

Stroud District Local Plan Review Examination

Response to Matter 7: Housing Provision

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 7** (Housing Provision) 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 does not repeat previous representations, which must be read in conjunction, but makes points relevant to the Matter in question in the following sections.

Response to 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

Question 3: *Paragraph 74 of the Framework states that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period. No such trajectory appears to be in the Plan. Is there a particular reason for this? Also has consideration been given as to ‘whether it is appropriate to set out the anticipated rate of development for specific sites’ within the Plan?*

5. SDC will need to explain why there is no, **detailed**, housing trajectory contained within the SDLPR contrary to NPPF paragraph 74. CSL consider the lack of a detailed trajectory to be a substantial deficiency of the Plan resulting in real uncertainty as to the likely delivery of new housing and the resilience of the Plan to ensure it meets the planned housing requirement.
6. It is entirely appropriate to set out the anticipated rate of development for sites within the Plan in order to demonstrate how the various proposed allocations will support a deliverable and developable supply of housing land during the SDLPR’s lifetime. It is critical in the context of a significant housing requirement including for the development of new affordable housing and the Plan’s proposed spatial distribution which appears over-reliant on strategic sites to secure the necessary housing provision.

Question 4: *Is there sufficient flexibility in the housing trajectory to ensure that housing land supply within the Plan area will be maintained and will deliver the housing requirement?*

7. It is not possible to conclude whether there is flexibility in the housing trajectory given the lack of a detailed trajectory contained within the Plan. The lack of a trajectory represents a significant failure to demonstrate how housing sites are

anticipated to come forward and allow any clear understanding of the resilience and flexibility that is needed, including ensuring there is a deliverable supply of sites throughout the plan period.

8. CSL may seek to comment further as and when a detailed housing trajectory is presented to the Examination.

Question 5: *Is there credible evidence to support the expected delivery rates set out in the housing trajectory? The annual housing requirement of 630 dpa would be a significant rise in house building rates from recent and historic trends in the borough. Does the evidence support that this is achievable?*

9. This is for SDC to answer. However CSL believe that the proposed housing requirement is capable of being delivered if sufficient, appropriate sites are allocated in the SDLPR, including at sustainable locations where growth can support settlement vitality such as Painswick.

Matter 7b – Meeting Specific Housing Needs

Inclusive Communities – Core Policy CP7

Question 9:

a) *National policy seeks plans that meet development needs. In relation to housing needed for different groups in the community, paragraph 62 of the Framework states that this ‘should be assessed and reflected in planning policies’.*

- i. *Have the long term housing needs for specific groups within the District been robustly assessed and identified in the Plan? If so, what are these and are they justified?*
- ii. *Are the development requirements for meeting these specific housing needs clearly defined within policies?*
- iii. *If this is the case for this Plan, what is the purpose of Core Policy CP7?*

- b) *How does Core Policy CP7 relate to other policies in the Plan, such as Core Policies DCP2 and CP8, and the site allocations? Does it unnecessarily or confusingly duplicate other Plan policies?*
10. This is for SDC to answer.
- c) *As the policy reads more like an objective, can the Council provide clarity on what is actually required from development proposals? Have any requirements been viability tested and is it clear how the policy will be implemented and measured?*
11. This is for SDC to answer; however it is especially important in the context of ensuring clarity in the SDLPR and that development proposals and contributions are properly tested in accordance with NPPF 56 and with reference to Regulation 122(2) of the *Community Infrastructure Levy Regulations, 2010*, namely: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. It is not clear that the requirements have been properly viability tested but it appears unlikely given the lack of specific evidence of the community needs of different settlements.
- d) *How will an applicant or decision-maker determine whether the policy has been met in a particular location? What is meant by the term 'communities the development relates to'? Can the Council point us to the evidence which demonstrates the specific long term needs of a community/settlement?*
12. An applicant or decision-maker cannot easily determine whether Policy CP7 has been met in a particular location.
13. The long term needs of settlements / communities are not adequately addressed or set out precisely and fully in the Plan or its evidence base.
14. The Local Housing Market Model (**EB99**) was not published at the time of the preparation of the Pre-Submission SDLPR nor is it cross-referenced in the Plan as forming part of the evidence base. It is considered that EB99 is a post-publication attempt to expand the information and to justify the housing needs for

the various Clusters but it was plainly not part of the evidence used in the plan-preparation process to demonstrate specific long term needs of a community or settlement.

15. CSL notes that the Settlement Role and Function Study Update 2018 (May 2019) (**EB72**) does provide some background information about Painswick Settlement (albeit this was a snapshot at that time largely drawing from the 2011 Census and focused on the settlement of Painswick rather than a wider Parish or Cotswold Cluster area) of the demographic, retail, socio-economic and housing affordability characteristics for settlements but it does not, of itself, establish what the long term needs to be addressed are, nor does it assist in establishing the level, tenure or mix of housing (or other commercial development) that may be necessary to support long term community sustainability.
16. The Making Places – Shaping the Future part of the Local Plan (Section 3) provides generalised challenges and issues for the various Parish Clusters and for individual settlements but these are insufficiently precise to allow a clear understanding of what long term sustainability or community needs, including the need for particular types, mix or choice of housing or other services / facilities are required and how Policy CP7 would secure these.
17. As written the Local Plan fails to demonstrate how the terms of Policy CP7 can really be met or performance monitored over the plan period. The Plan does not contain any properly articulated analysis and identification of the long term needs of each settlement in terms of its specific housing (quantum, type and mix), commercial and social / community facilities (what provision there is, what is missing and what requires increased support) for Policy CP7 to be effectively applied.

Affordable Housing – Core Policy CP9

Question 11:

- a) *Is the requirement for at least 30% of housing on relevant sites to be affordable justified by robust evidence and is it viable for all housing types including specialist older persons' housing?*

18. The Gloucestershire Local Housing Needs Assessment (September 2020) (GLHNA) (**EB10**) analysis of affordable housing need was not undertaken in the context of local viability assessment at that time to determine the precise affordable housing target or provide a view on deliverability (as paragraph 8.84 of the GLHNA states).
19. The Local Housing Market Model (**EB99**) provides a modelled indication of affordable housing needs in the Cluster area (and is not clear how this element was calculated?). It was not however published at the time of the preparation of the Pre-Submission SDLPR nor is it cross-referenced in the Plan as forming part of the evidence base or context for affordable housing needs. It also uses 2020 based data on housing prices and costs and therefore fails to account for more recent significant rises in house prices during 2021 and 2022 which would affect affordability.
20. It is considered that EB99 is a post-publication attempt to expand the detail and justify the housing needs for the various Clusters. It is not however certain that EB99 is aligned with the GLHNA in terms of market or affordable housing needs. It is not possible to see how EB99 has calculated the potential housing need (including affordable housing need) at the Cluster level.
21. It is not therefore clear to CSL where the justification for 30% of housing on relevant sites to be affordable is to be found and SDC will need to explain how this requirement was derived prior to the viability assessment of the Plan being completed.
 - b) *Why does the policy use the term 'at least' and how would provision above 30% be achieved? Is this viable?*
22. This is for SDC to answer.
23. Plainly there needs to be a mechanism in the Plan policy to allow viability to be tested (as required by NPPF 68) as there may be instances where 30% affordable housing contribution is not viable or deliverable on a site and where the current policy wording sets 30% as a minimum figure, by virtue of the term 'at least'.

- c) *How much affordable housing will be delivered as a result of the Plan's policies?*
24. The Policy indicates an unadjusted need for **424** new affordable dwellings per annum. This figure is drawn from the GLHNA which modelled affordable housing needs over the 2021 – 2041 period and identified a total affordable need in Stroud District of **8,476** dwellings over the period 2021 – 2041.
25. SDC will need to confirm the level of affordable housing that would actually be delivered as a result of the SDLPR policies, including CP9. The Plan does not identify a particular level of affordable housing delivery to be secured; and in the absence of a comprehensive housing delivery trajectory (for all proposed sites) it is not clear how many, or when, affordable units are likely to be completed.
- d) *Is the requirement for sites for 4 or more dwellings, within the AONB or designated rural areas, to provide at least 30% affordable housing justified and effective? Would this mean that a site for 4 dwellings would need to provide 2 affordable units to meet the policy, effectively providing 50% affordable housing? Is this viable on these smaller sites and deliverable?*
26. CSL are concerned that there is no clear or detailed evidence as to how the proposed reduced site size threshold (4+ dwellings in the Cotswolds AONB and listed designated areas) triggering affordable housing contributions has been derived. The SDLPR gives little information or justification other than generally indicating (paragraph 4.21) that there is a very high level of housing need and a limited supply of land for housing (factors that pertain to all of the District according to the GLHNA).
27. CSL's representations at the Pre-Submission Plan stage concluded that it is not clear that there is actually a particularly high or acute level of affordable housing need greater than that found in other comparable authorities in the Gloucestershire Housing Market Area (which is the base evidence for local housing needs set out in the GLNA – **EB10**).
28. There needs to be specific and robust evidence to support the proposed reduced site development threshold to 4+ dwellings in AoNB and designated rural areas

as the trigger for contributions to affordable housing needs. Put simply, as the Plan is written there is not a realistic or substantive justification for the proposed lower threshold in Policy CP9.

g) The supporting text at paragraph 4.21 identifies that affordable housing provision may be subject to viability, but this is not set out in the policy. Should it be and if so, is such an approach justified?

29. Policy CP9 does not include any explicit reference to a viability and deliverability testing mechanism to establish the ability of individual sites to make contributions towards affordable housing needs.
30. An appropriate economic viability review mechanism is critical and it needs to be set out in Policy CP9 (not simply referred to in the supporting text) in order to ensure housing land and site allocations are identified taking account of economic viability as required and justified by the NPPF including at paragraph 58, 68 and 124 (b).

Matter 7c – Other Housing Policies

New Housing Development – Core Policy CP8

Question 16: *This policy sets out general requirements for residential developments.*

a) Is the policy clear or does it unnecessarily duplicate other more detailed and specific Plan policies? Is it clear how the policy will be implemented and monitored?

31. This is for SDC to answer. CSL's view is that the policy is not underpinned by effective evidence and it is therefore unclear how it would be implemented and monitored. The policy is not justified.

b) The policy includes an expectation that relevant proposals 'should reflect the housing needs identified for that Parish Cluster area'. Is this evidence

available? How does this apply to developments promoting new communities/settlements?

32. In short, the answer is no.
33. The District's housing needs are established by reference to the GLHNA (**EB10**); and latterly (post publication of the Pre-Submission Plan) the Local Housing Market Model (**EB99**). There was however no published evidence **at the time of submission of the Plan**, nor any detailed description in the Plan itself as to the quantum, range of types, tenures or sizes of dwellings needed for specific Parish Cluster areas.
34. The policy as drafted is explicit that for major housing sites residential schemes must take account of the needs of the Parish Cluster.
- c) Are any of the wording changes suggested by representors necessary for soundness?*
35. This is for SDC to answer.
- d) Overall, is the policy viable, justified and effective?*
36. No, for the reasons set out above and in CSL's Pre-Submission Plan representation on Policy CP8.
- e) Does the supporting text robustly justify the policy?*
37. Paragraph 4.14 identifies that the GLHNA identifies the needs for market and affordable housing in the District for the plan period. It continues, noting that it is important for new housing to meet the needs of different groups in the community as identified in the GLHNA in terms of types, tenures and sizes (which does not include a more detailed analysis of needs in Parish Cluster areas). There is no mention of the Local Housing Market Model (EB99) in the SDLPR or any requirement to refer to it because it appears that it was not available at the time of drafting.

38. The supporting text does not therefore provide a sufficient level of detail to justify the housing needs elements of CP8 or explain how it would be implemented, how a planning application should respond to the needs requirements, or how the policy's performance would be monitored to ensure local housing needs would be met.

Meeting Housing Need within Defined Settlements – Delivery Policy DHC1

Question 17: *The policy simply permits residential development within defined SDL, subject to 'detailed criteria defined for meeting housing needs at settlements'.*

- a) *What are the 'detailed criteria defined for meeting housing needs at settlements'? Are these the criteria set out in Delivery Policy HC1 as referenced in paragraph 4.33 of the supporting text? If so, what is the purpose of the policy when Delivery Policy HC1 provides the detailed criteria to be met? Is there unnecessary policy duplication?*
39. It is understood that Policy DHC1 is intended to add detail to the interpretation and application of the Core Policies according to paragraph 4.30. In this case, one of the relevant Core Policies for new housing is Policy CP8.
40. Policy DHC1 references the need to satisfy detailed criteria defined for meeting housing needs. It does not however specify the criteria to be met. The supporting text at paragraph 4.33 explains that Policy HC1 (page 237) identifies the criteria to be considered under Policy DHC1. In effect, DHC1 points to HC1.
41. Turning to HC1 (Detailed Criteria for New Housing Developments), CSL note this policy sets out criteria for housing developments. Insofar as housing needs are concerned however, HC1 only refers to: "*where appropriate schemes should include a variety of dwelling types and sizes, which meet identified local needs*" (bullet 2). No further assistance or evidence is offered in that policy or its supporting text as to what housing needs are, at what geographic scale these should be considered (settlement, Parish Cluster, Neighbourhood Plan area or District) or where that information may be found.

42. The overall problem is that CP8, DHC1, and HC1 require specific, detailed evidence of housing needs to be available within the Plans' evidence base at the appropriate settlement, Parish Cluster or Neighbourhood Plan level.
43. CSL conclude that Policy DHC1 (together with CP8 and HC1) are vague and uncertain with respect to meeting housing needs. They are not effective policies. DC1 is actually written in an entirely confusing manner, contrary to the National Planning Policy Framework at paragraph 16(d).
- b) Is the policy consistent with other Plan policies including Core Policy CP3, which identifies that exceptionally development adjacent to appropriate SDL may be permitted?*
44. No, Policy DHC1 is not consistent with other policies as drafted.

Detailed Criteria for housing Developments – Delivery Policy HC1

Question 23: *The policy permits housing development (in SDL and outside SDL where permitted by other policies), subject to a list of nine criteria all being met.*

- a) Are the criteria suitably clear, justified effective and consistent with national policy? For instance, is criterion 4 consistent with paragraphs 99 and 100 of the Framework?*
- b) Is it clear how a decision-maker will determine whether a proposal meets the policy requirements?*
- c) Does the supporting text robustly justify the policy and identify where appropriate design documents can be located?*
- d) Overall, is the policy, justified, effective and consistent with national policy?*
45. CSL's concern is over the effectiveness and clarity of Policy HC1's 2nd criterion with respect to "*meeting identified local [housing] needs*".

46. As per policies CP8 and DHC1, Policy HC1 is not effective. Specific, detailed evidence of 'local' housing needs is not available within the Plans' evidence base at the appropriate settlement, Parish Cluster or Neighbourhood Plan level.

Making the Plan Sound

47. For policies CP8, DHC1 and HC1 to operate effectively and be capable of proper implementation clear geographic and specific definitions of 'local' housing need are required, based on detailed evidence (consistent with the latest Local Housing Needs Assessment for the District) for the settlement, Parish Cluster, the AoNB, or other sub-District level where these plan policies seek to direct and shape residential development.
48. The Local Housing Market Model (**EB99**) attempts a post-publication addition to the evidence base but this has not informed the Plan's preparation and is now dated in its analysis in any event (lacking analysis of rising housing price trends in the last two years) and of the emerging 2021 Census results.
49. The SDLPR lacks clarity and justification for 'local' housing needs as drafted and this is required to make the Plan sound.