

# Part B – Please use a separate sheet for each representation

Name or Organisation: **Charterhouse Strategic Land**

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see enclosed representation

Please see enclosed representation

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see enclosed representation

(Continue on a separate sheet /expand box if necessary)

**Please note** *In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.*

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

The matters raised in this representation and with respect to other policies, paragraphs and objectives of the Local Plan together raise complex concerns as to the soundness of the Plan.

This will require detailed evidence to be presented to the Local Plan Inspector to ensure that the matters are fully discussed and properly considered, including the inter-relationships between matters, leading to appropriate modifications and changes.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

# Stroud District Council: Pre Submission Draft Local Plan Review (May 2021)

## Representation Concerning Policy CP9

For and on behalf of: Charterhouse Strategic Land

July 2021

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### Introduction

1. Chilmark Consulting Ltd (CCL) are instructed by and write on behalf of Charterhouse Strategic Land (CSL).
2. CSL has an interest in land at Clattergrove in Painswick. The Site is situated to the north of Painswick immediately adjacent to the A46 Cheltenham Road<sup>1</sup>.
3. Representations have been submitted on behalf of CSL to Stroud District Council (SDC) at all of the earlier stages of the Local Plan Review in 2018, 2019 and in 2020.

### Representation

4. This representation is concerned with **Core Policy CP9** (Affordable Housing) as set out in the Pre-Submission Draft Local Plan (May 2021). It must be read in conjunction with CSL's other submitted representations concerning the Local Plan Review<sup>2</sup>.

### Overall Affordable Housing Requirement

5. Core Policy CP9 sets out the Council's policy for the provision of affordable housing and developer contributions.
6. The Policy indicates an unadjusted need for **424** new affordable dwellings per annum. This figure is drawn from the Gloucestershire Local Housing Needs

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<sup>1</sup> CSL's separate representation concerning omission of their site from the Local Plan includes details about the site and a plan showing its location in Painswick

<sup>2</sup> CSL has raised other separate objections regarding: the Cotswold Cluster Strategy; Figure 3; the Plan's Vision and Strategic Objectives; and Policies CP2, CP3, CP7, CP8, CP9, DHC1, PS41; and concerning the omission of their land interest at Clattergrove, Painswick

Assessment (September 2020) (GLHNA) according to paragraph 4.20 of the Plan<sup>3</sup> which models affordable housing needs over the 2021 – 2041 period and identifies a total affordable need in Stroud District of **8,476** dwellings over the period 2021 – 2041).

7. The GLHNA 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).
8. The Local Plan does however note at paragraph 4.20 that viability evidence (from an unreferenced source) indicates that a 50 / 50 tenure split of affordable rent to affordable home ownership would be viable for the majority of sites.
9. It is not explained whether the viability evidence referenced in the Plan has led to any adjustment to the affordable housing target that Policy CP9 is based upon.

### **Thresholds for Affordable Housing Contribution**

10. There appears to be no evidence established in the Plan or in the GLHNA evidence base as to how Policy CP9's proposed reduced site size threshold (4+ dwellings in the Cotswolds AONB and listed designated areas) triggering affordable housing contributions has been derived.
11. Indeed there is scant justification in the text of the Plan itself. Paragraph 4.21 indicates that the rationale for a threshold level below that established by NPPF 63<sup>4</sup> is based on:
  - a) the very high level of housing need; and
  - b) the limited supply of land for housing.
12. While CSL agrees that there is a need for affordable housing in Stroud District, the level identified (as set out in Figure 62 of the GLHNA) is not significantly

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<sup>3</sup> Figure 62 of the GLHNA identifies a total affordable housing need in Stroud District of 8,476 dwellings (423.8 dpa)

<sup>4</sup> NPPF paragraph 63 identifies that affordable housing should not be sought for residential developments that are not 'major developments' (major development is defined in Annex 2 of the NPPF as ten or less units or sites of less than 0.5 Ha)

different (or greater) than that of the other Gloucestershire local authorities which together form a functional Housing Market Area (see the GLHNA at paragraphs 2.33 – 2.36) and which exhibit similar levels of need and supply also shown in the GLHNA at Figures 62 and 63.

13. Indeed in the GLHNA at Figure 63 the proportional affordable housing need for each Gloucestershire local authority is set out, with a range from 23% in Tewkesbury to 38% in Cheltenham. Stroud District (26%) is actually identified as amongst the lowest level of affordable housing need in comparison with other neighbouring areas and is the same as Cotswold District (also 26%).
14. From the GLHNA evidence it is not clear to CSL 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.
15. It is concluded therefore that there needs to be specific and robust evidence to support the proposed reduced site development threshold to 4+ dwellings in 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.

### **Viability Mechanism**

16. Despite CSL's previous representations at earlier stages in the plan-making process Policy CP9 still 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.
17. An appropriate viability 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 is identified taking account of economic viability as required by the NPPF including at paragraph 67.

## Conclusion

18. In summary, Policy CP9 is not:
- **Justified** - It is not clear whether viability evidence referred to in the Plan has led to any adjustment to the affordable housing target that Policy CP9 is based upon. In addition, there is no evidence established in the Plan or in the GLHNA evidence base as to how Policy CP9's proposed reduced site size threshold (4+ dwellings in the Cotswolds AONB and listed designated areas) triggering affordable housing contributions has been derived;
  - **Consistent with the NPPF** – without appropriate, detailed justification for the lower site size threshold proposed in CP9 the policy is not consistent with NPPF 63.

## Modification and Remedy

19. Policy CP9 requires modification to include a specific reference to a viability testing mechanism for individual sites and proposed schemes at the planning decision-making stage. This will allow for proper assessment of the ability of individual sites to make contributions towards affordable housing needs.
20. The Plan's supporting text to Policy CP9 requires modification to set out:
- a) precisely where the viability testing evidence has been prepared demonstrates that the proposed levels of affordable housing contribution and the reduced site size threshold (4+ dwellings) in designated rural areas would be viable;
  - b) the specific and justified grounds and evidence upon which a reduced site development threshold for affordable housing contributions in designated rural areas can be supported in accordance with NPPF 63.