

Black Box Planning on behalf of MF Freeman

Hearing Statement

Matter 2: Spatial Strategy and Site Selection Methodology

1. This Hearing Statement has been prepared on behalf of MF Freeman and should be read alongside the Representations submitted in response to the pre-submission (Reg19) version of the Stroud Local Plan (SLP) in May 2021. It seeks to respond to specific questions set out in the Inspector's Matters, Issues and Questions raised in respect of Matter 2, where relevant to concerns held by MF Freeman.
2. These representations are submitted with regard to MF Freeman's control over land at north of Nympsfield Road, Nailsworth. The site was proposed for housing allocation for 25 dwellings in the Draft Plan for Consultation 2019 (EB106) with site reference PS07 'North of Nympsfield Road' The representations set out below question the lack of development growth being directed to Nailsworth relevant to its role in the settlement hierarchy and the inconsistent approach of the SLP having regard to development sites in the AONB and national policy.

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?

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?

1. MF Freeman object to the spatial strategy as we consider the SLP is misguided in terms of the role of Nailsworth in seeking to deliver the objective of sustainably located homes and balancing environmental impacts of development with social and economic benefits. There are inconsistencies within the Plan and its evidence base which render it unsound, including in respect of the role of Nailsworth.
2. CP3 identified Nailsworth as a Tier 2 settlement and states; *“These market towns and large villages have the ability to support sustainable patterns of living in the District because of the facilities, services and employment opportunities they each offer. They have the potential to provide for modest levels of jobs and homes, including through sites allocated in this Plan, in order to help sustain and, where necessary, enhance their services and facilities, promoting better self-containment and viable, sustainable communities.”*

3. The only growth allocated in the SLP for Nailsworth and the only likelihood of any new homes coming forward in Nailsworth during the plan period hinges on a new stadium as component of a wider strategic scale site (PS20 eco park) being delivered. This approach is unjustified relevant to the role of Nailsworth within the settlement hierarchy.
4. The SLP Vision to 2040 (The Stroud Valleys) highlights Nailsworth as follows;

“With its high quality and niche retail and leisure, Nailsworth town will play a supporting role, providing for its own growing resident community, but also drawing from a wider local catchment and attracting visitors from outside the District”.
5. Furthermore, paragraph 3 of the Guiding Principles for the Stroud Valleys (page 74 of the plan) states; *“Appropriate development will be supported to sustain Nailsworth and Minchinhampton and their roles as Local Service Centres for their surrounding communities, and Nailsworth’s secondary role as destination town for visitors and tourists”*
6. The status and role of Nailsworth, including the intention for modest levels of growth is therefore evident throughout the plan, yet this is not reflected in allocations for growth.

6. Is the strategy consistent with the settlement hierarchy and is the scale of development proposed at relevant settlements justified?

7. No, the strategy has treated Nailsworth inconsistently with insufficient growth attributed towards the town. The Settlement Role and Function Study Update 2018 (EB72) confirms that the market town of Nailsworth is the 4th largest settlement in the district by population and stands out as having experienced low levels of growth relative to its size. EB72 also confirms that the town has a strategic retail role in the and is one of the highest performing settlements in terms of services and facilities and good accessibility. It is also the 4th largest employment hub in the district, only surpassed by the larger settlements of Stroud, Stonehouse and Dursley (marginally) which is illustrated by the very high proportion of residents working within 2km of home.
8. The sustainability of Nailsworth is clear with EB72 confirming *‘This is one of the District’s best functioning settlements, in terms of its ability to service the employment needs of the local community and match the characteristics of the resident workforce’* and *‘The town offers a very good level of local community services and facilities’*.

25. The text on page 23 of the Plan also states that limited housing within the AONB will be supported to meet needs arising from within the AONB.

a. Is this clearly set out in policy and if so, how will this be assessed by a decision-maker determining future planning applications?

b. Is this approach consistent with paragraphs 176 and 177 of the Framework in regard to the AONB?

26. Overall, is the settlement hierarchy and how it relates to the development strategy clearly explained within the Plan and is the approach justified, effective and consistent with national policy?

9. Examination document EB9 (Topic Paper Assessment Selection of Sites, October 2021) sets out the sequence of assessment for allocations in the Draft Plan stage (2019) within the AONB at paragraphs 2.4.4 to 2.4.7. During this stage, MF Freeman appointed landscape consultants Viridian Landscape Architects to assess the site. The commission was undertaken in response to dialogue with the Council, and the scope of the assessment and the results thereafter were discussed and agreed through workshops hosted by the Council with representatives from the Cotswold Conservation Broad and the Council's landscape expert, White Consultants. It should be noted that EB9 provides reasoning why two draft allocation sites (PS04 and PS29) in the AONB were not taken forward at the Draft Plan stage (2019) for landscape sensitivity reasons. At this stage, there was no landscape related justification for the removal of allocation PS07.
10. Paragraphs 2.5.6 of EB9 sets out that PS07 was not taken forward to the Pre-submission Draft Plan (May 2021) had been 'filtered out' due unresolvable AONB impacts and paragraph 2.5.9 of EB9 suggests there was insufficient justification. However, there is no evidence to clearly confirm what exactly those unresolvable AONB impact are, as MF Freeman understood consensus had been reached at the regulation 18 stage of the plan in respect of PS07.
11. The Draft Plan for Consultation November 2019 Consultation Report (April 2021) provides the following unsatisfactory explanation for the removal of the Nympsfield Road allocation: - *"Land North of Nympsfield Road will not be taken forward in the Local Plan process. The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) and national planning guidance advises that such a location is unlikely to be a suitable area to accommodate the unmet needs of adjacent areas, such as Nailsworth. The Council is intending to allocate a large site outside the AONB but within close proximity of this site that is more appropriate to meet the future housing*

needs of Nailsworth. This site is not associated with a settlement within the AONB and therefore is not a suitable location to meet needs arising from within the AONB.”

12. The inference here is that PS07 does not meet NPPF justification for development in the AONB is simply at odds with the Plans allocation PS05 (Minchinhampton) and PS41 (Painswick) which allocate development sites for 80 homes and 20 homes in the AONB respectively. It is not clear how PS07 is differentiated from these AONB allocations in landscape or policy assessment terms. The allocation policies for PS05 and PS41 suggests the justification for the sites is based on housing need including need for local affordable housing. Relevant to the consideration of housing need and affordability, EB72 confirms that Nailsworth ranks as the 7th most expensive civil parish in the district in terms of the average house price with an affordability gap of £103,000 between the median cost of local houses and the amount that local residents can afford to borrow. EB72 also confirms that the town has **‘experienced extremely low housing growth’** between 2011 and 2018 (3% comprising 69 new dwellings) compared to the district average (6%) albeit recognising that environmental and topographical constraints play a role as restricting factors. As such there will be pent up local need for both market and affordable housing.
13. The Council’s reasoning for removing the Nymphsfield Road allocation is predicated on an inaccurate interpretation of the PPG. The relevant section (Paragraph: 041 Reference ID: 8-041-20190721) states:- *“The National Planning Policy Framework makes clear that the scale and extent of development in these areas should be limited, in view of the importance of conserving and enhancing their landscapes and scenic beauty. Its policies for protecting these areas may mean that it is not possible to meet objectively assessed needs for development in full through the plan-making process, and they are unlikely to be suitable areas for accommodating unmet needs from adjoining (non-designated) areas. Effective joint working between planning authorities covering designated and adjoining areas, through the preparation and maintenance of statements of common ground, is particularly important in helping to identify how housing and other needs can best be accommodated.”*
14. The guidance does not provide a blanket barrier to development allocations in the AONB but rather advises that they are unlikely to be suitable, and clearly the suitability or otherwise is a matter for the LPA to consider. As indicated by the reasoning provided in the consultation paper as set out above, the District Council have erroneously applied the PPG with the effect that no allocations in the AONB can possibly be made to provide for the needs of Nailsworth. That interpretation is clearly mistaken. Rather, the emphasis of the PPG is that grounds of unmet needs arising from non-designated areas alone, is unlikely to provide sufficient justification for development in the AONB but a case-by-case judgement is required. In the case of land north of Nymphsfield Road, the Council had clearly concluded the site was

acceptable in landscape terms previously by allocating the site at the Reg 18 Draft Plan stage having taken into account landscape evidence, and the PPG should not alter that judgement.

15. NPPF paragraph 176 provides a protective but permissive approach to 'limited development' in the AONB, while NPPF paragraph 177 is also permissive where it can be demonstrated development is in the public interest. PS07 'North of Nympsfield Road' is consistent with this approach.

16. In consideration of the above, MF Freeman contend that Nailsworth plays an insufficient role with the SLP spatial strategy when all evidence points to there being sound justification for growth and that such growth would provide a sustainable form of development. It is recognised that the SLP allocates housing at PS06 The New Lawn, but this site's deliverability is uncertain as it requires the provision of a new stadium for Forest Green Rovers. The stadium has had consent since 2019 but there is little sign of it progressing and it is now subject of revised proposals in tandem with a business park (PS20). As set out in our earlier representations, given the complexities and delivery timescales associated with a stadium build and relocation strategy, there can be no certainty that PS06 will come forward in the plan period. As such, Nailsworth faces the prospect of delivering no new homes in response to local housing needs including affordable homes in the plan period.