

# **Stroud District Local Plan Review Examination**

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Ms Kathy O'Leary

Chief Executive  
Stroud District Council

Sent by email

18 December 2023

Dear Ms O'Leary

## **Stroud District Local Plan Review Examination**

1. Thank you for your letter dated 30 November 2023. We also acknowledge the letters received from South Gloucestershire Council (SGC), Gloucestershire County Council (GCC) and National Highways (NH). We again wish to extend our thanks to all parties for their continuing constructive engagement and for responding to our request in our letter dated 23 October 2023.
2. We welcome Stroud District Council's (SDC's) offer to act as the equivalent scheme sponsor for a J14 scheme. We feel this is a positive step forwards and trust that this will aid all parties involved in working together to resolve the strategic issues that have been identified to date.
3. We are continuing to consider the responses and information received to date. There are however a few remaining issues where we require clarification from SDC.

### *Programme for future work*

4. Firstly, we would like to request clarification on the anticipated start date for the proposed pause in the Examination. Has work already

started or has it yet to commence? We would also like clarity on the length of the pause that is now being requested. We note that week 32 has been referred to in the Joint Action Plan (JAP) which will take it beyond the 6 month period already requested (approximately 7 months). A longer period of pause may not necessarily be problematic in principle if it were to reflect a more achievable timetable, although as set out below, it may have wider implications for the Plan if it results in the need for other evidence to be updated.

5. Additionally, should we agree to a pause so that further work can be undertaken, it is likely that significant new information will be submitted to the Examination in due course. Following our consideration of this additional evidence we would then require that further public consultation takes place to allow interested parties and residents to comment on the additional evidence. This period of consultation would presumably last for 6 weeks and would need to be built into the Examination timetable. It may also transpire that further Sustainability Appraisal (SA) and Habitats Regulations Assessment work may need to be undertaken and consulted upon. Again, this would need to be built into the Examination timetable. Once a period of consultation and further assessment has been undertaken, the Council would then need time to assess and collate the responses in order to provide a summary document to us.
6. We feel it is important to be open and realistic at this stage as to the work that will lie ahead should a pause in the Examination be granted. It will be important to keep the Examination on track with a detailed timetable that sets out the work that will be undertaken and the time necessary to complete it. If it would take 7 months to complete the additional transport work, based on our experience we would suggest a minimum of 3 months is added to this so as to undertake public consultation and any environmental assessment work. It may well be prudent to add further time to this to account for unexpected delays and to allow for internal Council processes, such as taking any documents to relevant Committees for sign off.
7. Taking all of the above into account, it follows that the further work may well realistically require a pause in the Examination of close to 12 months. We would request that the Council considers this carefully and advises us of their intentions. We appreciate the desire to complete the work quickly and to proceed with the Examination but it is essential that all factors are taken into account and included in a future programme of work. In the event that the programme of work (including consultation processes) be completed sooner than 12 months, then of course there would be flexibility in resuming the Examination earlier. Another issue to bear in mind is that during a lengthy pause to an Examination, other pieces of key evidence may well require a refresh to ensure that they are up to date. If evidence is updated this could have implications for the Plan.

### *Joint Action Plan (JAP)*

8. Turning to the JAP itself, we welcome the progress that has been made with this work and are encouraged by the joint working that has taken place in producing it. The stages appear detailed and the timescale whilst remaining ambitious appears to be achievable. We would however like to emphasise that it is the outputs from this additional work that will be key. It would be useful to develop schemes that can be worked up for the junction improvements as this will allow more accurate costings to be identified.
9. As noted by GCC in their response, this will allow for funding sources to be identified and applied for in the future. However, at the conclusion of this work no external committed funding will have been identified for these schemes. The schemes will therefore remain unfunded. In the context of significantly costly SRN improvements, it is the lack of secured funding and plans for implementation that calls their deliverability into question and that remains one of our fundamental concerns about the soundness of the Plan.

### *Identifying 'non-IDP' sites*

10. We welcome the work that has been done on identifying sites that could potentially come forward without severe traffic impacts on J12 and J14. It would be useful if the Council could confirm to us if the intention is to continue to develop this list of sites as a possible fall back position should the SRN mitigation measures prove to be undeliverable during the Plan period.
11. Work to identify a level of development that could be accommodated before the need for the mitigation measures is triggered will also be useful. It will assist us greatly in understanding the amount and location of development that could be safely accommodated in the District without severe traffic impacts to the SRN occurring. We note that National Highways has offered to undertake work to identify the trigger point at which capacity on the SRN would be exceeded and we welcome this.
12. We do however have a number of queries regarding the document Appendix 2 AC6 "Note on Housing supply which could be delivered before impacts on M5 J12 and J14 would require mitigation", dated 12 May 2023 (the Appendix) and the modelling that has been used to generate this list of sites.
  - i) Please confirm that the 'non-IDP' sites listed are those identified in the Technical Note that do not **individually** represent more than 5% or more of the Local Plan development traffic forecast to use either J12 or J14.

- ii) We would like confirmation of whether any modelling has been undertaken of the cumulative impact of these non-IDP sites on the SRN? If not, please explain why this is not considered necessary.
- iii) We understand that the traffic modelling to support the Appendix has been taken from the 2040 modelling used to support the Local Plan evidence and that it has not been re-run to assess the development set out in the Appendix. As such we understand that the 2040 modelling included junction improvements at both J12 and J14 (improved grade separated roundabouts).

Please can the Council confirm if that is the case? If so, then the modelling would need to be re-run on the basis of a 'do nothing scenario' and any strategic junction improvements would need to be removed from the model. Without this work then there will be no modelling evidence to demonstrate what the impacts on the SRN would be if the non-IDP sites were to come forward in advance of any junction improvements being delivered. Otherwise the model is assuming that there will be extra capacity on the SRN that will not have been delivered. This is a serious flaw in the evidence that has been used to compile the list of 'non-IDP' sites.

- iv) The employment element referred to in the Technical Note is undefined. We require further information on this, specifically the amount of employment land that would be involved. Additionally, in the event that only housing development that is identified in the Technical Note is permitted, how would the employment land affected be managed? This may also be an issue that additional SA work may need to consider in terms of any economic and social effects.

13. In the event that a list of sites can be identified that could be delivered without exceeding the capacity of the SRN and sufficient evidence is provided to justify this, it follows that there will be sites that cannot come forward due to severe SRN impacts and a lack of deliverable mitigation. We note that the Council and other respondents to our most recent letter have referred to a potential Main Modification (MM) to the Local Plan that could alter or add a policy to manage this development and in effect prevent it from coming forwards until adequate mitigation can be delivered.

14. Clearly whether or not such an MM will be justified or whether any wording that is put to us will adequately address the issue will be a matter for ourselves to consider. However, it is worth noting that there is a range of options open to Inspectors including the deletion of allocated sites from a Local Plan in the event that they are not deliverable. It may well be in this case that there is a number of allocated sites that are deemed undeliverable and therefore their deletion from the Plan would be justified.
15. A number of issues regarding the modelling in support of the list of 'non-IDP' sites has been highlighted to us. We would like to request the Council respond to us on these detailed matters as listed below:
- i) Following the provision of additional traffic flow for the PM Peak regarding impacts on J12, we understand that this shows a higher impact (13-14%) than the AM Peak (4-6%) for the 'non-IDP' sites. On that basis, GCC have raised a concern that this could be considered as significant. These concerns should be fully explored and addressed as part of any further modelling work undertaken to ensure that an accurate picture is presented regarding the impacts of the 'non-IDP' sites on the network in the event of a 'do nothing' scenario. We note that GCC have also expressed a preference for a particular traffic model to be used. In undertaking any further work, we would request that the Council adopts a partnership approach and where possible agrees technical modelling details with the relevant partners (specifically GCC and NH).
  - ii) As part of further modelling work, it has been requested that more detailed work be undertaken on the different arms of J14 as it is understood that there may be different capacity issues at different times. This would be useful information to include that will add to the evidence base.
  - iii) Clarification on whether non-motorway traffic on the B4059 has been included as it has been suggested that this may impact on the operation of J14.
16. In summary, whilst we acknowledge and welcome the significant progress that has been made to date, there remains areas on which we require further clarification. This relates to the timing and duration of the pause being requested in the Examination and that all stages, including public consultation and environmental assessment, are taken account of. Regarding the JAP, we wish to emphasise that even once this work has been completed it will be unlikely that significant external funding will have been secured. As such the deliverability of

the SRN mitigation schemes will remain a fundamental Plan soundness question.

17. Finally, it is apparent that there is a number of outstanding issues regarding the technical modelling work used to support the identified list of 'non-IDP' sites. Some of these issues are queries that we ourselves have raised. Other issues and concerns have been raised by NH, GCC and SGDC in their responses to our most recent letter. Is it the intention of the Council to undertake additional modelling work to address these issues? In their response to our letter, NH have confirmed that they will be undertaking work to identify when the mitigation work will be necessary. But it has not been confirmed to us if additional work beyond this will be undertaken and by whom.
18. We would like to emphasise that if both NH and the local Highway Authority (GCC) are raising the same concerns regarding shortcomings in the modelling evidence base then these are views that should be taken seriously. Failure to do so may ultimately undermine the conclusions based on such evidence.
19. We would be most grateful to receive a response from the Council by 19 January 2024. However, if further time is needed, please let the Programme Officer know when a response will be submitted.
20. We would like to inform all other interested parties that we are not, at this stage, inviting or accepting any other comments on this matter. Such responses will be immediately returned to the sender by the Programme Officer.

Yours sincerely

*Victoria Lucas and Yvonne Wright*

Inspectors appointed to examine the Stroud District Local Plan Review