

The Berkeley Estate

Stroud District Local Plan Review

Draft Local Plan Consultation

Representations prepared by Savills on behalf of
'The Trustees of the Berkeley Settlement' (The
Berkeley Estate)

Introduction

1. These representations have been prepared by Savills on behalf of The Berkeley Estate (TBE) in response to the consultation on the Draft Stroud District Local Plan (Draft LP) which ends on 22 January 2020.
2. The Berkeley family, who remain integral to TBE, has been associated with Berkeley since the 12th Century. The family's long term commitment to the area, its community and the rural economy means that the use/development of its land is important to its legacy. For the same reason, TBE also engages with the development of the wider District, and takes an active interest in the Development Plan process.
3. TBE land interest is focused in the south western part of the District, extending to approximately 6,000 acres in Gloucestershire's Berkeley Vale. It includes a mediaeval Deer Park, a number of farms let to farming tenants (where the families have often been on the land for generations), cottages, offices, a hotel and two pubs. TBE also owns the New Grounds at Slimbridge, where the Wildfowl & Wetlands Trust is based, and about five miles of the bed of the River Severn. It is a vibrant business providing employment and business opportunities.
4. Specific comments within these representations are made in respect of the proposed allocations relating to the 'land at Focus School, Wanswell', 'Sharpness Garden Village' and 'Wisloe Garden Village'. It also responds to opportunities for other allocations, the extent of settlement development limits and general policies pertinent to the land under TBE's ownership.

National Planning Policy: Context to the Local Plan Review

5. Paragraph 35 of the National Planning Policy Framework (NPPF, 2019) establishes that a plan should be submitted for examination in which the respective local planning authority considers is "sound"; this includes a plan that is:
 - **Positively prepared:** providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - **Justified:** the plan should be based on an appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective:** the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and



- **Consistent with national policy:** the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

6. The following representations have regard to the tests of soundness outlined above.

SWDPR – Preferred Options Document - Representations

PS35 Land at Focus School, Wanswell

7. TBE acknowledges and supports the recognition of its land directly adjoining the Focus School (to the north and the east) as appropriate for development through its identification as part of the second phase of allocation ref. PS36 'New Settlement at Sharpness'.
8. However, based on the justification set out below, TBE strongly feels that its land should form part of the PS35 allocation rather than be linked to PS36, and that allocation PS35 should require a coordinated development of the Focus School land and TBE's land.
9. The extent of TBE's land in question is set out at Figure 1.

Figure 1: TBE land adjacent to allocation PS35 'Land at Focus School, Wanswell'



10. The extent of the proposed PS35 allocation is well related to the village of Wanswell, and includes the brownfield elements associated with Focus School. However, it does not result in a logical 'rounding off' of the village unless TBE's L-shaped parcel of land (adjoining the PS35 site along the northern and eastern boundaries) .
11. Whilst the two sites are separated by differing ownerships, in physical terms they are only divided by a limited line of vegetation. The strong landscape and townscape features containing the Focus School site actually comprise the woodland to the east of TBE's land and the vegetation and agricultural track to the south of Focus School and TBE, Station Road to the east and Halmore Lane to the north.
12. In contrast, the Focus School and TBE's land is separated from the wider PS36 'New Settlement at Sharpness', particularly to the west by Station Road (which forms the main highway running through Wanswell village towards Berkeley in the south and Brookend and Purton in the north) and Halmore Lane, to the north.
13. In summary, TBE's land is more closely related to the Focus School than the wider New Settlement at Sharpness, and inclusion of TBE's land within allocation PS35 would reflect that.
14. Turning to matters of detail, it is considered appropriate that TBE's land and the Focus School site are masterplanned together to ensure an appropriate and well planned use of the site. Key pieces of infrastructure, such as the main points of access into the site, routes through the site and distribution of green space should be planned collaboratively.
15. In this respect, we consider that a site which has an access both from Station Road and Halmore Lane can help both the site itself to function in terms of movements created, but can also provide significant enhancements for the pedestrian routes into the village from the residential properties at the north east corner of the site on Halmore Lane.
16. Pedestrian enhancements can also be delivered adjacent to the well-established belt of woodland at the east of the site, improving the setting of the existing public right of way (PROW). This PROW also connects to the southern boundary, where a lane also serves as an access path from Station Road to Wanswell Court Farm in the east.
17. Within the site, the two land ownerships are separated by only a sparse hedgerow. There are some visually prominent trees at this boundary, and these can form an integral part of a cohesive masterplan for the site.



18. For clarity, TBE's land is located within Flood Zone 1 and it is not the subject of any environmental/landscape designations, other than it being located within a SSSI Impact Risk Zone; which a detailed development proposal would need to have regard to.

19. Going forward, the delivery of a new standalone development across the adjoining sites would provide a more considered and well-planned layout through allocation PS35. The development of the site could suitably deliver a sustainable development which forms a logical extension to the village of Wanswell. Key development principles include:

- Provision of new homes of a mix of tenures and sizes to address housing needs of Stroud District;
- A high quality provision of much needed community uses for the local area (precise uses to be agreed with Stroud District Council);
- Retention of new public open space to serve existing and prospective residents
- Improvements to green infrastructure, including enhancement of the physical boundaries along the north, east and south;
- Highway access from Station Road to the west and connectivity to Sharpness Phase 2 in the north;
- Delivery of suitable pedestrian and cycle links within the site, to surrounding development and beyond; including enhancement of existing PROWs along the east and the west;
- A high quality of building, landscape and infrastructure design in order to deliver an attractive and liveable community.

20. Figure 2 below sets out a revised policy wording to deliver an extended allocation at the site.

Figure 2: Proposed Policy wording for an extended allocation at PS35

PS35 Land south of Halmore Lane and at Focus School, Wanswell

A. Land uses (Policy map to be prepared for the pre-submission Stroud District Local Plan Review):

- i. Residential – [Precise no. of dwellings to be confirmed] ‘X’ no. dwellings - variable densities and location to be agreed through a Vision Document;
- ii. Community Uses – [Precise quantum of land to be confirmed and precise community uses to be determined by Stroud District Council] ‘X’ sqm of land for nursery/community building/village shop/care home;
- iii. Public Open Space and Green Infrastructure – [Precise quantum of land required for POS and GI to be agreed] ‘X’ sqm of public open space and GI – by way of formal and informal spaces for recreation;
- iv. Ecology – at least 10% of biodiversity net gain as required by national planning guidance;
- v. Energy Generation – solar power and storage sufficient at least for the quantum of development proposed;
- vi. Flood Risk – betterment with respect to the total surface water runoff.

B. Transport Infrastructure:

- i. Safe, secure and accessible connections to the north towards Phase 2 of the Sharpness Garden Village
- ii. Retained and enhanced footpaths and cycleway provision following existing Public Rights of Way along the eastern and southern boundaries;
- iii. Adequate access to the bus stops adjacent to the western boundary of the site along Station Road;
- iv. Suitable access from the west and the north of the site to facilitate adequate movement of emergency and service vehicles.

C. Other Infrastructure: An exhaustive list of infrastructure requirements cannot be confirmed yet, which will be agreed with the Council and set out in the pre-submission document.

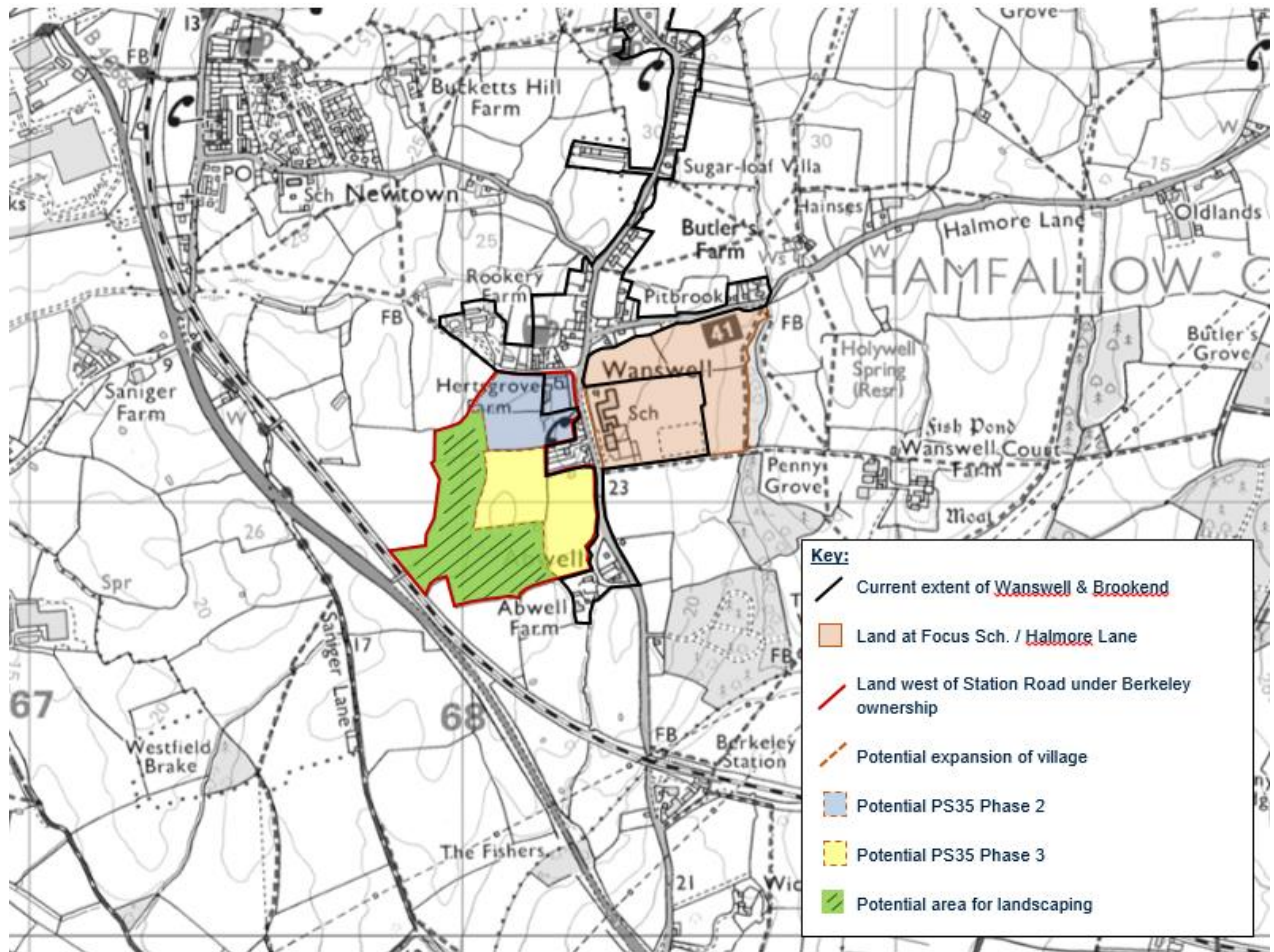
21. In order to deliver the detailed development requirements for the extended PS35 allocation, effective communication between interested parties and the Council is proposed. In this respect, representatives of TBE have made contact with representatives of the promoters of the Focus School site.

22. In consideration of the site’s opportunities and constraints, and the opportunity for the two landowners to work together, an illustrative concept plan of how the site may be developed is presented at **Appendix I**, which builds on the themes outlined above.

23. Looking to the future for Wanswell, it is understood that there is much debate about the delivery of the New Settlement at Sharpness through policy PS36. This is commented on further below.

However, TBE would like to draw to the Council’s attention the opportunity for its land to deliver an extended Wanswell village independently of the proposals at Sharpness. It’s land ownership west of Station Road, could support the proposed allocation at Focus School through future phased expansion of Wanswell, helping to support the small community. Figure 3, below, illustrates in plan form how this could be achieved.

Figure 3: Land under TBE’s ownership to deliver an expansion to Wanswell



24. The approach outlined presents an opportunity to provide a suitable ‘rounding off’ of Wanswell Village on both sides of Station Road.

25. In summary, the Draft LP should extend the allocation at the Focus School (allocation ref. PS35) to include the adjoining parcel of land under TBE’s ownership. This would therefore create a larger allocation to the south of Haltmore Lane, which provides an opportunity to deliver an enhanced level of development through a more considered and well-planned layout. Further estate land is available if required for a larger PS35 allocation. Extending the allocation would result in a more effective, positively prepared and justified plan, in accordance with paragraph 35 of the NPPF.



26. As a general note, there is a typographical error on page 120 of the Draft LP showing the Land at the Focus School Wanswell as allocation reference PS34. This should be amended upon publication of the Pre-submission version of the LP.

PS36 Sharpness Garden Village

27. Whilst it is acknowledged that the Draft LP intends to bring forward a new garden village at Sharpness, TBE has concerns about the impact of a large-scale proposal on the wider environment around Berkeley and upon the land and assets within its ownership.
28. In particular, TBE considers that the Sharpness Garden Village would add pressure for the need for a southern extension to the Berkeley Bypass between Mobley and the A38. An extension to the bypass would significantly impact on the Grade II* listed Registered Park and Garden at Berkeley Castle, requiring development of the Park and Garden. It would also impact the historic setting of the Grade I Listed castle itself. In addition, it would have a direct impact on existing farm tenants, because it would need to cut through their holdings.
29. TBE also hold reservations about the wider impacts of the increase in traffic that would arise from development of Sharpness Garden Village at the scale proposed, and the ability for the development to successfully deliver a sustainable transport plan to serve the increase in population.
30. In the event that an allocation is taken forward at the Sharpness Garden Village, it is important that the layout of any development delivered at the allocation is evolved as a collaborative approach, with all interested parties involved, to ensure that the proposal delivers the most appropriate form of development for the area. TBE has not been party to the evolution of the detailed proposals to date, but will engage as appropriate as the allocation progresses through the plan process.
31. As the proposed developers of the site do not yet have a controlling interest in TBE's land, it will be important that the wording of any allocation of the site ensures that the subsequent planning application(s) is required to secure delivery of all the land/development required to support a comprehensive proposal.

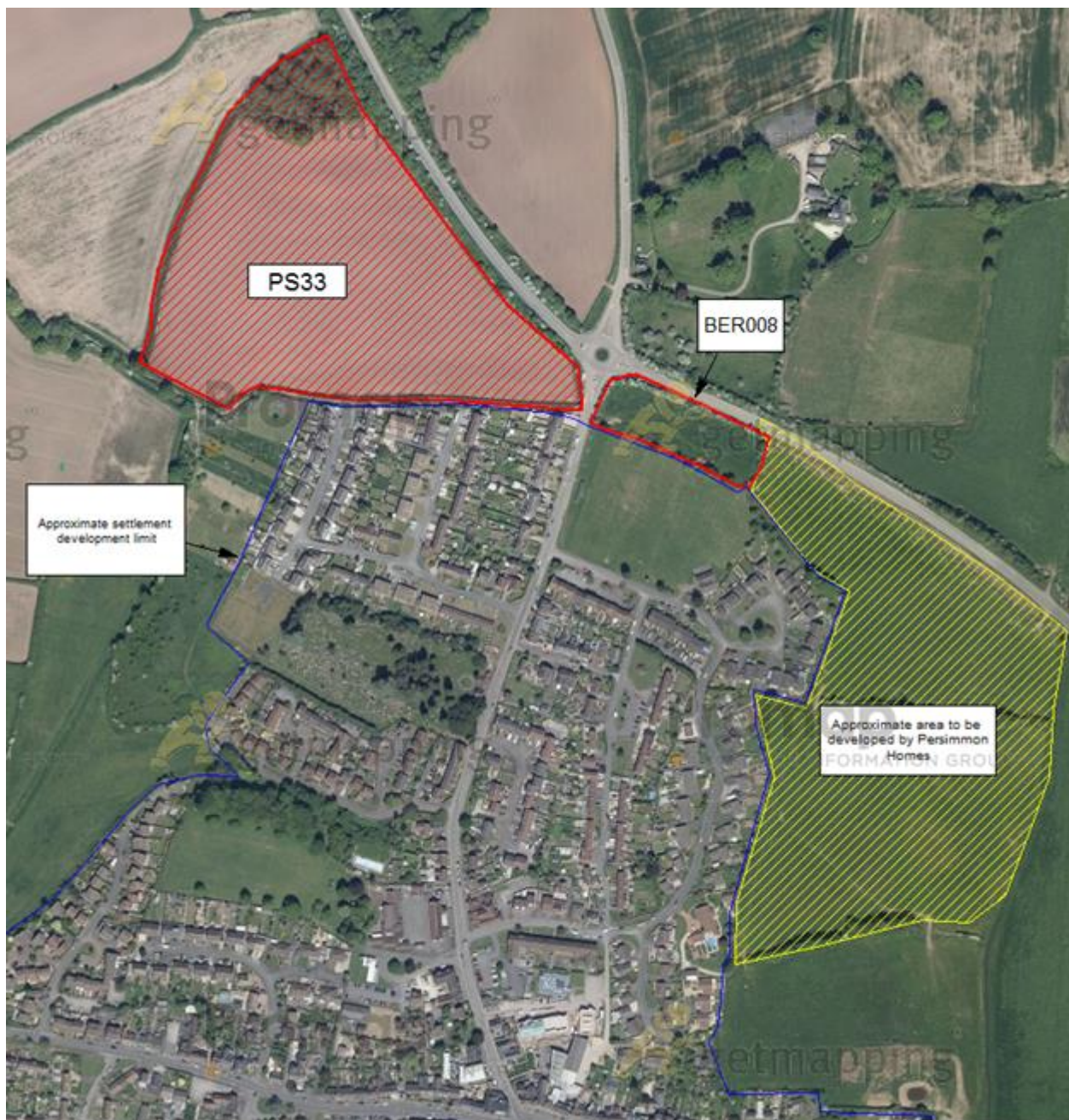
PS37 Wisloe Garden Village

32. TBE supports the addition of the land under its ownership within the emerging allocation for the Wisloe Garden Village, which – in accordance with the NPPF – results in a more positively prepared plan.
33. TBE's land sits to the south east of the roundabout at the junction of the A38 (Bristol Road) and A4135. The Estate supports the inclusion of its land as it represents a logical extension to the allocation, representing the last remaining parcel of land which is located within the A38, the A4135 and the M5.
34. The site is flat, located in Flood zone 1 and is not the subject of any landscape/environmental designations that prevent development of the site.
35. Through existing vegetation along the north eastern and north western boundaries, the site is already well screened, both physically and visually. In this instance, the site would help to provide a strong landscaped edge to the north of the allocation.

Land north of Canon Park Sports Ground (BER008)

36. As set out in TBE's previous representations to the Local Plan Review Emerging Strategy Paper (ref.00589, dated January 2019), it was proposed that its land to the north of Berkeley, between the existing playing field and the B4066, is incorporated within the settlement boundary and allocated for development. However, no change is proposed within the Draft Plan.
37. TBE again draws the Council's attention to the planning permissions at the 'Land to the rear of Canonbury Street' (under construction and substantially complete) and proposed allocation of the land 'Northwest of Berkeley' (allocation ref. PS33) which have the effect of enclosing the land north of Canon Park Sports Ground.
38. The site was identified in the Strategic Assessment of Land Availability 2017 (2017 SALA) as 'Land north of Canon Park Sports Ground (BER008), however it was not proposed for allocation as it was identified as not being currently available and with no reasonable prospect of future availability. TBE again confirm that the land is available for development and would like the land to be reconsidered by the District Council when the SALA is reviewed.
39. The land is available for development and TBE considers that it represents a logical rounding off of the settlement. The site will soon be surrounded by development on all sides, with the B4066 'Berkeley Bypass' providing a strong physical barrier to the northern edge of the town.
40. To clarify the point, to the east is the Persimmon Homes' Canonbury Rise development (which received planning permission in 2016) is now substantially complete. To the west is Station Road, which represents a key north/south artery for the town, and beyond that the proposed allocation at Site PS33, land northwest of Berkeley.
41. Furthermore, the site benefits from an existing access onto Station Road at its western boundary, which is currently used to serve the site. A plan showing the extent of the site and the surrounding context is set out in figure 4 below.
42. Having regard to the above, the site is considered to represent an appropriate 'rounding off' of the town and is appropriate for inclusion as an allocation for residential development. This is clearly illustrated within Figure 4.

Figure 4: Plan showing development context of the Land north of Canon Park Sports Ground



Other policies within the plan

Core Policy DCP2: Supporting Older People

43. The requirement to provide accommodation to meet the needs of older people is noted. Such requirements will need to be factored into viability appraisals for strategic schemes when establishing what contributions the development can support.

Core Policy CP8: New Housing Development and Policy HC1: Detailed criteria for new housing developments

44. TBE will keep these policies under review.

Core Policy CP9: Affordable Housing

45. TBE supports the principle of new residential development delivering an appropriate proportion of affordable housing within the scheme subject to viability.
46. We note that there is no viability evidence supporting the publication of the Draft LP. Within the context of viability and plan making, the Planning Practice Guidance establishes that the role for viability assessment is primarily at the plan-making stage and that whilst viability assessments should not compromise sustainable development *“it should be used to ensure that policies are realistic , and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan”* (paragraph 002, Reference ID: 10-002-20190509).
47. This section of the PPG adds that *“policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage”*.
48. In the absence of an adequate viability assessment supporting the Draft LP, the affordable housing targets presented are not supported by appropriate evidence and are therefore unjustified.

Policy DHC2: Sustainable Rural Communities

49. TBE supports the principle of this policy, which seeks to encourage smaller housing schemes up to 9 dwellings adjacent to settlement development limits at the Tier 4 settlements.

Policy DHC7: Provision of open space and built and indoor sports facilities

50. Policy DHC7 provides the standards for the provision of new open space and recreation facilities to be incorporated into new residential developments. Whilst TBE is supportive of the principle of this policy, it has concerns over the nature of the typologies presented within this policy.
51. Of the eight different open space typologies, some can be clearly distinguished, however other typologies clearly overlap. Policy DHC7 does not clarify where the distinction arises between ‘Amenity Green Space’, ‘Parks and Recreation Grounds’ and ‘Natural Green Space’, which can all have common characteristics. The number of typologies presented in this policy is excessive and will inevitably cause significant confusion for developers.

Policy HC4: Local Housing Need (exception sites)

52. This policy is supported in principle, however in order to ensure that affordable housing delivered through rural exception sites (RES) is safeguarded for future generations, this accommodation should be provided ‘in perpetuity’, in accordance with the NPPF.

53. Annex 2 of the NPPF states:

“Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.”

54. In order to ensure that all new affordable housing being delivered through RES is future-proofed, criterion (3) of Policy HC4 should be amended to read (new text underlined):

“Appropriate legal agreements are entered into to ensure that such dwellings will be remain available in perpetuity as affordable housing for local need, with the necessary management of the scheme in place”

Policy EI10: Provision of new tourism opportunities

55. TBE supports the Council’s intention to encourage development in lower tier settlements and countryside locations subject to criteria.
56. In Savills’ experience, encouraging opportunities and increasing the provision of tourism-related facilities has been an effective method for larger estates to diversify and enhance its commercial

operations. Increased tourism provision also allows for more individuals, groups and/or organisations to visit the area, which brings financial benefits for a range of local and district-wide stakeholders.

Policy EI12: Promoting transport choice and accessibility

57. TBE supports the requirement for all new development to be planned in accordance with the Sustainable Transport Hierarchy as established within the NPPF.

58. As proposals for new residential development on land under the Estate's ownership progresses, this policy will be kept under review.

Core Policy CP15: A quality living and working countryside

59. The principle of this policy is supported, which provides flexibility for rural-based business and organisations (such as TBE) to successfully operate.

60. TBE considers that this policy should not act as a hindrance to property owners, businesses or other organisations, nor should this policy be applied too rigidly within the determination of applications.

Policy ES2: Renewable or low carbon energy generation

61. Such requirements will need to be factored into viability appraisals for strategic schemes when establishing what contributions the development can support.

62. As proposals under the TBE's control progress, this policy will be kept under review.

Delivery Policy ES6: Providing for biodiversity and geodiversity

63. The principle of this policy is supported, which provides the optimal conservation of the Wildfowl and Wetlands Trust at Slimbridge, which is under TBE's ownership.

64. TBE does however consider that this policy should be applied pragmatically in the event of much needed improvements to natural resources and biodiversity improvements, and should not act as a hindrance to applicants within the determination of planning applications.

Policy ES10: Valuing our historic environment and assets

65. This policy is broadly supported in principle. It is important to highlight that the NPPF sets out that *"when considering the impact of a proposed development on the significance of a heritage asset,*



great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be)” (paragraph 193).

66. The NPPF adds that where a proposed development will lead to substantial harm to (or total loss of) a designated heritage asset, planning consent should be refused unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss (paragraph 195).

67. Further to the above comments on the Sharpness Garden Village, it is important for Stroud District Council to very carefully consider the significance of the Grade I listed Berkeley Castle and its Grade II* listed park and gardens, as well as the impact on existing farm tenants, local businesses and residents, when considering the potential infrastructure implications of the Sharpness Garden Village.

Conclusion

68. Drawing all of the above in the round, TBE has significant land interests across the south west of Stroud District. The Estate controls land which forms part of the allocations at Focus School and Sharpness and Wisloe Garden Villages. These representations also provide a commentary on the policies which impact upon more general matters of the Estate.
69. In summary, the Estate supports the recognition of the land at Focus School as appropriate for development (through allocation ref. PS35). TBE owns an L-shaped parcel of land adjoining the PS35 site along the northern and eastern boundaries which is closely related to the PS35 allocation (but is currently identified as forming Phase 2 at Sharpness). Therefore a revised PS35 allocation should be prepared to include TBE's land which adjoins the Focus School site to the north and the east, with further estate land available if required for a larger PS35 allocation. TBE also controls land which could provide for further expansion of Wanswell to the south west of the village in the event that the wider proposals for Sharpness are not supported.
70. TBE has significant concerns over the impact of the Sharpness Garden Village proposal on the wider environment around Berkeley and upon the land and assets within its ownership. The demand the garden village proposal would create for an extended bypass to the south east of Berkeley, which would generate direct and indirect implications on the land and operations under the Estate's ownership; including the need to develop part of the Grade II* listed Registered Park and Garden at Berkeley Castle, and impacting the historic setting of the Grade I Listed castle itself.
71. The inclusion of the Estate's land within the emerging allocation at the Wisloe Garden Village is supported. It is however advised that Stroud District Council include the Estate's land within forthcoming evidence base documents during the preparation of the emerging Local Plan.
72. These representations are divided into sections, setting out TBE's response to the individual matters summarised above. They are supported by an initial design concept providing early thoughts on an amended allocation at the Focus School, Wanswell (allocation PS35) which incorporates the adjoining land under TBE's ownership. TBE's land encompasses the PS35 allocation to the north and east and presently forms part of the Phase 2 for allocation PS36.
73. TBE is also committed towards promoting the wider interests of the Estate. The Estate is dedicated towards facilitating smaller and larger enterprises commercial operations to support the rural economy.

Appendix I

Amended Allocation PS35: Land south of Halmore Lane and at Focus School, Wanswell – Concept Master Plan

- KEY**
1. Vehicular access from Halmore Lane
 2. Free lined primary street designed to deliver a low speed environment
 3. Green edge alongside Halmore Lane (part of the National Cycle Network), including retained planting
 4. Surface water attenuation feature at site low point
 5. Public Right of Way (PROW) connection to Halmore Lane
 6. PROW connection to school - easel
 7. West-east green corridor with new and retained planting
 8. Retained woodland with PROW running alongside
 9. PROW connection that running along the adjoining one
 10. Residential development overlooking the surrounding parkland and enclosing central green space
 11. Central green space, with play area, new and retained planting, and surface water attenuation
 12. Green edge with new and retained planting, adjoining lane (and PROW) which runs west-east from Station Road
 13. Potential community use
 14. Retained green edge alongside Station Road (part of the National Cycle Network)
 15. Existing bus stops on Station Road
 16. Vehicular access from Station Road
 17. Village green including play area, and nearby bus stops
 18. The Salmon Inn
 19. Existing detached dwellings adjoining north-west of site

D. Amended planning / drawing status applies
 A. Amended address, central green amended
 Area of each
 HNAL
 Date: 22/01/20
 By:

pad
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