

HEARING STATEMENT ON BEHALF OF COTSWOLD HOMES

Stroud Local Plan Review Examination Matter 1: Compliance with
Statutory Procedures and Legal Matters

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1 MATTER 1 COMPLIANCE WITH STATUTORY PROCEDURES AND LEGAL MATTERS

This statement has been prepared by RPS on behalf of Cotswold Homes LTD (“CH”) in respect of their land interests at Bath Road, Leonard Stanley

Issue 1.2 Has the plan been prepared in accordance with other legal and procedural requirements?

Sustainability Appraisal (SA)

Q2) 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 the suitably reflected in the SA objection and sub-objectives?

1. The Environmental Assessment of Plans and Programmes 2004 (otherwise described as the ‘SEA Regulations’) require formal assessment of Plans in light of reasonable alternatives (Regulation 12) which are likely to have significant effects on the environment and which set the framework for future consent requiring Environmental Impact Assessment (EIA). SDC has undertaken a joint process with the preparation of its SA which incorporates the requirements for SEA, broadly in line with paragraph 32 of the NPPF. The Environmental Report for the purposes of the regulations is the SA Report for the Stroud District Local Plan Review – Pre-Submission Draft Local Plan (May 2021) – **EXAM CD3**.
2. The SA has sought to appraise the likely social, environmental and economic effects of the policies and proposals from the onset of its preparation. The SA Methodology is set out in Section 2 of the SA. The initial Scoping Stage which commenced in April 2018. The SA framework for the Stroud District Local Plan Review is summarised in Table 2.2. This includes 17 headline SA objectives along with their associated sub-questions. Para 2.8 notes that a small number of changes have been made to some of the sub-objectives in the SA framework since it was presented in the Scoping Report, in response to comments received during the consultation process as detailed in Appendix 1.
3. RPS consider that the key sustainability issues identified are comprehensive, being suitably reflected in the SA objectives and sub-objectives. However, RPS consider that the Plan does not fulfil these clear objectives and sub-objectives in particular in relation to: **SA 1: Affordable Housing** (objective 1); **SA 2: Health and Wellbeing**; **SA 5: Sustainable and Vibrant Communities**; **SA 7: Biodiversity and Geological Interest**; **SA 8: Local Character and Distinctiveness of Landscape and Townscapes**; **SA 17: Sustainable Economic Growth**.
4. In addition, Table 3.1 of the SA main report [**EXAM CD3**] provides a summary of the key sustainability issues that need to be addressed in the Plan. This includes a reference to the

'countryside' being under pressure from 'urbanising influences driven by a need for new housing provision', and the reasons. However, the issue of development in the countryside should not be treated in isolation or out of context with the circumstances in Stroud. Specifically, the SA ignores the fact that the quantum of land capacity identified to support deliver of the housing target will be heavily reliant on land within the countryside. This is because of the dearth of previously-developed land and land within settlements that is available and suitable for housing development in the district, totalling 1,494 dwellings as at April 2021 [EXAM EB12, page 6]. This constitutes just 12% of the total housing need of 12,600 dwellings. Development on greenfield land and sites in the countryside is therefore inevitable if the district's housing needs are to be adequately met. The SA ignores this and is therefore not soundly-based. Clear recognition of the lack of deliverable and developable, previously-developed and land within existing settlements should be recognised in the SA as a key issue for the Local Plan.

Q3) Does the SA adequately consider the likely significant effects of reasonable alternatives where these exist, including in respect of scale of housing and employment provision and the balance between them?

5. RPS do not consider that the SA has adequately considered the likely significant effects of reasonable alternatives. The SA has been confined in its extent to the housing figures of 630 dpa set out in the Plan, or 12,600 dwellings over the plan period under Policy CP2
6. As discussed in our response to Matter 3, the uncapped level of housing need in Stroud is 652 dpa, as identified in the Local Housing Needs Assessment [Exam EB10] which the Council could have chosen as their baseline in line with the recommendations of the PPG¹. Although the Council are aware of this figure, it has chosen not been an option tested through the Sustainability Appraisal ("SA").
7. The Council provides no explanation as to why the 'uncapped' housing need figure for Stroud should not constitute a reasonable alternative in line with the regulations. This is somewhat perverse, given the SA considered an alternative figure higher still than the capped amount. As indicated in the SA [EXAM CD3b, p.815], the Council has explored an option for an increase to 786 dwellings per annum, however it is unclear why this other appropriate alternative figure has not been tested. This has meant that reasonable alternatives to consider a higher level of provision have been ignored, contrary to the requirements of the SEA regulations and national policy (paragraph 32).
8. It is also noted that the District faces significant constraints due to topography, flood issues and the presence of AONB, the last covering a large portion of the district. RPS raise concern here to the flexibility of the identified supply and its robustness over the Plan period. For example the flexibility of the supply could be undermined if one of the proposed housing allocations does not deliver as anticipated. If this involved one of the large Strategic Development Sites, such as one of the two

¹ Paragraph: 007 Reference ID: 2a-007-20190220 Revision date: 20 02 2019

new settlements, this would raise significant issues for the District in terms of meeting its housing growth target. In addition, the absence of alternative reasonable options does not allow for flexibility if at the Examination one or more of the Housing Allocations is not considered to be sound.

9. This is particularly pertinent in relation to the Examination of the Solihull Local Plan which was submitted in 2021, with hearing sessions held in 2021 and 2022. The Inspectors in this case asked the Council to identify alternative site options to deliver approx. 2,500 new dwellings given concerns they had with the reliance on a small number of significant site allocations to meet the borough's housing need. The Inspectors asked for the Examination to be pause whilst the Solihull Borough Council undertake the necessary updates to their evidence base (see Letter 13 Dec 2022 **Appendix 1.**

10. Furthermore, RPS notes the findings in the SA in relation to the assessment of specific options, notably the land under Cotswold Homes control at Leonard Stanley (site ref. LEO004). It is noted that the site scores 'significant negative' effects under SA Objective 13. However, the site being promoted here is considerably less than 600 dwellings which, on this basis, would score the site as 'minor negative'. When correctly appraised, the site scores better than the majority of other site options at the settlement. This means the SA is not soundly-based as the scoring does not reflect the SA methodology [EXAM CD3b, Appendix 4, Table 4.1].

Q5) Have unreasonable alternatives been appropriately considered and have adequate reasons been given as to why these have not been selected?

11. No.
12. As explained in this submission, the SA has not included any specific appraisal of the uncapped housing need figure for Stroud (652 dpa). Appendix 8 of the SA [EXAM CD3b] has appraised five 'growth options' which includes reference to a 'hybrid' option (8,725 additional dwellings) but there is no reference or any consideration of the significant effects of addressing the uncapped housing need figure (652 dpa). This is higher than the capped housing need figures (630 dpa) but lower than other options referred to in the SA, notably the 'additional strategic growth option' which has not been taken forward in the Plan [CD3b, paragraph A8.22]. The uncapped housing need option would represent a reasonable alternative in this context, and one that should be properly appraised as part of the SA process.

Q6) 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 indicated that changes should be made to the plan?

13. No.
14. Appendix 9 of the SA [CD3b, Table A9.1] provides an 'audit trail' of policy and site options taken forward in the Plan. The Council has confirmed that it's preferred spatial strategy growth option is the 'hybrid' option. This option would include two new settlements, one at Wisloe and the other at Sharpness. Key Issue 1 under Table A9.1 supports an approach where development would be located in the right place, supported by the right services and infrastructure to create sustainable

development which, whilst not made explicit, is assumed to inform the choice of the hybrid spatial development strategy approach. However, it is noted that there are limited infrastructure i.e public transport, at Sharpness with very limited information provided to show how this would be delivered in this part of the district. In addition, the findings in relation to the hybrid option [CD3b, A8.21] highlight a number of significant negative effects in particular relating to the proximity of growth near to the Severn Estuary. This further points to the need for a larger proportion of future growth to be assigned to smaller existing settlements, including Leighton Stanley, which is not located in an area of flood risk or situated within a sensitive location for other reasons, notably the Cotswold AONB.

Q7) Overall, does the SA adequately assess the environmental, social and economic effects of the Plan in accordance with legal and national policy requirements?

15. No.
16. For the reasons given this submission, the SA has not adequately assessed the environmental, social and economic effects of the Plan in accordance with legal and national policy requirements. Furthermore, we recommend that the problems identified here need to be remedied through appropriate revisions to the SA which should then be consulted on as part of the next steps for this examination.