

Stroud District Local Plan Review Examination

Response to Matter 1: Compliance with Statutory Procedures and Legal Matters

For and on behalf of: Charterhouse Strategic Land

February 2023

Introduction

1. This Hearing Statement is for and on behalf of Charterhouse Strategic Land (CSL) (representor no. 865) with respect to the Stroud District Local Plan Review (SDLPR) submitted for Examination by Stroud District Council (SDC).
2. It is concerned with **Matter 1** (Compliance with Statutory Procedures and Legal Matters) as set out in the Inspectors' Matters, Issues and Questions (MIQs) (Examination document reference: **ID-05**).
3. The Hearing Statement has been prepared on the basis:
 - a) that the Inspectors have received and reviewed in detail the representations previously submitted to the Stroud District Local Plan Review Pre-Submission Draft (May 2021) on behalf of CSL.
4. This Statement reflects the previous representations lodged by CSL, which must be read in conjunction with it and makes points relevant to the questions in Matter 1 in the following sections.

Response to Issue 1.2

Has the Plan been prepared in accordance with other legal and procedural requirements?

Sustainability Appraisal

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

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

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

5. CSL have objected to the SA (**CD3** and appendices **CD3a – CD3d**) conclusions on the development strategy because the SA appraisal is not robust. It has relied upon a simplistic assumption that focusing large levels of development to a small number of large settlements sites will be the most sustainable approach. Small settlements are, conversely, in the SA authors' view considered to be less able to deliver services, infrastructure or access to employment opportunities.
6. That assumption is un-evidenced. It is also incorrect, given that the benefits of larger scale settlement development inherently depend upon the ability of such new development to provide the necessary infrastructure to ensure it is actually sustainable; i.e. it requires a mitigation-led approach.
7. However, larger scale development (especially large urban extensions or new settlements) in turn requires the development of significant and costly new infrastructure with extended lead-in times prior to housing delivery. In reality, this entails lengthy time periods before necessary infrastructure is actually provided.

8. In adopting this approach the SA failed to take proper account of the fact that the underlying demographic, economic, environmental, infrastructure capacity and sustainability conditions are very different across the individual Tier 2 (and other lower Tier 3) settlements. This has not been addressed in the SA.
9. The SA further fails to reflect the importance of ensuring that future growth adequately supports smaller and more rural settlement vitality and viability reducing the potential for stagnation of these places, consistent with the aims of national policy.
10. CSL's representation on the SA at the Pre-Submission SDLPR stage identified fundamental deficiencies in the SA's assessment of the Parish Cluster strategies and 'mini visions' for the eight sub-district level Clusters, including:
 - a. there has been no assessment of reasonable alternatives in terms of the levels of housing or economic growth within the Clusters, including as a reasonable alternative to the chosen strategy of the identified numbers in the allocations, for example providing further or different allocations within the settlements;
 - b. the Parish Cluster area analysis in the SA is superficial. The analysis of future growth in the SA is conducted in relation to the overarching development strategy of the District and with respect to the performance of individual potential development sites without analysis of the Clusters;
 - c. there is no reference to the consequences of the alternative levels of future growth for the Clusters in terms of sustainability. Indeed, CSL concluded that the proposed SDLPR strategy promotes a significantly compressed level of housing delivery in the Cotswold Cluster area for example (and notably in other Clusters) in a manner that would lead to significant negative effects in respect of the SA objectives;

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

11. CSL has no comment on Question 4.

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

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

12. With respect to Questions 5 and 6 (alternatives and the SA's influence on the Plan's growth strategy), it is CSL's view that the SA does not assess the reasonable alternatives for housing growth taking into account the Plan's objectives and strategies for the Parish Clusters in conjunction with the overall development location strategy for settlements across the District.
13. The SA offers no support or assistance in understanding how the Local Plan's Parish Cluster area strategies and mini-visions would perform, contrary to the expectations of NPPF 35a to d.
14. Reasonable alternatives for the growth of individual settlements within the Parish Clusters have not been referred to or evaluated in an equivalent or comparable way in order to derive the best option and the choice made. Reasonable alternatives include alternative proposals which would secure the objectives of the Local Plan Review within the plan, i.e. reasonable alternatives are not limited to wholly different plans but can include sensitivities in terms of the amount, distribution or types of housing (and other) growth.

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

15. The SA does not describe in any detail (including what evidence was used) how the assessment of the effects of the Plan's strategy would derive the positive impacts ascribed for the Parish Cluster areas, including the Cotswolds Cluster.
16. CSL conclude that, overall, the SA is premised on a methodological approach that does not properly give effect to the SEA Regulation or national policy. It has pre-

determined the sustainability benefits of the chosen strategy, in a manner which fails to take account significant environment effects, and other obvious material matters, including the complexity and timescale of infrastructure delivery.

17. CSL concluded in representations to the Pre-Submission SDLPR that the SA was legally deficient.