

Representation Statement Stroud Local Plan

In respect of:
Land at Dursley

On Behalf of:
Avant Homes

By
McLoughlin Planning Ltd

July 2021





Contents Page

1.0	Introduction	2
2.0	Responses to Individual Policies.....	3
3.0	Commentary of Local Plan Allocations	14
4.0	Site Specific Representation.....	17

Appendices

1. Layout Plan



1.0 Introduction

1.1. Mcloughlin Planning has been instructed by Avant Homes to submit representations on behalf of its land interests at South East Dursley. In terms of this Regulation 19 Consultation, Avant wishes to make a number of representations about the policies contained in the Plan and highlight a number of elements which it has concerns with.

- Section 2 - Responses to individual Policies.
- Section 3 - Site Specific Representation.
- Section 4 - Response to Site Specific Policies.



2.0 Responses to Individual Policies

- 2.1. This Section of the Statement sets out Avant Holmes’s concerns with various policies in the Plan.

40 Key Issues - Pages 11 to 16

- 2.2. Avant wish to make the following observations.

Affordable Supply (Page 12)

- 2.3. References made to tackling an acute lack of affordable housing in the District. Avant Homes supports the provision of affordable housing as part of development schemes and considers that a further key issue of the Plan in this regard is to ensure that sufficient levels of open market housing are provided to facilitate those levels of affordable housing sought in the Plan.

Maximising the potential of Brownfield and underused sites

- 2.4. Avant recognise that National Guidance promotes the use of brownfield sites as a means of meeting housing land requirements. However, this should not be at the expense of greenfield development sites. From the housing numbers proposed and the previous Local Plan, the Plan is heavily reliant on greenfield land to meet its housing requirements. Therefore, whilst the NPPF promotes brownfield land, this should not be at the expense of preventing greenfield development sites from coming forward in a timely manner.

Issue 18 Better transport systems to help reduce Co2 emissions

- 2.5 This issue fails to reflect the reality that Stroud is a predominantly rural district with communities spread throughout, and how could a better transport system be achieved when taking this into account as well as the economics of provision. Travel by the private car is an inevitable consequence and characteristic of developing in rural areas. That said, development at Dursley offers opportunities for cycling and walking, as opposed to the private car.



Issue 40

- 2.5. The key issue is developing mitigation strategies to fund environmental projects. The concern here is whether this would meet the test in Paragraph 56 of the NPPF in terms of being necessary to make the development acceptable in planning terms.

Vision to 2040 (Page 19)

- 2.6. Avant Homes wish to offer the following commentary with the fourth paragraph. This recognises that the District has a range of diverse communities both large and small, both urban and rural. It also makes reference to the fact that they have a strong sense of identity. What is missing from the Vision, is promoting those strong identities and local distinctiveness ensuring their continued viability and vitality by allowing new development.

Strategic Objectives for the future (Pages 20 and 21)

- 2.7. SO1 – The phrasing of the Strategic Objective raises several questions in terms of what constitutes “affordable” and “quality housing for local needs”. The objective whilst laudable, is unclear in terms of is this referring to affordable housing as defined by the NPPF, or some other type of affordable housing as defined by the Plan but not appropriately justified.
- 2.8. Securing Zero Carbon development – Avant Homes questions how this key issue will be achieved and by what metric this will be assessed. Zero Carbon has yet to be fully explained in Government Policy and the use of this terminology raises concerns around how this will be implemented by the council through the policies in the Plan.



Policy DCP1

- 2.9. Avant consider this Policy to be unsound for the following reasons:
- 2.10. What is Zero Carbon – currently, there is no fixed Government definition as to what Zero Carbon is and the concern is that the Plan will apply standards that are simply unachievable or add costs to development which is unnecessary. Further clarification is required on this point.
- Discouraging the use of private car – Stroud is a predominantly rural district with a series of urban areas. Whilst development adjacent to the larger urban areas offers considerable benefits for minimising the need to travel by private car, it remains to be seen how all new developments would be expected to discourage the use of the private car. Such terminology represents an active approach in terms of discouraging the use of the private car and how it would be secured via planning. Furthermore, it is not clear how such an approach would impact on the social and economic wellbeing of future residents of the District. If the Plan wishes to maintain such an approach, further development adjacent to established settlements is critical.
 - Avant support the use and provision of green infrastructure. However, it is not clear as to how all new developments are expected to support “local food production”. There are no prescribed standards in national guidance or in the Local Plan, as to what is expected. Furthermore, there may be instances where the provision of green infrastructure/supporting local food consumption maybe incompatible with the need to sequestration carbon.



Core Policy CP2 - Strategic Growth and Development Locations

- 2.11. In conjunction with other submissions, Avant is concerned that the provision of at least 12,800 new dwellings in the District is unsound in that the target does not reflect national guidance regarding the minimum housing figure proposed in the Standard Method. In addition, out of the policy, Avant wishes to set out its concerns on the following allocations.
- Cam North-West – 700 units.
 - Sharpness Docks – 300 units.
 - Sharpness – 2,400 units.
 - Wisloe – 1,500 units.
- 2.12. This equates to 4,900 units to be constructed on significant urban extensions. Avant's concerns with the provision of 4,900 units on 4 urban extension sites are that:
- These are situated within 5 miles of each other.
 - There is insufficient evidence presented supporting the ability of the local housing market to absorb the magnitude of development which is being proposed.
- 2.13. Therefore, there is a question as to whether the Plan is "effective" in that there is no evidence of a delivery timetable for each site, apart from Table 6 on page 306 of the Plan. If there is any delay in the delivery of these sites this will lead to questions about the overall deliverability of the allocations being provided with the attending concerns on the District not being able to demonstrate a 5-Year Housing Land Supply. Furthermore, the Plan's approach is highly inflexible if there is any failure or delay in the delivery of Wisloe or Sharpness, by way of example. There is no alternative allocation strategy in the Plan to ensure that other sites can come forward of significant magnitude to make up the shortfall in any supply that may occur during the period whilst these strategic sites come on stream.
- 2.14. A solution to this difficulty is to increase the flexibility on the other allocations being put forward in the Plan, with reference to Avant's interests at Dursley, the site could deliver circa 60 dwellings, providing a site that can deliver within a 5-year timeframe and reduce the Council's dependency on larger strategic sites.



Core Policy CP3

2.15. Avant support the Policy's position that Dursley is a Tier 1 settlement, and it is the Council's primary focus for jobs and development. However, in conjunction with other submissions, the lack of any additional housing allocations at the Town brings into doubt the aims of the policy. This position is supported by reference to the Settlement Role and Function Study and its assessment of Dursley at page 69 onwards. Key points to note are:

- The Town has experienced "Extremely low housing growth"
- Physical and environmental constraints make any "significant expansion" of the town, difficult.

2.16. In response, the Study clearly identifies an issue with Dursley which needs to be addressed. The lack of further housing allocations at the town conflicts with its status as a Tier 1 settlement.

Core Policy CP4

2.17. Avant support the overall objectives of the Place Making policy. However, any reliance on Supplementary Planning Documents or Design Statements will have to be subject to proper scrutiny to ensure that the controls imposed through those documents meet the requirements of national guidance.

2.18. Turning to the master planning and development of sites, the requirements within paragraph 2 of the policy are supported. However, it must be recognised that they are competing influences on the design of sites.

Core Policy CP5

2.19. There is a need to ensure that these standards do not apply to smaller development sites.



Core Policy CP6

- 2.20. In responding to the Policy, there is a need to ensure that the requirements of the paragraphs 34 and 56 of the Framework have been met. These paragraphs govern developer contributions, and the Policy refers to the Infrastructure Delivery Plan.
- 2.21. The need for new infrastructure demands being generated by new development is well understood. However, in seeking contributions towards infrastructure arising from development, there is a need to ensure that they are:
- Necessary
 - Directly related to the Development
 - Fairly and reasonably related in scale and kind
- 2.22. The concern with the IDP is that it sets out multiple infrastructure requirements and is a document which will be “reviewed and updated as circumstances change” (para 2.9.30). The challenge with this document being outside of the planning process is that it could lead to infrastructure requirements being demanded from development which do not meet the tests set out above or make development unviable. In addition, developer contributions cannot be used to seek contributions to address existing deficiencies infrastructure, but rather only be required to address the impacts arising from the development itself.

Core Policy CP8

- 2.23. Paragraph 31 of the Framework requires that plans should be “underpinned by relevant and up-to-date evidence”, it goes onto require that policies should take account of “market signals”.
- 2.24. In response, the use of a housing assessment is useful in informing housing mix. The concern with the use of such documents is how quickly they age and cease to be relevant. A further complication is if any Parish profile suggests an alternative mix of units, as a result, it is recommended that additional flexibility is inserted into the policy that allows for proposals to “broadly reflect” the housing mix in the needs assessment and allows for the use of market data to ensure viability.
- 2.25. In terms of criteria 1-5 of the policy, these are considered unnecessary because they are covered in other policies.



Core Policy CP9

- 2.26. The approach in the Policy is unsound in that the Plan identifies an annual unadjusted affordable housing need, which is more than 50% of the Plan's housing target. Therefore, the Policy cannot deliver enough affordable housing and fails to assist in "significantly boosting the supply of homes" as required by paragraph 59 of the Framework.
- 2.27. This places extra pressure on the Plan to deliver additional housing. In this instance, it provides further evidence for supporting the release of Avant's site at Dursley.

Delivery Policy HC3

- 2.28. The requirement in the Plan on all strategic allocations to deliver 2% of the total number of dwellings proposed as self-build or custom build units is considered unsound because it is not considered to be a deliverable requirement. The allocations in the Local Plan set out a series of competing requirements which mean that opportunities for self-build are extremely limited and present more logistical challenges for a developer in terms of:
- Where those self-build plots will be located, meeting market expectations.
 - Timetable for delivery of plots.
 - Land availability.
- 2.29. Other concerns relate to the design of self-build, relative to the principles set out in a wider master plan and Design and Access Statement for any allocation. With such stringent requirements in the Plan, there are concerns about the deliverability of this.

Delivery Policy HC1

- 2.30. Avant objects to the policy because part 4 of the Policy refers to the loss of damage to any open space or PROW which is important to the character of the settlement.
- 2.31. The concern here is that the Policy is too broadly defined and could allow decisions to be made to reject allocations on the basis that open space/PROW is considered too "important" to the character of the settlement. In addition, where is the evidence base in the Plan to ensure that allocations affected by PROWs are protected against conflicts with this part of the Policy.



- 2.32. Furthermore, if there is an important open space, this should be protected/recognised through the Council's Green Infrastructure, Sport and Recreation Study, referred to in Policy DHC6.

Delivery Policy DHC5

- 2.33. This policy requires Health Impact Assessments to be provided with all strategic development sites. Whilst this does not apply to Avant's allocation PS44, it is concerned about such a requirement for the following reasons:

- What is the HIA process? If this is to be a policy requirement, why is it not specified in the Plan?
- The role of the PPG on health outlines basic planning concepts which promote healthy communities. The need for a separate assessment is considered unnecessary.
- The relevance of food production and community orchards in the delivery of strategic housing sites.

- 2.34. What constitutes 'demonstrable adverse impact'? What are the criteria against which the Council will seek mitigation and how will this be secured?

Delivery Policy DHC7

- 2.35. Avant objects to the policy because it is not consistent with national guidance. The policy requires 3.92 ha of open space per 1000 population. Paragraph 96 requires that policies should be based on robust and up-to-date assessments of the need for facilities. Those assessments should then be used to determine what are the open space requirements arising from development.

- 2.36. As the Policy sets out an open space and sport requirement based in part on historic standards (e.g., Fields in Trust) or seeks to apply standards, there are no nationally recognised standards (e.g., orchards). In seeking to set out a typology of recreation contributions, the concern is that the Policy will be used to secure contributions towards open space/recreation facilities in locations which are not relevant to the proposals.

- 2.37. In addition, the reliance on supplementary planning document is unhelpful as it could introduce additional requirements to the Policy.



Core Policy CP14

- 2.38. Avant are concerned with the Policy as drafted; in that it reiterates several requirements which are equally covered by other policies in the Plan as well as in national guidance. This repetition conflicts with the need for 'succinct' plans in paragraph 15 of the Framework.
- 2.39. It is equally not clear in the Policy as to whether the requirements are mandatory or whether a balanced judgement can be reached in terms of their compliance within the Policy as well as how they relate to other policies. For example, in conjunction with other submissions, Avant Homes is seeking to make best use of the land covered by allocation PS44 and increase the number of units, which would better align with part 10 of the Policy.
- 2.40. Further repetition to allotment/community orchards provision in major development is not necessary and should be removed.

Delivery Policy ES1

- 2.41. The policy sets out unnecessary repetition of Zero Carbon objectives which have been set out elsewhere in the Plan and is considered unsound because it is contrary to national guidance.
- 2.42. Avant's position is supported by The Written Ministerial Statement of 25 March 2015 is clear that, from the date of the Deregulation Bill 2015 receiving Royal Assent,
"local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings."
- 2.43. Whilst Avant is keen to stress that it agrees with the general thrust of the Council's objectives, the requirements of the policy are incompatible with the Government led approach in that it introduces effectively local standards, for example:
- In terms of achieving Zero Carbon, this standard has yet to be formally set by the Government and over the lifetime of the Plan, it would be reasonable to conclude that Building Regulations will move at a faster pace than Plan standards.
 - The reference to a Carbon Offset Fund run by the Council is concerning. The policy fails to explain how this is relevant to proposals and meets the tests in the



Framework. Equally there is no explanation as to how “residual emissions” will be assessed.

- Use of the Home Quality Mark – this is not a Government approved standard and should be removed from the Plan.

Delivery Policy DES3

- 2.44. Avant objects to the Policy in seeking to ensure that developments are future proofed when it comes to local heat networks being provided in the future. The move away from gas boilers in 2025 means that developers will already be considering the need for heat generation in new homes.

Delivery Policy ES3

- 2.45. The concern with this policy is that it is too broad in the matters which it covers and could be used to oppose housing allocations as it is subjective.
- 2.46. In terms of loss of healthy soils, or best and most versatile agricultural land, what level of loss is unacceptable? How does this balance against the housing requirements of the Plan and need for affordable housing? Finally, the approach is contrary to the NPPF, which requires that the loss of such land is only considered.

Delivery Policy ES6

- 2.47. The Environment Bill has yet to receive Royal Assent and it is not clear from the evidence base as to whether Bio-diversity Net Gain has been properly considered in the allocations the Council has made. Furthermore, the Policy is unclear as to what will be the assessment method for calculating net gain, as required by the Policy.
- 2.48. A further concern is at paragraph 6.53 where it sets out that net gain should be achieved on sites where possible. In instances where this is not achievable, off-site measures are identified, but there are no mechanisms in place. Further policy guidance is essential to understand how this can be achieved.

Delivery Policy ES8

- 2.49. The concern with this policy is how the “unacceptable loss” of a tree/hedgerow is considered in the overall planning balance. The test appears to apply to all trees (irrespective of whether they are protected by a Tree Preservation Order or not). There



may be instances on development sites that such loss is unavoidable because of other competing technical requirements.

Delivery Policy ES10

- 2.50. There is a need for the policy to better align with the NPPF. Part 5 of the Policy refers to any harm or loss to any heritage interest. This ignores the guidance in paragraph 193 of the NPPF (relating to designated heritage assets) and paragraph 197 (dealing with non-designated heritage assets). Part 5 of the policy is too broad and could encompass both designated and non-designated interests.

Delivery Policy ES11

- 2.51. The concern with the policy is that the third paragraph requires that development “adjacent” to the canal has regard to improving and enhancing views along it. This fails to consider land control where a development is ‘adjacent’ to a canal but does not have full control of the land up to the canal edge. This can be rectified with amendments to the policy seeking such improvements “where possible”.
- 2.52. In terms of financial contributions for canal related restoration, the concern is that they must be justified against the tests in the NPPF.

Delivery Policy ES12

- 2.53. Avant question the need for the Policy, given that it repeats several points raised in other policies.

Delivery Policy ES16

- 2.54. The policy is unsound as it does not provide a framework for determining exactly how public art contributions are calculated and what is considered ‘proportionate’.



3.0 Commentary of Local Plan Allocations

- 3.1. Avant's concerns with the Plan focus on the non-allocation of its land at Dursley for housing development. In making the case for the allocation of the site, it is necessary to highlight the shortcomings with several allocations in the Plan. These are considered as follows:

PS01 Brimscombe Mill

- 3.2. The continued allocation of Brimscombe Mill for 40 residential units. This site has been allocated for development for some significant time (Site SA1d in 2015 Local Plan) and it is considered that this site remains undeliverable because of land ownership and drainage concerns.

PS02 - Brimscombe Port

- 3.3. The continued allocation of Brimscombe Port for 150 dwellings and canal related tourism development is unsound. The site was subject to a planning application in the past 10 years for mixed-use development in 2011 (S.11/0799/OUT) for a mixed-use development of 234 dwellings. However, this was not determined (according to the planning register). It is understood that there are significant infrastructure costs in terms of the provision of a new canal link servicing the site and a need to access and acquire third party land. It has not been possible for this site to be delivered. The Plan offers no convincing evidence about the overall viability of the proposal. Currently, the site is in an active economic use, and it is considered that the long-term aspirations of the Plan to deliver this site are simply unrealistic.

PS36 - Sharpness Garden Village

- 3.4. The Plan's treatment of the garden village is unsound, when based on the assumptions made in terms of the site delivering 2,400 houses within the Plan period. Avant's interests in Dursley will not address any strategic shortfall arising from a delay in the delivery of Sharpness and Avant is not looking for the site to be removed from the Local Plan. However, there is a need for realism in the delivery of the allocation and what the consequences of this will mean for short-term housing land supply in the District and the need for smaller development sites to be delivered quickly and make best use of land.



- 3.5. PS36 is a vision for a new garden community of 2,400 dwellings and 10 ha of employment land. This will result in a population of circa 5,700 assuming an average size of 2.4 persons per dwelling.
- 3.6. In creating a new community, both the Plan and the promoter's material is keen to emphasise the self-containment of the development and the need to minimise the need to travel by private car. Much emphasis in the Policy, is given to the provision of a new Railway Station and service. However, in contrast, there is no such explicit commitment in the promotion material for a railway being provided as part of the first phase of development (i.e., before 2040). In addition, there is no evidence provided in any available documentation that a new station and railway service will be provided and when that will happen. This brings into doubt the deliverability of the Garden Village as proposed.
- 3.7. Avant have another concern in terms of the timetable for delivery of the allocation; for the site to be delivered, the adoption of the Local Plan will be critical. This would be towards the end of 2022, assuming a suitable EiP period.
- 3.8. Table 6 of the Plan (p306) assumes that the site will be delivering 500 units in the period 2025 to 2030. This is unrealistic for the following reasons:
- Once adopted, outline application is submitted with E.I.A. Outline Planning Permission follows with a S106 Agreement.
 - In terms of delivery, publicly available research from Litchfields, concludes that sites more than 2,000 units take six to seven years to deliver. This means that it will not deliver first dwellings until 2028/2029 at the earliest.
 - Matters could be further delayed by infrastructure requirements and the need/time taken to sell parts of the site to third party developers.
 - Even if delivery commenced in 2029, this would necessitate in a build out rate of 218 dwellings per annum for the next 11 years for the site to deliver 2,400.
 - The site represents approximately 1/3 of the annual housing target for the District. The lack of a detailed trajectory for delivery means that Avant is unconvinced about the robustness of the evidence base supporting the allocation and the deliverability of the Plan as a whole.
- 3.9. This then underlines the need for other allocations to be intensified to make up the shortfall in the delivery of this allocation.



PS37 - New Settlement at Wisloe

- 3.10. As with PS36, Avant is concerned that the allocation is unsound, given questions marks regarding the robustness of the evidence base for delivering the site. The evidence base for the site is not as complete as it is for Sharpness.
- 3.11. The Plan assumes that the site will be a “carbon neutral” development by 2030. As set out above, even if the Plan was adopted in 2022, there would be six-year lead in before the first houses were delivered. It is simply not possible for the Plan to deliver significant number of units by the 2025-2030 period. In addition, assuming a 2029 start, there is no evidence to suggest how this site can be brought forward without compromising the delivery of Sharpness, as a competitor for house purchases.



4.0 Site Specific Representation

- 4.1. This Section of the document sets out a Site-Specific Representation on behalf of Avant's land interests at Dursley. This was allocated in the Strategy Paper.
- 4.2. The attached Plan shows how the site could be developed for circa 80 units depending on master planning, with substantial areas of public open space and Bio-diversity Net Gain which could be included into the allocation.
- 4.3. In reviewing a Local Plan, paragraph 67 of the Framework makes it clear that Local Planning Authorities must have an understanding of the land available in their area. It goes on to say in paragraph 68, first bullet point, that there is a requirement for Local Plans to identify the necessary sites to come forward within a five-year period. This provides the context for which the Avant's site should be considered.
- 4.4. In supporting the allocation of Avant's site for housing development, it is necessary to identify the evidence base which can be used to support the allocation. In this case, the 2017 SALA provides an analysis of the site under Parcels DUR010 and DUR013.
- 4.5. Turning to the analysis of the issues, this can be split into:
 - Landscape Impact.
 - Conflict with the Development Strategy.
 - Other Technical Matters.

Each is addressed in turn below.

Landscape Impact

- 4.6. In supporting the allocation of the site, the previous Appeal Decision refusing Planning Permission on landscape grounds has to be addressed.
- 4.7. Whilst it is necessary to highlight the Appeal Decision, the decision has to be seen in the context of what it was at the time. This was an Appeal against the refusal of Planning Permission under the previous Local Plan and the context of that decision does not necessarily carry forward into a subsequent review of the Local Plan. The Appeal Decision is useful in that it identifies landscape as an issue. However, this also provides a basis for revisiting the site and seeing how it is possible to address the concerns. To this end, the attached Plan shows development stepped back away from the highway, providing a clear buffer area which can be used as Public Open Space.



This is a significant alteration to the scheme which was previously refused at Appeal and therefore, merits fresh consideration. To this end, the SALA provides the necessary analysis for supporting the development of the site and showing, from the Council's perspective, how the previous landscape concern can be addressed.

- 4.8. It is noted from the previous consultation, that the allocation has not been maintained. The rationale behind this change is provided in the 'Emerging Strategy Consultation Report – Part 2 Nov 2019', page 44. In terms of said response it states:

"Concerns remain that development may be apparent from some locations within the AONB and on balance, it is not considered that the provision of 80 new homes would be of sufficient positive benefit to outweigh the potential harm from development close to the edge of the AONB."

- 4.9. Avant take issue with this response for the following reasons:

- PPG requirements on development adjacent to the AONB.
- The Local Plan Evidence base.

- 4.10. Turning to the PPG requirements, Paragraph 042 (Reference ID: 8-042-20190721) states that:

"Land within the setting of these areas often makes an important contribution to maintaining their natural beauty, and where poorly located or designed development can do significant harm. This is especially the case where long views from or to the designated landscape are identified as important, or where the landscape character of land within and adjoining the designated area is complementary. Development within the settings of these areas will therefore need sensitive handling that takes these potential impacts into account."

- 4.11. The emphasis of this guidance is not to prevent development in such locations from coming forward, but rather ensure that they are properly understood and handled sensitively. The Council's conclusions on the matter, do not:

- Make any conclusions on design and layout (even though the Council was supplied with such material).
- Qualify what constitutes 'potential harm' and how that is manifested on the site.

- 4.12. The lack of any substantive evidence in the Plan and the evidence base is also apparent in the Sustainability Appraisal (pages 865 and 866). Reference in that document



(DUR013) again considers an unsubstantiated landscape impact and scale of development being the reasons for the site's deletion.

4.13. Closely linked to the PPG guidance is Paragraph 35 of the NPPF, requiring Plans to be "justified" which requires taking into account a proportionate evidence base. In this case, the evidence base for the site in landscape terms is compelling. The Plan is supported by a White Consultants Report "Evaluation of Site Landscape & Visual Issues", dated October 2019. Paragraph 1.1 of the document makes it clear that this is an "independent appraisal" of development sites within or adjacent to the AONB. This assessment includes:

- PS29 Gunzell Lane – The Avant site.

4.14. Paragraph 1.6 of the document notes discussions between SDC, the Cotswold Conservation Board and "relevant promoters". These discussions did not include Avant, so it can be concluded that the White Report is wholly independent of Avant's involvement. Critically, the conclusion of the site appraisal is that the site is **suitable for development**, directly contradicting the Council's conclusions in the Consultation Report and reaffirming the guidance in the NPPG. The decision of the Council not to allocate the site in the local plan is based on landscape harm. This decision clearly ignores the conclusions of the Council's own independently appointed landscape consultant and therefore, in conflict with the need for a Plan to be justified.

Conflict with Development Strategy

4.15. The final area of concern is the fact that the non-allocation of the site conflicts with the Local Plan development strategy and Dursley's Tier 1 status. From the above references, it is clear that the Plan places considerable emphasis on Tier 1 locations to provide housing. In dismissing the site, the SA (pages 865/866) states the following:

"Having considered the scale of growth appropriate for this settlement set out in the Draft Plan and the benefits and disbenefits of this site in comparison with alternative sites for strategic growth at Cam, it is not proposed at this stage to allocate this site for development."

4.16. As set out in the Settlement Study, Dursley has experienced extremely low housing growth. In dismissing the site, there is a clear concern that the scale of development is an issue. This creates a contradiction in the Plan in that it recognises that Dursley

- is a Tier 1 location and therefore, focus for growth,



- Is physically constrained
- Has suffered from low growth

4.17. Yet still refuses to allocate the site for development, rather seeking to delegate the responsibility to Cam to meet its housing requirements.

Other Technical Matters

4.18. Having addressed the landscape concern, the Appeal Decision is notable for the fact that the Inspector saw no other technical concerns with the site. Therefore, it can be concluded that the site is:

- In a sustainable location within walking distance to shops and services and employment opportunities;
- From a Highway's perspective, it can be accessed safely and there are no material impacts on the Highway's network;
- From a Flood Risk perspective, the site is outside the floodplain and the site can be master planned to ensure that sustainable urban drainage methods are employed and not leading to any unacceptable elsewhere; and
- From a Heritage perspective, there are no Heritage concerns or issues to be dealt with.

4.19. These conclusions are also mirrored in the 2017 SALA Assessments for the site. Therefore, there are no other technical barriers to the site being allocated and developed.

4.20. To conclude, Avant have looked carefully at the Appeal Inspector's findings and those of the White Consultants report and have sought to modify the scheme to provide a more sympathetic form of development, which better meets with the concerns expressed in the Appeal Decision and the analysis in the 2017 SALA. The full details of the layout's approach being adopted can be seen on the attached Plan that accompanies these Representations. The benefit of this revised approach is that essentially it seeks to take development away from the Highways and to provide a more softer edge through increased landscaping and areas of buffering between the existing development views in and out of the AONB.

4.21. As a result of this work, it is considered that the proposal reflects on the concerns expressed by the Inspector and demonstrates a way by which these concerns can be



overcome. Finally, it mirrors the conclusions of the Plan's own evidence base and shows that the Council's approach to Dursley, a Tier 1 location, is **unsound**.

Changes Sought

- 4.22. The Avant Land is allocated for development for approximately 80 dwellings.
- 4.23. The proposals map is changed accordingly, to include the land shown on the attached indicative masterplan.



119 Promenade
Cheltenham
GL50 1NW

t 01242 895 008
w www.mplanning.co.uk

