

Response from Cllr. Haydn Jones. 14<sup>th</sup> February 2023.

EXAMINATION OF THE STROUD DISTRICT LOCAL PLAN REVIEW  
INSPECTORS' MATTERS, ISSUES AND QUESTIONS

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

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

**Sustainability appraisal (SA)**

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

*Impacts on strategic sites have been assessed in accordance **only with what proposers have presented**. Some of this evidence has been proven incorrect such as the ALC report submitted for proposed site PS37. The technical errors and conclusion in this report were highlighted to the responsible officer on numerous occasions but he refused to take action. The local community had to commission and fund their own expert report before the officer and site promoters eventually accepted the findings in the original report were false and the site is, in fact, graded ALC2 as Natural England had predicted. Other relevant professional, community and direct observed evidence, in particular relating to the proposed new settlements PS36 and PS37, have not been taken properly into account.*

*All reasonable alternative sites have not been properly assessed to inform the preferred spatial strategy.*

## **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)?

*The HRA does not fully take into account risk and evidence provided relating particularly to PS36 at Sharpness. Significant challenges associated to this sites very close proximity to the Severn Estuary protected site remain. The mitigation proposed is wholly inadequate.*

*The HRA does not properly consider the evidence that has been provided relating to PS37 Wisloe.*

*The site is in close proximity to the Wildfowl & Wetlands Trust reserve at Slimbridge and the Severn Estuary protected site.*

*Natural England identify the river Cam which forms the northern edge of the site, as a functionally linked watercourse and reference the need to protect endangered European Eels. No mitigation or plans have been proposed.*

*Photographic evidence has been provided in a number of the consultations of British Trust for Ornithology Red Data listed Curlews on the PS37 site and in its environs. No comment, account or proposed mitigation has been proposed.*

**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. See answers to question 8 above.*

## 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. The consultations have been chaotic, confusing, poorly advertised, limited for those without access to online services and undertaken on a 'minimum requirement' policy at all times.*

*Whereas other consultations, such as The Canal Strategy, have enjoyed significant extensions and extensive advertising, including bespoke films, the Local Plan has been limited to the absolute legal minimum. The Head of Planning Strategy and SDC CEO refused my request for an extension from the legal minimum to the Regulation 19 consultation. This was eventually reluctantly overturned only after extensive lobbying and a direct appeal to the council leader. Unfortunately, this is reflective of the dismissive approach to the whole process for anything that challenges the officers preferred options.*

*A published helpline was permanently routed to a voicemail system. Call backs were intermittent or delayed to such an extent that responses became of little value to individuals trying to understand proposals.*

*The published timetable was never up to date on the website and still isn't.*

*Documents required to inform an appropriate response are not added to the website in a timely manner. Five traffic infrastructure documents were uploaded yesterday when the deadline for response to this component is due at 5pm today for instance.*

*Locating the Local Plan information on the website is and was problematic. Unlike every other council consultation which was on the dedicated 'Consultations' section the Local Plan was under the planning link making it very difficult to find. Once found it is very difficult to locate the required documents.*

*Information on the website was not tabulated or placed into an easily accessible form. It appears to have been loaded haphazardly with no consideration for accessing in a logical manner.*

*No prior notification of upcoming consultation has been provided.*

*NDP evidence has not been reflected in consultations i.e. Cam with a made NDP and Slimbridge with an advanced NDP in process has not been reflected or mentioned in the plan.*

*A number of Statutory Consultees have been missed off consultations including Wales & West Utilities who only became involved at Wisloe after a high-pressure gas pipeline traversing most of the site was highlighted by a community group.*

*The SCI suggests that a move away from traditional consultation methods would be introduced by utilising online systems, training, focus groups and other new mechanisms. None of this engagement has materialised.*

*An unnecessary and unseemly rush to get the Regulation 19 consultation completed prior to the May 2021 Local Council elections demonstrates for residents the lack of real interest in responses*

*Personal information was published under Regulation 18. This was quickly removed when the council were advised but the SDC response to the consultation was not published until after Regulation 19 was issued over a year later.*

*The council have promoted site PS37 Wisloe since the 'Issues and Options' consultation as a new community of approximately 1500 homes. However, when the council approached the Homes and Communities agency seeking Garden Village status and funding, they promoted Wisloe as a community of 5000 homes. This anomaly and dichotomy between what was being promoted in public and what was being planned behind the scenes has been raised with the responsible planning officer and Chief Executive. Both have refused to act to correct this 'lack of clarity'. This does not align with the councils SCI or with the requirement to make all evidence available at each stage of consultation.*

## **Matter 2 Spatial Strategy and site selection methodology**

### **Issue 2 – Does the Plan set out an appropriate spatial strategy, taking into account reasonable alternatives? Has the site selection process used an appropriate methodology that is based on proportionate evidence?**

(Please note that these questions relate to the overall spatial strategy and the site selection methodology. Further questions on unmet needs and specific site allocation are set out under later matters.)

#### **Spatial strategy**

**4.** Is the spatial strategy justified by robust evidence and does it promote a sustainable pattern of development within the District, in accordance with paragraph 11 of the Framework? Is the Council decision as to why this development distribution option was selected, sufficiently clear?

*There is a focus on new large settlements to the exclusion of almost everything else. This was officers preference and was not generally supported by members or residents who preferred more dispersal. Any opinion counter to officers preference has been dismissed or ignored.*

*An evidence base has been built to support a few large available sites.*

*The large site strategy will harm landscape and, in the case of PS24 and PS37, coalesce Cam, Cambridge, Gossington and Slimbridge to the detriment of all communities.*

*Inclusion of site PS37 was based on a flawed Agricultural Land Classification survey which has now been accepted as incorrect. This is crucial sustainability evidence that has not been considered.*

*A more dispersed strategy would help smaller local builders and developers. The current strategy will place power in the hands of a few large companies.*

*A wider range of small developers would help the local economy and increase delivery rates.*

**5.** Is the reliance on the delivery of most of the growth on a relatively small number of strategic development sites, including two new settlements, justified? How were the locations for the two new settlements at Sharpness and Wisloe identified and was the process robust?

*No. Evidence has been built to support these sites rather than being robustly assessed and sites selected on merit.*

*PS36 and PS37 were selected because they were promoted and available. Officers indicated their preference for these large sites at an early stage. Any evidence against their preference is dismissed on the grounds that 'no site is perfect'. Where sites coming forward that is not their preference, such as PGP1 Grove End Farm Whitminster, any minor perceived weakness is sufficient for officers to remove them from consideration.*

*The consultation has not been fair, open or robust.*

**7.** Has it been clearly demonstrated how the SA, HRA, infrastructure, viability and other relevant evidence have influenced the location of development and the overall strategy during plan-making?

*No. SA, HRA, infrastructure and viability assessments indicate that PS36 and PS37, when properly considered alongside independent expert advice, rate very poorly when compared with alternative large sites such as PGP1 Grove End Farm, Whitminster. A more dispersed approach would also score more highly and should have formed a greater part of the strategy.*

**8.** Does the spatial strategy make effective use of previously developed land and is this based on a robust and up-to-date evidence base?

*No. Extensive areas of brownfield land in and around Ebley, the Stroud Valleys and Stroud District generally, including a large array of old Mill buildings, should have been prioritised.*

**14.** Overall, will the spatial strategy meet the overarching strategic objectives and achieve the Council's vision?

*No. PS36 and PS37 in particular, will become dormitory settlements. Proposals to reinstate a former industrial railway as a commuter line is a fantasy not supported by robust evidence, financial commitment or an accepted plan from Network Rail. East/West links from the A38 via the A4135 through Cam and Dursley is effectively a single-track road in at least two places in addition to a railway bridge of limited width and no footpath. Proposed development in Cam, if combined with PS37, will develop existing congestion hotspots into a gridlock blackspot. PS36 and PS37 combined will add yet more load to the currently overloaded M5 Junction 14 with no realistic proposal to resolve.*

### **Settlement hierarchy**

**18.** Have implications of the larger strategic allocations on the existing settlements and their place within the settlement hierarchy been robustly assessed?

*No. Proposals for PS37 indicate that this development would coalesce Cam, Gossington, Cambridge and Slimbridge into one, amorphous, anonymous, indistinct urban sprawl. It would result in continuous built form from the Cotswolds, via Dursley and Cam, to the Severn Vale.*

**19.** Very small settlements are not included in the hierarchy and instead are considered to be part of the countryside. Is this approach justified?

*No. Members, in a rare moment of political cross-party unity, managed to force officers to include a small sites policy by rejecting the plan at Environment Committee on 13<sup>th</sup> September 2018. Despite officer reluctance to consider or include any form of dispersal, they reluctantly modified plans and introduced a very limited and restricted small sites policy. Whilst small rural settlements should be protected a dispersed approach that avoided the need for new, incongruous large settlements, protected the rural nature of communities but provided sustainability, widened the developer mix and helped meet the housing need was the preferred option of many members and residents.*

### **Site selection methodology**

**27.** Is the site selection methodology justified and does it accord with national planning policy and guidance?

*No. The proposed new settlements PS36 and PS37 are not justified or welcomed by the majority of residents or many members. They are unsustainable and will negatively impact on the rural nature of The Berkeley Vale.*

*Both sites fail on a number of NPPF policies including but not limited to:*

*Paragraph 11 (Both), Paragraph 97a (Sharpness – Nitrate fertiliser explosives hazard), 119 (Both), Paragraph 174 a, b & e (Wisloe – ALC 85% grade 2, 5% grade 3a), 185 (Both + Wisloe noise from raised motorway), 216 (Wisloe – High pressure gas pipeline).*

*PGP1, Grove End Farm, Whitminster has been erroneously excluded. It appears to be the most sustainable and appropriate site in the whole plan with excellent communication links east/west and north south. The existing infrastructure includes M5 Junction 13 with acknowledged capacity, two modern road bridges across the M5 motorway, The Stroudwater Canal with associated sustainable walking, cycling and boating access across almost the entire district, easy access to Stonehouse railway station and existing local services including two public houses, a range of food outlets, a shop and large garden centre including restaurant, furniture, clothing and other supplies.*

**28.** Has the site selection process been suitably informed by relevant studies/assessments and site constraints, and has it included a robust assessment of development impacts?

*No. See answers to Question 27 above.*

**30.** Overall, has the process robustly identified and assessed all relevant sites?

*No.*

*PGP1 Grove End Farm, Whitminster has been erroneously excluded.*

*It is not a new settlement. It is an extension to an existing community so would have more limited landscape impact than others and would not coalesce communities.*

*It has excellent communication links being only minutes from M5 Junction 13 which still has capacity.*

*The site has two large existing bridge crossings of the M5.*

*The East/West link is the best in the district with significant investment already planned, committed and finance secured.*

*The site is adjacent to the Stroudwater Canal providing excellent sustainable walking, cycling and boating commuting for residents across the district.*

*The nearby motorway is sunk into a cutting providing a natural barrier to noise and pollution.*

*Large, recognised developers are already committed and promoting the development.*

*There is no archaeological interest identified following a full on-site excavation survey by developers unlike PS37, where archaeological interest is known to exist but site promoters have not carried out surveys and have refused permission for others to investigate.*

## Matter 5 New settlements at Sharpness and Wisloe

### Issue 5 – Are the proposed new settlement allocations at Sharpness and Wisloe justified, effective and consistent with national policy?

#### Strategic Site Allocation Policy PS36 Sharpness new settlement

The policy proposes the allocation of land south and east of Newtown and Sharpness for a new mixed use garden community. This includes up to 2,400 dwellings by 2040 and 10ha of employment land. The policy requires a range of strategies and plans to be developed that will require approval by the Council. This includes 25 criteria to be addressed.

2. Does the evidence adequately demonstrate that the proposal will accord with the sustainable ethos of garden communities?

*Sharpness is a remote location. The suggestion that there will only be out commuting by rail link has not been justified and the proposal to introduce a passenger service on the existing redundant commercial rail line is not viable. There is no evidence to demonstrate that sufficient internalisation will occur. Out commuting by car will remain the only viable means of transport.*

3. Is the policy aim, of providing a new self-contained garden community settlement, viable and realistic? Has this been robustly demonstrated and is the development, as envisaged in the Plan, likely to be achieved during the plan period?

*No. This location is completely isolated. Any residents would still need to commute for services and employment. Efforts to gain support for creating a commuter rail link on the disused commercial line have been attempted and failed. An application was made with the support of the local MP to the governments 'Restoring Your Railways' fund. It was not successful. Land has been available for commercial and employment uses at this site for over forty years. There has been virtually no uptake. The idea that this would be a self-contained community with services and employment on site is a fantasy put forward by promoters to overcome the completely unsuitable, remote and isolated location.*

4. In relation to infrastructure:

- a. Does the policy clearly identify what infrastructure is necessary to support the delivery of the allocation? Will it be delivered at the right time and in the right place? How will this be achieved?
- b. Has the impact of the new settlement on the surrounding road network, including nearby motorway junctions, been adequately assessed? Can any impacts be mitigated and if so, how and when? Is this feasible? Is the policy sufficiently positively worded in this regard, for example with reference to M5 junction 14.

*No. There is no realisable, funded and sustainable plan to overcome the 'missing road link' between Berkeley roundabout and the A38. This would be an absolutely essential component of any proposed significant development on the PS36 site.*

*M5 Junction 14 is already significantly over capacity. Ongoing development in South Gloucestershire around Thornbury, possibly with the addition of proposals at Buckover, will add to this overload. Development on the scale proposed at PS36 would effectively create complete gridlock at this important junction. No viable plans or funding have been identified to address the inevitable issues that would arise.*



- c. The policy refers to a new railway station being delivered on the Sharpness branch line as part of the development.
  - i. What is the status of this project and is the delivery of the site allocation dependent on this coming forward?
  - ii. What level and frequency of rail service is proposed and is this supported by Network Rail and relevant service providers?
  - iii. Has funding been identified to support the delivery of this scheme?
  - iv. What are the proposed timescales for its delivery and would it be in time to support the new settlement?
- d. Is the proposed new rail link (on the Bristol-Birmingham mainline) and express coach services deliverable and viable and have funding sources been identified for these schemes? What is the timetable for delivery for these projects and will they be delivered in time to support the allocation? The policy refers to the coach link being required at an early stage in the development, is this viable? Have discussions taken place with the relevant infrastructure providers taken place (such as Network Rail) and do they support the projects? Has funding been identified? Has capacity been identified on the Bristol-Birmingham mainline to accommodate additional passenger traffic?
- e. The Sustainable Transport Strategy (STS) lists a number of interventions for the site that will need to be incorporated into its design and layout and be delivered at an early stage. For instance, it identifies that sustainable transport movements should be prioritised over vehicle movements by providing high-quality and accessible cycling and walking routes, which connect to Quedgeley West Business Park and local community facilities on Green Lane. Are these requirements and the timing of their delivery sufficiently clear from the wording of the policy? Will sufficient suitable and available sustainable transport links connect the site with the surrounding area?

*No. Please see answer to question 3 above. The railway proposal has been heavily promoted as a 'cure all' for the obvious weaknesses in PS36 proposals. It was not successful in securing funding previously. Nothing has been provided since that would change this situation.*

*A proposed community on the scale envisaged will not be self-contained. It will be an isolated, dormitory settlement with residents traveling by car. The limited proposals for local road improvements, that do not overcome the known and recognised missing road link between Berkeley roundabout and the A38, combined with a complete lack of adequate proposed investment in M5 Junction 14 would exacerbate problems and make development on the scale proposed at PS36 completely unviable and unsustainable.*

**9.** Has the potential of canal towpath degradation due to increased usage by future occupants of the development been considered? How would this issue be mitigated and addressed if necessary?

*No. Appropriate mitigation has not been discussed to address this direct issue. The impact of an extra 2400 houses worth of residents and the pressure this would bring to a nationally and internationally protected site so close to a major new development would require significant mitigation, including appropriate land set aside for conservation in compensation. The land undertaking suggested to address this critical issue is insufficient. The canal towpath is an important asset valued by local people and visitors alike looking to gain exercise and visit the nearby Purton Hulks and River Severn. It has become increasingly busy and already shows signs of wear particularly at busy crossing areas including the bridges at Purton.*

**10.** The text accompanying the policy lists a number of mitigation measures required due to the proximity of the site to the Severn Estuary SAC/SPA/Ramsar site. Taking account of these measures, will there be an effect on the developable area of the site that could impact on site densities or overall quantum of development?

*The proposed mitigation is insufficient as proposed. Natural England maintain objections. The likely need to increase mitigation in the form of additional land take will reduce the developable area and further impact viability and delivery of this complex proposed site.*

**13.** How has the amount of employment land been determined and is this sufficient to ensure the site limits the need to travel and is self-sustaining? Are there job growth estimates and are these realistic?

*Employment land has been available at Sharpness for over forty years. There has only been limited uptake. The isolated location of PS36 and competition from better nearby sites adjoining the transport network at Almondsbury, Quedgeley, Gloucester and elsewhere locally, will prevent the growth required to achieve the internalisation and limits to out commuting promoted.*

**18.** Will the HSE consultation on minimum distance for ammonium nitrate storage at Sharpness Docks impact upon the allocation?

*This is an area of concern for existing residents who fall within the blast zone. Proposals to address this for any new PS36 residents have not been adequately demonstrated and confirmed as acceptable by the HSE. The recent catastrophic nitrate blast in Beirut where 218 people lost their lives with many thousands injured from storage of a far smaller quantity of nitrate should be reflected upon and addressed in any plans for this area.*

## **Strategic Site Allocation Policy PS37 Wisloe new settlement (within the Berkeley Cluster)**

**The policy proposes the allocation of land at Wisloe for a new mixed use garden community, including approximately 1,500 new dwellings and 5ha of employment land. The policy requires a range of strategies and plans to be developed that will require approval by the Council. The policy lists 24 elements to be addressed.**

**21.** Does the proposed allocation meet the vision, spatial strategy and strategic objectives set out in the Plan? Does the policy ensure that these objectives will be met?

*No. The CN2030 commitment, which is a core component of Stroud District vision, will be actively harmed by PS37 proposals. Almost the entire site is located on BMV land (ALC Grade 2) against national and local policies aimed at preserving the best land for the production of crops with minimal input. The site is highly constrained by adjoining infrastructure including the M5 Motorway raised on a high causeway above part of the site, two large 'A' roads, one of which bisects the site, and a mainline railway. A high-pressure gas pipeline also runs through the site together with a main trunk optical cable. All these constraints, combined with four neighbouring nearby communities, limit the ability to create a sustainable community with local distinctiveness whilst preserving landscape and wildlife.*

**22.** Does the evidence adequately demonstrate that the proposal will accord with the sustainable ethos of garden communities? Is the site of sufficient scale for the delivery of the garden city principles to be feasible? Has this been robustly demonstrated and is the development, as envisaged in the Plan, likely to be achieved during the plan period?

*No. The site constrains, as previously discussed, will not allow development in line with garden community principles. The M5 motorway is on an 8m raised embankment in the southern part of the proposed site with the main Bristol to Gloucester railway at its base. The site is narrow and concludes at a point near to Gossington Bridge. A high-pressure gas pipeline runs approximately through the centre of the site. The entire site falls within the most harmful for noise and, because of the raised motorway previously discussed, it will not be possible to ameliorate this constraint in the normal way by erecting a bund unless it can be built higher than the motorway already 8m above the site. If this is planned the base of any bund would occupy almost the entire width of the site. The proposers, presumably aware of these constraints, have not proposed providing any facilities in the southern portion of the proposed development which would effectively remove any incentive for creating an integrated development in line with Garden principles. The lack of an identified developer speaks volumes and demonstrates that the site is unsuitable, unsustainable and undeliverable.*

**23.** Will the proposed new settlement be suitably connected to sustainable transport infrastructure networks to ensure that future residents are able to access an essential range of services, facilities and employment opportunities?

*No. There have been no firm, viable commitments only aspirational suggestions of what might or could be possible. The West/East road route via Cam and Dursley is a congested, constrained route restricted to a single track in at least two places due to directly adjoining residential property and parking. There is no proposal to replace or widen the existing A4135 rail bridge that has no safe footpath and is constrained in width for traffic. Access to the rail station is another unconfirmed aspiration and, in any case, rail services have not been confirmed and services are continuing to reduce.*

**24.** In relation to infrastructure:

**a.** Will infrastructure to support the allocations be delivered at the right time and in the right place?

*No. A commitment to investment and contribution for M5 Junction 14 has not been included as a commitment. There is no reference to how the single-track components of the West/East connection through Cam and Dursley will be addressed or overcome. The two-level crossings will require bridges to satisfy Network Rail but proposals are silent on this matter. The A4135 bridge has no footpath and is inadequate for traffic. No proposal to address this traffic constraint is provided.*

**b.** Are the proposed rail link to the north and the express coach service to the south viable and deliverable? Have funding sources been identified? Will they be delivered on time to support the new settlement? Have discussions taken place with the relevant infrastructure providers and do they support the projects?

*No. The proposed rail link and its frequency is reliant on the introduction of commuter services at a reinstated Sharpness station. There is no certainty that the associated development, PS36, is viable or achievable. Network Rail have indicated significant infrastructure will be required in order to provide a service. The costs involved will make both sites PS36 and PS37 unviable.*

**c.** Has the impact of the new settlement on the surrounding road network, including nearby motorway junctions, been adequately assessed? Can any impacts be mitigated and if so, how? Is the policy sufficiently positively worded in this regard, for example with reference to M5 junction 14.

*No. The shift from personal road transport to public transport is disputed. Promoter figures are wildly optimistic and are not supported by evidence. Before covid the calculated suggested increase in use of rail in the district over the plan period was a 0.3% increase. This will make statistically no difference whatsoever and use of the train since covid has declined and is forecast to continue falling. The limited highway changes based upon a modal shift are in no way sufficient to mitigate the real impact on the local road network or at M5 Junction 14.*

**d.** Will the location of the high-pressure gas pipeline that runs through the site constrain the proposed development in anyway? What effect, if any, will the presence of the gas pipeline have on the viability of developing the site?

*The gas pipeline effectively bisects the entire southern component of proposed PS37. The site is already very narrow particularly at the southernmost location where the pipe enters. When National Highways were consulted their response was 'We have managed to locate the sliver of land sandwiched between our motorway infrastructure and the A38'. This provides an indication of the limit to, at least, this part of the site. To then design around the pipeline further restricts the ability to build and/or adds dramatically to cost with a consequent knock on to viability. HSE have already recommended no build. This makes perfect sense.*

**e.** Has the effect of the proposed new settlement on the Sharpness Waste Water Treatment Works been adequately assessed? If capacity improvements are necessary can they be delivered within existing environmental constraints and how will they be funded?

*The extra investment needed will add further to cost for this constrained site and add further questions to viability and ability to deliver.*

**27.** Will any impacts on the nearby Severn Estuary SPA/SAC Ramsar Site and SSI be adequately mitigated?

*Commentary on the impact PS37 will have on the Severn Estuary SPA/SAC, Ramsar and SSSI has been absent or treated erroneously as of little consequence. The site is only 3km away. A few minutes drive*

*or bird flight. Direct evidence has been provided of highly protected and red data list endangered birds on and around the site including Lapwing and Curlew. These birds require wide open spaces. No mitigation has been discussed to address this direct issue. The impact of an extra 1500 houses worth of residents and the pressure this would bring to a nationally and internationally protected site so close to a major new development would require significant mitigation, including appropriate land set aside for conservation in compensation as has been proposed at PS36. It is not possible to mitigate impact for species such as Lapwing and Curlew on site. No such undertaking to provide additional land for compensation has been made and plans to address this critical issue have been superficial and dismissive at best.*

**29.** The site lies within a Minerals Safeguarding Area (MSA). What steps, if any, will need to be taken prior to any development to ensure that this issue is mitigated? If extraction is required prior to any development taking place will this affect the viability or timescales for developing the site?

*Gloucester County Council are joint applicants on this site. Unlike other MSA's within their area of responsibility where they are very active, they have failed to carry out their duty and address this issue on PS37. There is a conflict of interest here. Action should be taken to ensure this is addressed. Any additional cost will impact on viability.*

**31.** Does the policy sufficiently ensure that the risk to existing flood risk management assets (due to climate change, rising sea levels and natural deterioration) will be addressed?

*No. Slimbridge is already subject to regular flooding. This has become an annual event. Direct evidence has been provided to Stroud District Council and officers are involved on a regular basis assisting residents in dealing with the consequences of flooding. The PS37 site is an existing natural barrier that helps absorb and attenuate high rainfall. Developing a site of this size cannot be attenuated by Suds schemes. Diverting waters into the River Cam would also only increase the existing flooding of properties in Ryalls Lane and reduce the capacity to accommodate raised flows from development already taking place in Box Road, Cam.*

**32.** Has the potential of canal towpath degradation due to increased usage by future occupants of the development been considered? How would this issue be mitigated and addressed if necessary?

*No. Appropriate mitigation has not been discussed to address this direct issue. The impact of an extra 1500 houses worth of residents and the pressure this would bring to a nationally and internationally protected site so close to a major new development would require significant mitigation, including appropriate land set aside for conservation in compensation. No such undertaking has been made and plans to address this critical issue have been superficial at best. The canal towpath is an important asset valued by local people and visitors alike. It has become increasingly busy and already shows signs of wear particularly at busy crossing areas like Shepherds Patch on the route to the Wildfowl & Wetlands Trust at Slimbridge.*

**33.** Reference has been made to footpaths across the site that cross the railway. What is Network Rail's view on this issue? Are there any safety implications that the proposed development would need to take account of? Does the policy need to refer to this?

*Two footpaths cross the site. Network Rail do not permit development adjoining their infrastructure unless it can be demonstrated that safety of any crossing points is not diminished. Level crossings are not permitted and the two that exist would need to be remedied. This would typically be via a bridge crossing. There has been no plan or proposal to address this issue.*

## **Matter 6 Site allocations**

**Issue 6 - Are the proposed housing, employment and mixed-use site allocations justified, effective and consistent with national policy?**

### **Matter 6a Site allocations - General questions**

7. Which sites are located on the best and most versatile agricultural land and is the loss justified?

*PS37 is the largest known single block of BMV land in the Stroud District. The Natural England high level assessment confirms Agricultural Land Classification Grade 2 across the entire site. After two full on-site inspections, both surveys have confirmed that 85% is ALC Grade 2, 5% ALC Grade 3A and the remainder ALC 3B.*

*The paper that informed Stroud District Councils CN2030 proposals passed unanimously at Environment Committee on 19<sup>th</sup> June 2019 states at Appendix A, under Actions Required, Paragraph 3.4.1. 'Incentivise good soil management practices that enhance soils ability to deliver environmental benefits through future environmental land management schemes' and 'Protect soils and natural carbon stores'. Paragraph 3.6 'Stroud District can through the Local Plan – 'Protect the most productive agricultural land to allow conversion to production of crops for local consumption'.*

*NPPF Paragraph 174 a, b and e also address the need to conserve and protect BMV land from development.*

### **Matter 6d Cam and Dursley site allocations**

#### **Strategic Site Allocation Policy PS24 Cam North West**

**31.** The site is identified as a sustainable urban extension to Cam and is allocated for strategic housing development, to include approximately 900 dwellings and community uses. The policy seeks a development brief incorporating an indicative masterplan, that will address 18 listed requirements.

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

*No. The existing road infrastructure is already congested and over capacity. The A4135 through Draycott becomes a single-track road due to parking. Adding another 900 homes will add significantly to the existing problems and the proposed solutions are wholly inadequate and not supported by evidence. If PS37 was included in the plan, Cam would become impassable.*

## **Matter 7 Housing Provision**

**Issue 7 – Does the Plan set out a positively prepared strategy for the supply and delivery of housing development that is justified, effective and consistent with national policy? Are the policies for housing development, including those to meet specific needs, sound?**

### **Matter 7a Housing supply**

#### **Overall supply**

Table 2 of the Plan (page 33) summarises the housing land supply for the plan period. This includes commitments, allocations and a small sites allowance (windfall) which together form a total housing supply of 14,935 dwellings. Taking commitments of 4,595 dwellings off the housing requirement of 12,600 dwellings leaves a minimum residual housing requirement of at least 8,005 dwellings.

The Topic Paper EB8 confirms that the Housing Land Supply Assessment Update November 2020 (EB15) provides the latest evidenced schedule of large site progress and anticipated delivery from developers and site promoters for all major development sites.

**2.** Does the supply identify sufficient land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, in accordance with paragraph 69 of the Framework?

*No. The proposals include existing sites and all potential windfall sites within this figure. The plan should set out to positively and proactively allocate at least 10% on sites of less than one hectare.*

*Overall, the numbers proposed are far higher than necessary to meet legal requirements. Current calculations indicate a 29% oversupply. The existing committed dwellings number also includes a significant buffer. Therefore, the numbers required have been inflated even higher.*

*Current delivery rate is far higher than required at approaching 700 pa. This has occurred for several years with an associated reduction in the residual requirement.*

### **Matter 7c Other housing policies**

#### **Sustainable rural communities – Delivery Policy DHC2**

**18.** This policy supports schemes of up to 9 dwellings outside SDL at Tiers 3b and 4 settlements, subject to meeting five criteria. We've already asked some questions under Matter 2 that are relevant to this policy which may be duplicated here.

**a.** Is development outside the proposed SDL necessary to meet identified needs and if so, why are site allocations in these locations not being proposed or boundaries moved to accommodate this?

*Proposals at smaller settlements are not included as officers refused to consider any policy that impacted on their preferred strategy of concentration and new settlements.*

**c.** Why has a limit of 9 dwellings been identified for these tiers? Is this justified by robust evidence? What if the identified need was higher?

*Officers do not want anything to impinge on their preferred policy of concentration and new settlements.*

## **Matter 10 Environment**

**Issue 10 – Does the Plan set out a positively prepared strategy for the natural, built and historic environment that is justified, effective and consistent with national policy? Does the Plan adequately address other environmental matters and are the policies sound?**

### **Matter 10a Sustainable future**

#### **Core Policy DCP1 Delivering Carbon Neutral by 2030**

Core Policy DCP1 sets a target of achieving net zero by 2030, ahead of the national target which is to achieve the same by 2050.

- a. Is this target achievable? Is it justified and viable?

*Not unless the council stands by its original commitment to protect BMV land from development.*

- f. Does the policy provide sufficient support for the use of land for the production of food?

*No. The paper that guided the original CN2030 proposals agreed at Environment Committee on 6<sup>th</sup> June 2019, included the action required to 'Protect the most productive agricultural land to allow conversion to production of crops for local consumption'. The nearest this policy gets is 'designed to maximise green infrastructure to sequester carbon, achieve nature recovery and to support local food production'. This is not good enough and does not reflect the ambition voiced and supported by members and residents to achieve carbon neutrality. The policy should clearly state the need to protect BMV land for agricultural production.*



## **Maintaining quality of life within our environmental limits - Delivery Policy ES3**

**15.** Are the criteria set out in the policy justified and consistent with national policy, for example criteria 8 which relates to the best and most versatile agricultural land?

*The paper that informed the councils CN2030 policies promoted an action to 'Protect the most productive agricultural land to allow conversion to production of crops for local consumption'. If a small area of a site was BMV this would perhaps be an acceptable loss and appropriate design may provide protection and use. However, when an entire site is BMV this is not possible. Land is classified in order to assess which is best for agricultural production with lowest inputs, not for setting aside as green space or biodiversity where lower graded soils are actually preferred. PS37 is the largest known single block of tested and confirmed BMV land in the district. The land is almost entirely Agricultural Land Classification Grade 2. With this example in mind, application of the policy does not appear to be sufficiently tightly worded, application of the policy has not been correctly applied or 'unacceptable' has been misunderstood or misinterpreted by those that wish to maintain PS37 in the plan.*

**16.** Does the policy take sufficient account of mitigation measures that might be used to make developments acceptable where there would be some level of harm, for example regarding soil resources?

*No. Mitigation to limited areas of BMV land within a proposed site could be possible by careful design to include allotments for instance in appropriate BMV areas. Or, if necessary and the area was small enough to incur the significant carbon cost of removal or relocation, then this could provide mitigation. However, when an entire large site, such as PS37, graded and confirmed as BMV is included erroneously in the plan, the level of harm assessed is simply incompatible with CN2030 plans and aspirations. The responsible officer did suggest, as one possible means of mitigation, removing the soil!!! From 77ha of land!!! I haven't done the calculations but the carbon cost of such a measure is beyond a mere mortals imagination and is simply not credible. If mitigation on this scale, with all the associated carbon cost, is considered acceptable, there is something wrong with the policy or understanding of those making the decision.*

**17.** When the policy refers to 'an unacceptable level' is it clear what is meant by this term and how development proposals will be assessed against it?

*No. The only measure appears to be what officers think is acceptable in promoting their favoured sites. Stroud District Councils ambition to be Carbon Neutral by 2030 would suggest developing the largest single known parcel of BMV land would represent an unacceptable level of loss. The NPPF paragraph 174 a, b and e would suggest the loss of 77ha of BMV land would represent an unacceptable loss especially when alternative strategies and sites, such as Grove End Farm PGP1, are available. Please also see answers to 15 and 16 above.*

### **Matter 10b Air quality**

**18.** The Plan at paragraph 6.40 states that air quality within the District is 'predominantly good' but also identifies that a very small number of locations could potentially exceed the annual average for nitrogen dioxide (NO<sub>2</sub>) and fine particulation (PM<sub>10</sub>). Which locations is the Plan referring to and how have these been identified?

*I have tried to obtain details on air quality at PS37 as I have concerns about the proximity of the M5 motorway, A38, A4135 and main railway line. I have been informed that all the testing sites are further north in the district and no data is available for the PS37 site. The concern is particularly*

*acute at this site as the motorway is on a raised embankment of 8m adjoining part of the site and the main railway line and motorway form the eastern boundary. These sources of pollution need analysing prior to consideration of PS37. Is PS37 one of the 'small number of locations that could potentially exceed the annual average for nitrogen dioxide (NO2) and fine particulates (PM10)'?*

#### **Air quality - Delivery Policy DES5**

**21.** The policy seeks development that is 'likely to exacerbate existing areas of poorer or marginal air quality' to provide mitigation measures.

**a.** Does the Plan clearly define where these areas of poorer or marginal air quality are located?

*No. There are no measurements, current or historical, for site PS37 where anticipated levels of poorer air might be expected due to the road and rail infrastructure immediately adjoining the site. The plan does not clearly define where areas of poorer or marginal air are located.*

#### **Matter 10c Natural and historic environment**

##### **Biodiversity and geodiversity – Delivery Policy ES6**

**27.** Is the minimum 10% BNG requirement justified and consistent with national policy? Should the amount requested be less, or indeed greater in some circumstances such as on strategic site allocations?

*20%, as recommended by The Wildfowl & Wetlands Trust, should be a minimum requirement on strategic sites.*

##### **Valuing our historic environment and assets – Delivery Policy ES10**

**47.** Is Delivery Policy ES10 consistent with national policy and are the criteria justified and effective? In particular:

**d.** Is it clear from the wording of the policy in what circumstances archaeological assessments would be required?

*No. Archaeological assessments are not referenced specifically. There should be an instruction, on proposed strategic sites, that onsite excavation must be carried out prior to consideration in the Local Plan process. Where this has not happened sites should not be considered. An assessment once the Local Plan is in place is not acceptable as, if remains are identified, a whole plan could be put in jeopardy if a site becomes unviable due to excluded areas.*

##### **Equestrian Development – Delivery Policy ES9**

**56.** Does the policy as worded take sufficient account of the keeping of horses for sport and exercise?

*No. The policy states that 'conversion or change of use of existing equestrian establishments to a non-equestrian use will be discouraged, unless there is a strong case setting out why an exception should be made'. Other councils with similar policies require demonstrable, genuine, marketing and historic business records to demonstrate an establishment is not or is no longer viable. This policy is not sufficiently tightly worded. Direction should be provided to demonstrate the level of detail required regarding viability including appropriate timescales and marketing evidence. The current policy, as worded, relies on a vague interpretation and subjective judgement of what does, or does not, represent 'a strong case'.*

## **Matter 11 Infrastructure Provision and Viability**

**Issue 11** – Does the Plan set out a positively prepared strategy for infrastructure provision to meet the Plan’s development strategy and is this justified, effective and consistent with national policy? Are the policies relating to infrastructure sound? Is infrastructure provision viable?

### **Matter 11b Transport**

Since the submission of the Plan and the production of the Council’s Transport Topic Paper (EB6), technical updates on transport and viability have been published.

Definition and scope of transport infrastructure required

Have all essential transport infrastructure elements been identified and does the Plan adequately address these needs in its identification of the scale and location of proposed development? Has the preparation of the Plan been consistent with paragraph 104 of the Framework which states that transport issues should be considered at the earliest stages of plan-making?

*No. There is no clear plan to address the current lack of an appropriate road between the roundabout to the east of Berkeley and the A38. The B4066 and Alkington Lane are not suitable for current traffic. Any increase must be accommodated with a clear, agreed plan to replace and fund an acceptable alternative.*

*M5 Junction 14 is discussed but no clear plan, confirmed funding sources or timescales are provided.*

In general terms will Core Policy CP6, the Infrastructure Delivery Plan (IDP) and other policies of the Plan, including allocation policies, ensure that necessary transport infrastructure will be delivered and in the right place and at the right time?

*No. See answers above. Proposed sites PS36 and PS37 are not viable or deliverable as currently promoted. If the additional costs associated with providing transport infrastructure that is genuinely required are factored in, these sites are not deliverable.*

Will the mitigation measures identified be sufficient to address the highway impacts identified?

*No. Mitigation measures for site PS36 rest on reinstating the disused commercial railway at Sharpness and upgrading to a commuter line. Previous recent attempts to the Governments ‘Restoring Your Railways’ fund, with the proposed PS36 development included as a driver, failed because it is not viable. There has been no change. The other proposed main means of mitigation is almost complete internalisation of activity including services and employment. Employment land has been available at Sharpness for over forty years with virtually no uptake. Businesses recognise that this is a very remote location with poor transport infrastructure and connectivity. It cannot and will not be able to compete with nearby locations adjoining the M5 motorway.*

*Mitigation associated with site PS37 also rests on use of the railway as a main means of transport. However, services are limited and, as has been previously discussed, the increase in rail usage from studies carried out prior to Covid, indicate a 0.3% increase in rail travel was possible. This statistically insignificant increase has been further impacted by the pandemic with an observed and recognised decrease in the use of rail. The West/East road link is effectively single carriageway in at least two locations with no plan to address this constraint. Plans*

*proposed for the A38 and A4135 are wholly inadequate and would in no way address the inevitable increase associated with the site and nearby proposed PS26 at Cam.*

District-wide mode-specific strategies – Delivery Policy DE11

Does the viability evidence supporting the Plan make realistic assumptions about costs?

The Transport Funding and Delivery Plan (July 2022) (TFDP) identifies three transport mitigation packages. These are:

M5 Junction 12:

improvements to M5 J12 (a new grade-separated junction);

Improvements to the A38 / A430 / B4008 'Crosskeys' Roundabout; and

Improvements to the B4008 / Stonehouse junction.

M5 Junction 14: comprising improvement to M5 J14 (a new grade-separated junction) and dualling of the B4509 between M5 J14 and A38.

A38 Corridor (This package includes the following number of individual junctions which have been identified for highway capacity improvements in the Traffic Forecasting Report (EB61)):

A38 / Grove Lane;

A38 at Claypits;

A38 / B4066;

A38 / B4066 Berkeley Road;

A38 / Alkington Lane; and

A38 / A4135.

Are these mitigation measures necessary and justified? Do they represent a comprehensive set of mitigation measures required to support the levels of growth set out in the Plan?

*To all of this, yes and no. Yes, they are justified. No, they do not represent comprehensive mitigation to support and accommodate the levels of anticipated growth planned. M5 Junction 14 proposals are a low cost option only not what is required if the level of growth in Stroud District and South Gloucestershire is to be accommodated. A full roundabout including two bridges is required. The A38/B4066/Alkington Lane and A4135 proposals are not sufficient to accommodate the anticipated growth in the south of the Stroud district if PS36 and PS37 are included.*

The TFDP sets out indicative costs for the three schemes (page 5). For the M5 J12 scheme this is £9,437,500; the M5 J14 scheme is £27,246,837; and the A38 package is £3,812,500. Are these indicative costs realistic and do they provide a reasonable basis upon which to consider the viability of delivering the growth set out in the Plan?

*No. As discussed previously, M5 Junction 14 and A38 proposed schemes are wholly inadequate and the costs therefore anticipated should be considerably higher.*