concerned about proximity of proposed houses to noise and pollution emitted from Lister Petter. Detrimental effect on tourism potential of Dursley. Area needs jobs, not houses.
- (k) This is the only industrial site of any size in Dursley and should not be compromised by housing in or adjacent the site. The proposal would be detrimental to tourism.
- (l) Housing here would not mix well with industry because of the effects of noise and pollution.
- (m) The potential to increase housing numbers threatens the industrial land and future job prospects in Dursley. The site is unsuitable for housing since it is susceptible to noise, grit and dust emission fall-out. It is prime industrial land, well hidden in a rural setting and suited to small/medium enterprises. Dursley can maintain the requirements for industry which in the past has employed 3,000 people on this site alone.
- (n) By accommodating employment land for 700 people on this site, there is no need for industry on a greenfield site in Cam.
- (o) The capacity of the Lister Petter allocation could be raised from 210 to 360 dwellings enabling a sustainable development close to Dursley town centre.
- (p) This allocation contradicts policy H17 by going beyond the settlement boundary and it should not be allowed. It will be visible from the AONB.
- (q) No mention is made of the wildlife value of the site - badgers and slow-worms.
- (r) Object to the loss of the pond within this site if development proceeds. The area should be tidied up and protected.
- (s) The supporting text explains that about 700 employees must be retained but this is not a requirement in Policy. The previously developed parts of the site constitute only half the allocation. The site has greater capacity than identified in the Plan and this should be recognised.
- (t) The planning obligations attached to the allocation are so substantial that they may prohibit its implementation. Residential properties will need to be located away from the retained industrial premises so as to avoid adverse impact on them. The text should be expanded to adequately explain the relationship of the site to the proposed Dursley Relief Road. Planning obligations should also refer to screening the site especially adjacent to commercial uses.
- (u) Requirement to provide finance for community facilities is not justified in the Plan. LEA together with other authorities should demonstrate need when seeking obligations.
- (v) Clarification is required to ensure that the planning obligations contained within Policy only refer to the Lister Petter works, and not to land in Newsquest ownership: their site is too small to be subject to the planning obligations listed.
- (w) Reference to 700 employees on the site is over prescriptive and may be unachievable.
- (x) Policy requires the provision of affordable housing on MU3 but the advice in 5.9.9.f states that no provision of affordable housing will be required.
- (y) The area allocated is too large. Conflict will arise between housing and commerce. This could act as a catalyst to release employment land in use with a resultant loss of jobs.
- (z) The current allocation runs the risk of total annihilation of employment use.
- (aa) Upper Cam should remain a peaceful hamlet bordering the AONB. The greenfield buffer between Lister Petter and Upper Cam should be retained. The strategic landscaping at the north and east perimeters of Lister's site should be retained. Redevelopment should be contained within the brownfield land. The proposed relief road and existing highway network is inadequate to support the level of housing proposed. Any housing should be located nearest to the transport links.
- (bb) MU3 would remove the buffer between Upper Cam and the Lister Petter factory; would increase traffic through Upper Cam on unsuitable roads; spoil panoramic views of the AONB. No strategy exists to regenerate employment opportunities along with housing proposals.

- (cc) The development on the eastern slopes of the Lister Petter land is close to the AONB and would spoil panoramic views. The land is an important break between industrial land and the countryside. Any development should be restricted to their car park near Long Street. Existing roads could not cope with the extra traffic.
- (dd) Object to the allocation of land for a mixed use development as too much land is allocated: it should be spread through the valley - prefer to see smaller housing allocations - road network cannot cope with more development.
- (ee) The Lister Petter site occupies a valley floor which may be vulnerable to flooding in the event of major flood flows or the blockage of the river channel or culverts.
- (ff) Further housing in the area served by the sewage treatment works at Halmore Mill, Coaley will put an intolerable burden on that facility. Planning obligations should be placed on any allocation needing to use it in order to seek contributions to upgrading the works.
- (gg) Object to allocation of mixed use development at Lister Petter, Dursley. The proposed densities do not accord with paragraph 2.6.15 and the northern fields of the site are not in walking distance of the town centre. There will be further problems with local schools and other local amenities.
- (hh) The level of employment suggested could not be fitted into site together with the level of housing suggested. This will result in development that spills onto greenfield land within the site.
- (ii) The wording "principally on previously used land" is too weak to ensure development is kept off greenfield elements of the site.
- (jj) Lister Petter should remain industrial, but with access off Kingsmill Lane so as to avoid the town centre.

Proposed Changes

H01 (MU3)/PIC002/558/5083/CO	Robert Hitchins Limited
H01 (MU3)/PIC002/796/5118/CO	Stinchcombe Parish Council
H01 (MU3)/PIC002/357/5114/CO	Mr & Mrs G McFarland
H01 (MU3)/PIC002/823/5159/CO-CW	South West of England Regional Development Agency
H01 (MU3)/PIC002/315/5096/CO	J S Bloor Limited
H01 (MU3)/PIC002/1/5204/CO	Gloucestershire County Council
H01 (MU3)/PIC002/415/5260/CO	Redrow Homes (SW) Ltd
H01 (MU3)/PIC002/596/5111/CO	Matthew & Janine Harris
H01 (MU3)/PIC002/507/5222/CO	Upper Cam Residents Focus Group
H01 (MU3)/PIC002/215/5073/CO	Diocese of Gloucester
H01 (MU3)/PIC002/433/5220/CO	Berkeley Strategic Land Limited
H01 (MU3)/PIC002/230/5048/CO	Hallam Land Management Ltd
H01 (MU3)/PIC002/537/5217/CO	J Redfern
H01 (MU3)/PIC002/555/5061/CO-CW	Environment Agency (Planning Liaison)
H01 (MU3)/PIC002/361/5235/CO	Cheltenham Builders Ltd
H01 (MU3)/PIC002/412/5127/CO	Crest Strategic Projects Limited
H01 (MU3)/PIC002/504/5033/CO	Countryside Strategic Projects
H01 (MU3)/PIC002/413/5134/CO	Barratt Bristol Ltd
H01 (MU3)/PIC002/349/5240/CO	Miss A N Menelaws
H01 (MU3)/PIC002/349/5239/CO	Miss A N Menelaws
H01/PIC001-004/234/5254/CO	David Wilson Estates
H03A/PIC093/823/5161/CO-CW	South West of England Regional Development Agency
H01 (MU3)/PIC002/824/5285/CO	Mr T Cooper

Summary of Objections

- (a) It is not clear who is responsible for maintenance of open space on MU4.
- (b) Objects to deletion of wording 'obligations' from MU4.
- (c) Object to the inclusion of the word 'if' in paragraph 5.9.10d on the grounds that it implies doubt.
- (d) The phasing is too rigid. The Listers site should see employment and housing go up side by side. No justification for Phase 3. Allocations should be as minimum figures, so that master planning work may allow them to increase
- (e) Objects to Council's revised windfall which have led to Pre-inquiry Changes PIC001-008 and PIC010-016. Considers reduction in windfall is directly related to the significant increases in dwelling numbers on existing allocations. Methodology for windfall calculation is unclear and seems to be inconsistent with advice in PPG3.

Inspector's Reasoning and Conclusions

12.3.1 As with many of the matters the subject of objection, the majority of the objections to allocation MU3 were made at the Draft for Deposit stage. Considerable amendments were made to this allocation and the supporting explanation at the Revised Deposit stage. Part of the redrafting was to respond to objections. The revised text deleted the employment protection, allocated the whole site for mixed uses, focused development on the previously developed parts of the site, and required at least 700 jobs be retained and that a transport assessment be prepared for any developments proposals. As a result, I consider that many of the original objections are overcome, or are no longer relevant.

12.3.2 It is worth recalling that, following the publication of the Revised Deposit Plan, the South West Regional Development Agency (SWRDA) acquired the Lister Petter site, which provided the opportunity for large scale redevelopment. The outcome of this was that Pre-Inquiry and Proposed Changes were produced which increased the dwelling capacity to 600 and increased the land requirement to meet the need for at least 1,000 jobs, and an Agreed Statement was published (CD/L52a, b and c). These were: the Main Planning Agreement between SWRDA and the Council; the Dursley Relief Road Agreement between SWRDA, the Council, Gloucestershire County Council and Crest Nicholson (South West) Ltd; and the Strategic Planning/Education Agreement between SWRDA, the Council and Gloucestershire County Council.

12.3.3 The outstanding objections can mostly be dealt with by considering a number of 'themes' which run through them. I will take each of them as headings.

The relationship with national, regional and strategic policy.

12.3.4 I have dealt with the interpretation within this Plan of national, regional and strategic policy in the Strategy chapter of this report, and again in relation to housing allocations, in the Housing chapter. I will not repeat my conclusions here.

12.3.5 There are, however, a number of matters that do need to be addressed. Firstly, in relation to the emerging Gloucestershire Structure Plan 3rd Alteration. At the time of the inquiry, this was at a very early stage, but my attention was drawn to Policy SD.3 in that draft which stated "Outside the PUAs, further development should take place within the following Other Designated Centres for Growth: .." it then listed within Stroud District, "Stroud/Stonehouse", and continued "The level of growth accommodated in these centres should relate to the role and function of the settlement rather than accommodate growth that should be provided for in the PUAs." I am not clear about how this related to 'Principal Settlements' under the current

Structure Plan, or whether it is the County Council's intention to strictly limit development to a minimal level outside the Other Designated Centres for Growth. However, as I have concluded elsewhere, it is appropriate for the Stroud District Local Plan to follow the policies of the extant Structure Plan, and inappropriate to try to respond to an emerging county strategy which may well change very considerably as it follows its processes to approval.

12.3.6 Although I have dealt with the balance of economically active/job opportunities elsewhere, I will briefly deal with the topic as it relates to Cam/Dursley. Out-commuting is a general problem in Stroud District. It certainly occurs from Cam/Dursley, as it does from Stroud and Stonehouse. I am told that Cam/Dursley has lost a significant part of its employment base in the last decade, particularly in the manufacturing sector. Holding on to once used employment land is no answer to this. Simply protecting or allocating land will not bring employers or jobs. Far better to identify the best sites for commerce and industry with some spare capacity, and seek to ensure that thereby there is secure employment and the opportunity for growth, without sterilising land in sustainable locations for other uses. I conclude that the mixed use allocation which provides Lister Petter with a reduced but enhanced site, makes provision for other employment opportunities, and provides for housing to assist towards the Structure Plan housing target, is the right course of action. But for SWRDA stepping in, and the solution agreed with the Council, it is highly likely that more manufacturing jobs would have been lost, and the level of out-commuting increased.

Appropriate balance of uses and viability

12.3.7 The main criticism with regard to this mixed use allocation is to the number of houses proposed. It has been calculated by Mr Dobson (on behalf of Redrow Homes Limited and Robert Hitchins Limited) that the net increase in the number of jobs expected to be provided on the site almost exactly mirrors the likely number of economically active persons deriving from the 600 houses. The Council optimistically responds that at least this proposal is internally balanced. But, says Mr Dobson, there is also the Bymacks site (MU4) which will increase the imbalance. I see not great point in either of the propositions because the housing target for the District has to be met, and as I have explored elsewhere in this report, wherever housing allocations are placed there will not be a balance, and there will be some resultant out-commuting (this holds true for the Hunts Grove allocation, except that there the out-commuting from the District is likely to be largely into the immediately adjacent area of Gloucester City).

12.3.8 A further argument by the Council and SWRDA is that a mixed use scheme on this site with a smaller component of housing would not be viable. This is vigorously contested on behalf of Redrow Homes Limited and Robert Hitchins Limited, for whom it is suggested that 6 hectares producing about 210 dwellings would be about the right level of allocation. On behalf of these objectors, it was requested that more information on the figures behind the viability issue should be put before the inquiry. In response, I was informed that anything more detailed than the figures provided in Appendix AS9 to the Main Planning Agreement (CD/L52a) would breach commercial confidentiality, and prejudice ongoing negotiations. I asked that the inquiry be provided with the information that was made available to bidders, prior to the appointment of SWRDA's preferred development partner (St Modwen Developments Limited). In response to this, the inquiry was provided with the 'Information Pack' that went to those parties who expressed an interest in becoming the development partner.

12.3.9 The result of this questioning is that the evidence on viability consists of the figures in Appendix AS9. These are based on the masterplan, having regard to:

- 1 Income derived from existing occupiers pending relocation.
 - 2 Cost of relocating the current occupiers and property investment value generated.
 - 3 Cost of site clearance, provision of infrastructure (on and off site road
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infrastructure [including main element of Dursley Relief Road], opening up of culvert and forming Central Water Course, Section 106 Obligations) and ground remediation works (remediation entails dealing with several deposits of foundry sand and elsewhere polyaromatic hydrocarbons from a former gasworks) to provide serviced development land parcels for residential, employment and commercial uses.

- 4 Land values generated from disposal of serviced land parcels.
- 5 Phasing development cost and receipts for the development period to include cost of finance.
- 6 The developers required return to compensate for the risks involved in delivering serviced development land parcels.

The viability figures are as follows:

Total anticipated capital receipts	-	£29-34m
Total anticipated enabling cost	-	£25-30m
Anticipated developer's return	-	£4m

I am told that these figures are provided merely to support the planning case and to demonstrate broad viability based on the masterplan and the land use budget.

12.3.10 Having probed the figures as best they could, the Objectors continued to press 2 points: i) the figures have nothing to do with the Council's decision to increase the housing component to 600 dwellings, and ii) £30m is a very significant figure, which could not be tested in the absence of a breakdown, and the evidence remains wholly unclear and unreliable. My conclusions on these points are: i) the allocation is part of the Council's strategy to meet the housing target for the District set by the Structure Plan; the viability figures were merely put into the Agreed Statement as background support, and ii) it remains for Objectors to show that the Plan is misconceived in some way – whilst recognising the difficulties in challenging what are said to be confidential figures, I am not convinced that there would be any justification for modifying the allocation for this mixed use development whatever the undisclosed figures may be. There remains a planning justification for the allocation.

12.3.11 There is also the suggestion that the development should be phased so that residential development only occurs as employment land is taken up. There are substantial costs of remediation and other preliminary work (see above for an indication) which must be carried out before much development providing a return can occur. I do not see how a simple phasing formula could be produced which would adequately tie the various variables into a sensible phasing policy which would not inhibit development whilst preventing runaway house building. I consider that this is an aspect of control which might well feature at the application stage.

12.3.12 Under this sub-heading I can also deal with the matter of affordable housing and the need for an inclusive community. It is accepted by SWRDA that the need for affordable housing, and indeed the community's need for a mix of housing types, must be addressed at the planning application stage. The inclusion of affordable housing is part of the mix of development which Proposal MU3 provides for. In the Revised Deposit Draft of the Plan there was a paragraph (5.9.9f) which stated that probably there would be no requirement for affordable housing on the site, in view of the level of contributions sought for the relief road and the existing availability of affordable units in Dursley. However, the Council proposed to delete this paragraph in proposed changes (PRO071) so that there is now no conflict within the text.

12.3.13 There is also an objection about the revised density of housing development and the suggestion that it will put pressure on the quality of the development, the site and the

surrounding environment, roads, open spaces and rights of way, etc. It is clear government guidance that wasteful densities are no longer acceptable. Higher densities than have been achieved in recent decades can be used, and high quality housing can be provided at the sort of density proposed on this site. It is a large enough allocation to provide for a mix of dwelling types, and the components within it, such as the opening up of the watercourse, the provision of open space, footpaths and cycleways, etc, will mean that there should be an enhancement of the environment, not only on the site itself, but for the surrounding community.

Greenfield versus brownfield development

12.3.14 The great majority of this site is previously developed land within the terms of PPG3. The only elements of the allocated site that are not are the fields to the east, which rise up towards the AONB, and the field of about 1 hectare in extent at the northern end of the site. I deal with the landscape implications of development up to the 70 metre contour under the next heading. In terms of preferring brownfield to greenfield land for development, the site as a whole is clearly acceptable in my judgement. Not only is it very largely brownfield, but it is adjacent to Dursley town centre, at a location in the settlement which makes it more accessible, by modes of transport other than the car, to shops, schools and employment; and it enables the remediation of contaminated land, the opening up of the culverted river to provide environmental improvement, flood relief, habitat creation, and open space provision. Set against this, the small amount of greenfield land which provides for suitable site delineation, is not of sufficient consequence, in terms of the sequential approach, to warrant excluding it for that reason.

Landscape

12.3.15 The Masterplan addresses most of the concerns raised with respect to landscape issues. The one area of significant remaining objection is the inclusion of the eastern slopes which are 'greenfield', within the development proposal. It is proposed that development be kept below the 70m contour. Objectors say that this is too high, that it will extend development into open countryside, extending into the setting of the AONB, and does not relate to any physical boundary. It is contended that the proposals extend beyond the logical physical boundary of the site, and would unnecessarily sever the public footpath from its countryside setting. The more appropriate and logical limit to development, it is suggested, would be to set it along the line of the existing boundary vegetation that flanks the previously developed land and the public footpath (at about the 60m contour).

12.3.16 It is accepted for the Council that development within this 10m rise of land would have a negative effect on the landscape to some extent, but that it could be largely mitigated. Also, there is no dispute that the area is within the setting of the AONB, although some distance away. Any housing between the 60 and 70m contour would not materially affect views from or to the AONB. What will change is the view at close quarters. This is an area which, while beyond the existing industrial development, is certainly currently affected by it. In my judgement, new housing, especially if kept without a firm edge to it, with existing hedges strengthened, coming down into the development and some taller planting breaking roof lines, could be very satisfactory. Certainly I can see that careful design and execution should ensure that there is no harmful effect which would warrant omitting this area from the allocation. There is other development in the vicinity which runs up to the 70m contour, and I see no reason to think that, in due course, this proposal will stand out in any way as intrusive in its landscape setting.

Transport

12.3.17 Following the number of objections to Policy T13 in the Plan, a study was commissioned to consider the matter. Following that study, and the further work which has been

done in preparing the Masterplan, an Agreed Statement on the Dursley Relief Road (CD/L52b) has been produced, between the Council, the developers and the Gloucestershire County Council as Highway Authority. This has resulted in the Council proposing to delete Policy T13. I have agreed with that deletion, as can be seen from my conclusions earlier in this chapter. In its place, the Main Planning Agreement and the Dursley Relief Road Agreement have proposed a continuous route through Dursley from Kingshill Lane to Uley Road via vehicular links between Kingshill Lane and Long Street in Proposal MU3, and between Long Street and Uley Road in Proposal MU4.

12.3.18 This north-south link will be designed to allow local traffic a way through Dursley as an alternative route to the A4135 passing through the town centre. The new link is not to be regarded as a town centre bypass for through traffic. At the northern end, access arrangements will be managed so that conditions for Upper Cam residents are not diminished. In addition, existing footpaths will be protected or realigned and new routes created, including a north-south route for pedestrians and cyclists. It is intended that additional bus services will be provided in conjunction with the development.

12.3.19 Bearing in mind the contents of the relevant parts of the Agreements, the conclusions of the independent study by Halcrow Group Limited commissioned by Gloucestershire County Council (CD/O13), the fact that detailed development proposals will need to be supported by fully detailed transport assessments, and that appropriate contributions will be sought towards off-site highway works and traffic management measures, I am satisfied that this mixed use allocation can be satisfactorily accessed, within the capacity of the wider highway network.

Ecology

12.3.20 Following a desktop study, a Phase 1 ecological assessment was undertaken by Conservation Consultancy Ltd in March 2002. With regard to statutorily protected species, the habitat survey concluded that Badgers were present, and that, although the habitat is potentially suitable for Dormice, Slow Worms and Grass Snakes, no evidence of their presence was found during the survey. The habitat report also noted the existence of hedgerows and standard trees as valuable wildlife corridors and shelter. The hedgerows with bluebells would be classified as "important" under the Hedgerow Regulations 1997. The watercourse and standing water on the site were considered to be of low ecological value in their present form. The criteria of The Gloucestershire Biodiversity Action Plan would indicate that The Delkin should be considered as a priority habitat. Bat surveys have identified the presence of Lesser Horseshoe Bats in the maintenance building and one of the air raid shelters, which are due for demolition. Discussions were in hand with English Nature concerning mitigation measures to be taken before a DEFRA licence to move the bats could be issued.

12.3.21 It is agreed by the Council, and the other Parties to the Agreement, that the value of the existing vegetation will be retained and that the wildlife potential of the site will be enhanced by incorporating the woodland clumps and unimproved grassland areas into open spaces, managing and restoring existing hedgerow, preserving and enhancing The Delkin by opening up the culvert, and by encouraging species diversity and the establishment of wildlife corridors. These matters will all have to be carefully considered and controlled at the application stage, but subject to that, I am satisfied that the ecological issues have been properly addressed and taken into account.

Flooding

12.3.22 The site is traversed by the River Cam. At present this river is culverted through the length of the site. Part of the proposals of the Masterplan is to open up the culvert. Apart from enhancing the attractiveness of the site, this will allow for the channel to be easily observed and

accessed for maintenance. The watercourse will be enlarged, compared to the culvert, and this will form an essential part of the Sustainable Urban Drainage System. It will also be part of the flood protection scheme. I am told that discussions have been undertaken with the Environment Agency concerning the means of dealing with 1:100 year flows, as required by Planning Policy Guidance Note 25, and flooding issues to the north of the site. As a result of the proposals, the Environment Agency has withdrawn its objection, conditional on these points being incorporated into the policy and the proposals.

Contamination

12.3.23 The site contains large volumes of contaminated materials, mainly in the form of foundry sand, but also residues from the former gas works. One of the advantages of this allocation is that the contaminated land can be dealt with and the land re-used for a beneficial purpose. The budget for enabling costs set out under the sub-heading 'viability' above includes provision to carry out this remediation. At the implementation stage this will have to be carefully controlled. At this plan making stage, I have no reason to doubt that the extent of contamination has been properly researched, or that the means of dealing with it are not properly understood and capable of being carried out.

Other matters

12.3.24 I consider that Cam and Dursley are rightly seen as one planning unit, and I have dealt with the question of principal settlement status elsewhere in this report. As such, they are jointly suitable for and capable of accommodating growth. This mixed use allocation, which straddles the Cam/Dursley Parish boundary, will assist in the regeneration of Dursley, and should enhance its overall attractiveness, including to tourism. I see no justification for concerns about residential amenity being harmed by the proximity of industry since this is a matter which is capable of resolution, which will be addressed at the detailed planning stage.

12.3.25 It is right to observe that the allocation boundary goes beyond the settlement boundary shown on the proposals map. The approach has been taken, which I agree with, that settlement boundaries reflect the limits of continuous built development at the time they are drawn. At the time of review of the Plan, they can be re-drawn to reflect development which has taken place during the interim period. In the meantime they serve the purpose of resisting outward expansion which is not catered for by the Plan's policies.

12.3.26 With regard to the provisions which will be sought as obligations, these all seem to me to be required to ensure a satisfactory development that will relate properly to its surroundings, and to be in accord with the advice in Circular 1/97. Of necessity they will have to be subject to negotiations at the implementation stage. It is necessary that developers have forewarning of the provisions which will be sought. I see nothing wrong in an allocation which extends over more than one ownership. Concerning the objection referring to the need for improvement of the sewerage treatment works, Severn Trent Water plc has not requested the Council to seek contributions because this is covered by connection charges made for new dwellings. I agree that this is the appropriate approach.

12.3.27 There is an objection, under this mixed use proposal, to the windfall allowance that has been made in the Plan's housing figures. I have dealt with the issues relating to windfall allowance and the achievement of the Structure Plan housing target in the Housing chapter of this report. There is no need for the repetition of my conclusions here.

RECOMMENDATION 12.3

Modify Proposal MU3 in accordance with the text set out under section 12 of the Main Planning Agreement (CD/L52a) and Proposed Changes PRO069 -074 inclusive.

12.4 GENERAL OBJECTIONS TO DURSLEY

Proposed Changes

H03A/PIC093/796/5119/CO
H03A/PIC093/415/5321/CO

Stinchcombe Parish Council
RPS Chapman Warren

Summary of Objections

- (a) Phasing at Lister Petter, Bymacks and Yellow Hundred Close and Union Street developments should be linked to employment creation.
- (b) Objects to the Lister Petter phasing as considers it is unlikely that 100 dwellings will be forthcoming from the Lister Petter site in the first period of the phasing programme.

Inspector's Reasoning and Conclusions

12.4.1 I accept that there is a difficulty in balancing housing and employment, and that ideally the two should match as far as possible. However, in a district such as Stroud there is a general mis-match, with the inevitable out-commuting. The Plan has policies and proposals which aim to increase the employment opportunities in the District. Nevertheless, this imbalance is likely to remain for the foreseeable future, and I do not see that there is scope for phasing housing with employment creation, bearing in mind the need for housing within the plan period and the necessary infrastructure that will be involved on this site.

12.4.2 As to phasing, I agree that it is wrong to place 100 dwellings in the first period. The latest intention of the council is that the development should be spread through the second and third phase, with development starting in 2005. Since I do not know what progress has been made in respect of planning permission since the close of the inquiry, I cannot comment on the likelihood of any substantial numbers of houses being developed in 2005, but generally the phasing now proposed appears reasonable.

RECOMMENDATION 12.4

Make no modification in response to these objections, but amend Table 5.5 to show the development in phases 2 and 3.

12.5 VARIOUS OBJECTIONS TO DURSLEY BY MISS MENELAWS

The Objections

Strat/para. 2.6.1.k/349/3269
Emp/para. 4.4.5./349/3270
Emp/para. 4.4.5.a/349/3271
Emp/para. 4.5.2./349/3272
E01/349/3273

Miss A N Menelaws
Miss A N Menelaws
Miss A N Menelaws
Miss A N Menelaws
Miss A N Menelaws

EO3 (EA1A)/349/3275	Miss A N Menelaws
Hsg/para. 5.5.0./349/3279	Miss A N Menelaws
Hsg/para. 5.5.0./349/1120	Miss A N Menelaws
Hsg/para. 5.5.1./349/3277	Miss A N Menelaws
Hsg/para. 5.5.1.c/349/3276	Miss A N Menelaws
Hsg/para 5.6.1.d/349/3278	Miss A N Menelaws
H01 (MU4)/PIC003/349/5243/CO	Miss A N Menelaws
H01 (MU4)/PIC003/349/5244/CO	Miss A N Menelaws
H01 (MU4)/PIC003/349/5245/CO	Miss A N Menelaws
H01 (MU4)/PIC006/349/5247/CO	Miss A N Menelaws
H02 (Hg17)/349/1122	Miss A N Menelaws
H02 (Hg17)/PIC054/349/5248/CO	Miss A N Menelaws
H02 (Hg17)/349/3281	Miss A N Menelaws
TCR/para. 6.5.1.e/349/3282	Miss A N Menelaws
TCR/para. 6.5.1.g/349/3283	Miss A N Menelaws

Summary of Objections

See the headings used under Inspector's Reasoning and Conclusions

Inspector's Reasoning and Conclusions

12.5.1 I begin by saying that clearly Miss Menelaws has a great interest in, and a wealth of knowledge about Dursley. She is an example of a person fully engaging in consultation, and rightly being concerned about apathy in the population generally. However, the Council and I have to work within the current planning legislation (which is about to change – the effect of which we will all await with interest). She appears to be concerned at planning applications being progressed whilst my report is awaited, but this is perfectly proper. My understanding is that the Courts have determined that development should not have to stop whilst development plans are being considered, and that the process of considering applications should normally continue in the mean time. My other preliminary point is that it is for the democratically elected local planning authority to make decisions about the future development of the district, and it is only if objectors can show that the authority is mistaken in following government, regional or strategic advice, or has made some clear error of judgement, that an objection should be upheld. Besides being a representative body, the local planning authority will have much information available to it, and will have discussed and consulted widely. It must therefore be a presumption that it will have carried out its duties properly, unless it can be clearly demonstrated otherwise, and generally speaking it will have produced a sound plan.

Steep topography causes air inversion. More houses in Dursley will increase CO2 levels.

12.5.2 I am assured by the Council that there are no problems with CO2 levels in Dursley. The Plan's policies are aimed at producing more sustainable settlements and reducing the use of motor vehicles which has the potential for lowering levels of CO2.

Objects to deletion of text relating to PPG12. (1992 version).

12.5.3 The deleted text has been replaced with up to date text from the revised PPG12. it would be wrong to ignore revised government guidance.

Objects to text summarising PPG13. Cars and car parking are essential to the economy in rural areas.

12.5.4 Again this text relates to government guidance to which local planning authorities must pay due regard. It is national policy to seek to reduce the need to travel and the use of cars in particular.

Objects to text summarising the Structure Plan. Priority should be for employment related to Dursley.

12.5.5 The Structure Plan provides the strategic basis for local plans. I am satisfied that the Plan takes account of employment needs throughout the District, including within Dursley. There is no point in allocating, or retaining the allocation of land for employment, if those allocations are not going to be taken up by employers.

Objects to statement (in paragraph 4.7.4) that loss of employment land may be acceptable. Loss of Lister Petter employment land is not acceptable as there is not an adequate supply of employment land to meet local needs in Dursley.

12.5.6 See my conclusion at paragraph 12.5.5 above. Lister Petter was a company in considerable financial difficulty. The mixed use allocation takes account of the need for continuing employment development, and seeks the provision for at least 1,000 jobs. At the same time, land which cannot be justified as being retained for employment uses can be released for housing. This is in accordance with government guidance.

Objects to allocation of site EA1A on greenfield land when Lister's land, which stretches to Cam, is already in employment use and is well hidden in the AONB.

12.5.7 Two sites have been considered in the Local Plan process. One east of Draycott Mills Industrial Estate (EA1) and the other north west of Draycott Crescent (EA1A). There has been little objection to EA1, whilst the EA1A proposal brought many objections, with some valid issues raised. I have dealt with these proposals in the Employment chapter of this report where I recommend that proposal EA1A be deleted from the Plan and proposal EA1 be reinstated.

Search for sites as set out in the Structure Plan makes no mention of Cam and Dursley. They are deleted as areas for strategic residential development.

12.5.8 It is correct that the Structure Plan does not mention Cam and Dursley, but it is for district authorities to define Principal Settlements. In the Strategy and Housing chapters of this report I have concluded that Cam and Dursley are rightly identified as a Principal Settlement.

Object to Dursley being identified at the 'third level of a settlement hierarchy'. Dursley is not mentioned in the Structure Plan that sets the framework for the Local Plan. The allocation of 450 houses on industrial sites in Dursley is unacceptable. Industrial sites should be retained, especially since the area is continually losing jobs. Using industrial land for housing is a form of 'asset-stripping' Dursley of land that should help ensure future employment in the town.

12.5.9 See my responses at paragraphs 12.5.6 and 12.5.8 above.

Mention of Cam and Dursley was removed from the Structure Plan through the process and therefore there is no need to allocate as much housing in Cam and Dursley.

12.5.10 See my response at paragraph 12.5.8 above.

Stroud and Stonehouse have priority for housing. Mention of Cam and Dursley was removed from the Structure Plan through the process and therefore there is no need to allocate as much housing in Cam and Dursley.

12.5.11 See my response at paragraph 12.5.8 above. The Stroud Urban Area is higher in the search sequence than Principal Settlements, but Cam and Dursley, as a Principal Settlement is an important location for housing allocations.

Building houses on the previously used employment land in Dursley will not give economic prosperity to the community.

12.5.12 The mixed use development proposed for this site will be a more efficient use than the under-use that was being made of it in recent years. Simply maintaining land for employment use does not bring jobs unless there are employers ready and able to take up the land for employment development. In my judgement the mixed use allocation will assist in improving the prosperity of the area and in regenerating the town centre.

Objects to the inclusion of Yellow Hundred Close as an allocation for an additional 30 dwellings. The area is currently used as open space for children.

12.5.13 See my response at Section 2.2 above.

Objects to the deletion of the word 'obligations'. The replacement text using the word 'provisions' will not result in a binding contract and does not accord with the principles of 'Best Practice'.

12.5.14 Obligations are one way in which necessary requirements can be sought from developers through negotiation. I have agreed with the Council that the requirements which they seek should be referred to as 'provisions'. On 'obligation' under Section 106 of the Planning Act can only be achieved by negotiation. A provision may become a requirement through the imposition of a condition on planning permission. Either way, they are legally binding.

It is not clear in the text which party will be responsible for the maintenance of the public open space.

12.5.15 This is a matter for the detailed application stage.

Object to the inclusion of the word 'if' in paragraph 5.9.10d on the grounds that it implies doubt.

12.5.16 Yellow Hundred Close may not be needed for vehicular access. The word 'if' provides for the possibility that it will be needed, in which case the improvement works will be needed. To my mind, there is clarity in the text, rather than doubt.

Objects to the residential allocation of the Union Street site on the grounds that the site is historically significant and visually important within the context of Dursley. The Henlow Drive area already contains extensive residential development and any additional house building will result in hazardous highway conditions, especially for pedestrians.

12.5.17 I have dealt with this matter at section 5.60 in the Housing chapter of this report.

Objects to the increased housing allocation on the former factory and school site on the grounds that the site has previously accommodated in-filling.

12.5.18 I have dealt with this matter at section 5.60 in the Housing chapter of this report. Current planning policy, from the national down to the strategic level, seeks the most efficient use of previously developed land.

Objects to the provision of on-site public outdoor playing space to serve only the recreational needs of the new residents. The area around the Union Street site is predominantly residential and the use of the whole site as public outdoor playing space would help meet the recreational needs of all these local residents.

12.5.19 I have dealt with this matter at section 5.60 in the Housing chapter of this report.

Dursley is not capable of accommodating any growth in retail floor space.

12.5.20 Evidence shows that Dursley's retail catchment area has sufficient leakage of expenditure to support an additional foodstore. I deal fully with this matter at section 6.17 of the Town Centres and Retailing chapter of this report.

With 36,000 square feet of supermarket already in Cam/Dursley, there is no need for another.

12.5.21 See section 6.17 of the Town Centres and Retailing chapter of this report.

RECOMMENDATION 12.5

Make no modification in response to these objections.