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Local Plan Review
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21 July 2021

Dear Sir / Madam

Stroud District Local Plan Review – Pre-Submission Draft Plan 2021

INTRODUCTION

Rapleys LLP (Rapleys) is instructed by Crest Nicholson (Crest) to submit representations to the Stroud District Local Plan Review Pre-Submission Draft 2021. Representations were submitted to preceding rounds of consultation on the Local Plan Emerging Strategy Paper – November 2018, and the Stroud District Local Plan Review Draft Plan for Consultation – November 2019. These comments should be read in conjunction with the previous submissions.

This submission is made in the context of land interests controlled by Crest, comprising the major component of land identified under draft policy PS30 – Hunts Grove Extension. Policy PS30 carries forward the existing allocation within the adopted Local Plan under Policy SA4, which identifies the land to the south of Haresfield Lane for a 750-dwelling extension to the main Hunts Grove site.

Crest appeared at the previous Local Plan examination to provide evidence supporting allocation of the land and has maintained a dialogue with the planning authority regarding the proposed delivery trajectory. As set out within the latest assessment of five-year housing land supply within the district - "Housing Land Supply Assessment Update - November 2020" the allocation is forecast to start contributing to housing supply in 2023/24 with completion scheduled for 2030/31. Important in this regard is the status of the site as a firm development commitment that has been examined as a strategic component of the adopted development plan for the district. The status of the land as a strategic housing delivery component of the policy framework for the district is therefore established.

Crest has held pre-application discussions with officers of Stroud District Council and anticipates bringing forward an application on the land under its control within the existing Policy SA4 allocation under the policy framework of the adopted Local Plan. These representations should be considered in this context. The comments contained herein are made in respect of the allocation itself and regarding those policies and provisions within the Plan relevant to Crest's interests. They are made in the order in which they appear within the consultation document, with policy and page references provided to assist.

The comments are framed against the consultation objectives set out in the Regulation 19 Guidance Note that accompanies the consultation documents and consider the policies and supporting text specifically against the tests of soundness set out within the NPPF. In each case representations are made on the basis that policies and provisions within the Local Plan should be:

- Positively prepared
- Justified
- Effective; and
- Consistent with national policy

Crest's detailed comments are outlined within the representations below, which are submitted in the interests of achieving a sound plan able to consistently and fully meet the growth objectives that the Local Plan needs to address. Where the approach to a policy objective appears to be out of step with the current national policy position this is highlighted, albeit it is recognised that the wider national context applying to the planning system is undergoing a period of change and the Local Plan will need to respond during the examination process to reflect any such changes.

PART 2 MAKING PLACES - THE DEVELOPMENT STRATEGY

STROUD DISTRICT TOMORROW - A VISION FOR THE FUTURE

Vision to 2040 (p.19)

The Vision as expressed is too vague and does not relate closely enough to policies contained within the Plan and as such it is not considered to be sufficiently effective. Policies should be clearly informed by the Vision and manifest themselves as the conduit via which the outcomes sought by the Vision can be achieved. Therefore, the Vision should be completely clear that if the policies are successfully applied, the state of the district described by the Vision is the natural conclusion. Consequently, the key development proposals subject to policy provisions within the Plan should form part of the described outcomes, expressed in specific terms such that there can be no mistake that this Vision relates to Stroud District and is the product of an effective Local Plan. As drafted, it is too generic and vague, and by this fact is not capable of being measured. It is therefore not effective.

Pursuant to the above, it should articulate the key aspects of the district that the Plan's policies seek to build upon, referring to the strategic location between Gloucester/Cheltenham, Bristol and Swindon and the existence of important transport connections by road and rail to these locations and to Birmingham and London beyond. There should be recognition that the strategy of the Plan is based on delivery of new strategic-scale communities to the south of Gloucester, at Stonehouse, at Cam, and new garden-style communities at Sharpness and Wisloe. Through the successful application of these policies there will be an improvement in health and well-being, improved access to housing, and greater sustainable prosperity for all.

As currently expressed, there is no clear connection between the policies that flow from the Vision, which are designed to facilitate development and to influence and deliver growth sustainably. To be effective the Vision and the policies should be seamlessly connected so it is clear to the reader how the policies will fulfil the Vision and how the Vision gave rise to the policies.

Strategic Objective SO4: Transport and Travel (p.20)

Strategic Objective 4 as currently drafted (together with associated policies within the Local Plan), is focused too much on the private car, which is identified throughout the Local Plan as a mode of transport to be specifically marginalised, with the curtailment of car-use expressed as an active objective. This is both unrealistic and adopts a focus that is too mode-specific, within a policy that should properly be seeking to increase the availability and attractiveness of sustainable travel choices, not to penalise a particular mode. It is also considered to be unrealistic within a predominantly rural district, where mass-transit solutions are largely unfeasible and where for many residents there will be no realistic alternative to car use. In addition, in a Plan that looks forward to 2040, there should be acknowledgement that alternative fuel sources and developing technologies may lead to changing perceptions regarding the use of private vehicles.

The policy should be re-cast to reflect the approach taken by the NPPF (paragraphs 102 – 104 particularly), which advocates recognition of the potential future role of alternative technologies; the promotion of walking, cycling and public transport; the assessment and mitigation of any adverse impacts of traffic and transport infrastructure and the promotion of patterns the of development that reduce the need to travel. Focus on a particular mode of transport is not currently supported by NPPF and should not form part of a strategic objective within the Local Plan. The objective should concentrate on encouraging SMART growth by allocating growth and designing developments in ways that reduce travel demand, then facilitate and promote non-motorised sustainable travel choices, then encourage sustainable travel choices, all as an alternative to use of the private car, while acknowledging that in certain cases the private car represents the only travel option.

As drafted, SO₄ should be redrafted to express the objective more clearly in terms outlined above to ensure the policy is both effective and justified.

The Development Strategy’s Headlines (p.23)

The headlines fail to mention the planned strategic residential growth at the Hunts Grove extension and South of Hardwicke, which will jointly deliver over 2,000 new dwellings alongside the planned employment growth around junction 12, which extends to 32 hectares. This is a key strategic growth location within the overall strategy of the Plan, continuing the expansion of this area that has been carried forward through successive reviews of the Local Plan. With the implementation of the proposed allocations this area will accommodate almost 4,000 new homes within the new neighbourhoods at Hunts Grove and Hardwicke and around 40 hectares of employment land at Hunts Grove, Javelin Park and Quedgeley East. The development strategy should highlight the important strategic nature of this location and ensure consistency between the descriptive text and the Development Strategy diagram on page 24. For the Plan to be effective there should be appropriate emphasis on the importance of this location as a component of the overall development strategy and a new paragraph should be introduced at 2.3.5 to cover this.

What this strategy means for where you live Paragraph 2.3.18 (p.25)

This paragraph should be reworded to place greater emphasis on the significant role that growth to the south of Gloucester plays within the balanced strategy of delivering housing and employment at the City fringe and around junction 12 of the M5. The current allocations continue the long-established strategic growth policy to the south of Gloucester realised through successive Local Plans. Hunts Grove is a continuing committed scheme that is being delivered; the extension of 750 dwellings is an allocation in the adopted Local Plan that is being carried forward, while planned development south of Hardwicke represents the continuation of growth to the west of the A38, linking existing neighbourhoods within Hardwicke to the Quedgeley West employment park adjacent to Cross Keys roundabout. The planned employment growth to the east of the M5 forms the third component of a balanced approach to delivering new homes and jobs adjacent to the principal urban area of Gloucester and with ready access to the M5 at junction 12. The paragraph underplays the significance of this location within the Local Plan strategy overall; its important role and SMART growth credentials should be highlighted more clearly. For the plan to be effective it should make clear the strategic significance of this growth location.

What are the key challenges to this development strategy? Paragraphs 2.3.22-2.3.25 (p.26)

The broadly-based strategy is supported and represents a pragmatic response to the challenges facing the district; there is also welcome recognition that the components that form the Plan’s delivery strategy have different trajectories. It will be important to ensure that sites, which are already committed and allocated, such as the Hunts Grove extension, should not be made subject to any delivery hurdles or encumbrances arising because of the scheduling of necessary infrastructure improvements or reinforcement. The Council should work with the

statutory agencies and other partners to ensure that the key junctions on the motorway network that require improvement to support the development strategy of the Local Plan are programmed to accord in a timely way with the Plan's objectives. It is notable that the initial phase of development (2020-25) identified on p.306 shows the Hunts Grove extension coming forward within this period and therefore it will be important to ensure that any improvements to junction 12 identified as necessary to facilitate housing and employment growth are programmed to occur in this window, with appropriate commitment from Highways England to supporting the growth strategy of the Local Plan. To ensure that the Local Plan strategy is effective it should prioritise early delivery of existing allocations to ensure there is a steady and even delivery trajectory across the Plan period, acknowledging that the new settlement proposals at Wisloe and Sharpness will be more challenging to deliver than established locations such as Hunts Grove.

HOUSING

NEW SETTLEMENTS

Paragraphs 2.4.5 – 2.4.6 (p.31)

The text refers to future new settlements proposed at Hunts Grove, Sharpness and Wisloe that will be established through the proposed allocations within the Local Plan and subsequent planning applications. The distinction here being that Hunts Grove is already an established settlement, having been allocated within the 2005 Local Plan, and having obtained planning permission in 2008, with construction getting underway in 2010. It is already a settlement of significance and has its own parish council. By the time the Local Plan is adopted and is operational the main Hunts Grove site will be nearing completion, it is not therefore correct to say at paragraph 2.4.6 that the scale and growth of Hunts Grove will be determined through this Local Plan. Hunts Grove is an established and settlement and should be recognised as such in the settlement hierarchy. It would be appropriate to apply the provisions of CP3 to the main Hunts Grove site now and to classify the extension as an allocation carried forward into this version of the Local Plan. Following the determination of an application relating to the allocation the settlement boundary could be extended to incorporate this area. The text should be amended to identify Hunts Grove as a Tier 2 settlement to ensure that the Plan properly reflects the situation 'on the ground'. Such an approach is justified in the context of plan-making.

P.32

The text within the highlighted box accompanying the graphic of the district should acknowledge the significance of the Gloucester Fringe/south of Gloucester as a key component of the housing and growth strategy proposed by the Local Plan. It is not proportionate to highlight only Sharpness and Wisloe as the main centres for housing and employment growth within the district, when the Gloucester Fringe sub-area proposes a higher number of dwellings (compared to Wisloe) and a greater area of employment land. The text should be amended to acknowledge this element of the strategy to ensure there is sufficient emphasis on all key strategic growth locations to ensure the Plan is effective.

CORE POLICIES

Core Policy DCP1 – Delivering Carbon Neutral by 2030 (p.50)

The policy should acknowledge the current national planning policy provisions set out within the Climate Change Act 2008, the 2015 Written Ministerial Statement and reflected within NPPG (003 ID:6-003-20140612; 012 ID:6-012-20190315), pending replacement. It should also reflect the relevant provisions within the NPPF – Promoting Sustainable Transport (paragraphs 102-104). As drafted the policy is punitive rather than progressive in its approach and focuses particularly on the marginalisation of private car use when the correct approach is to prioritise and facilitate non-motorised forms of travel – walking and cycling, and public transport over private motorised transport, but to do so through positive planning. Opportunities to promote walking, cycling and public

transport should be sought when plan-making, but there is no support for actively discouraging motorised modes of transport per se, because in certain instances it will not be feasible to do so. To require all new development to be designed in a way that discourages private car use is both unreasonable and unrealistic. The NPPF advocates the widening of choice and active management of patterns of growth so that travel demand is reduced; it does not include provisions that discourage the use of the private car, irrespective of fuel source. As worded the policy is out of step with the NPPF and is therefore not justified.

Core Policy CP3 – Settlement Hierarchy (p.55)

There is a potential anomaly arising from the use of the term 'modest' as a description of the level of growth deemed appropriate at Tier 2 Local Service Centres, if Hunts Grove is included within this category, which it should be for reasons set out above. In the case of Hunts Grove (1,750 dwellings being built out) the Local Plan carries forward an allocation of 750 new homes to be delivered at Hunts Grove via an extension to the existing settlement. This level of growth, within the context of the Local Plan, is clearly not 'modest' and therefore to make the Policy justified and effective the descriptor should be removed. The wording of the policy can function satisfactorily without use of the term and therefore it should be deleted.

Core Policy CP4 – Place Making (p.58)

The policy is not clearly expressed in its intention or consistent with national policy and should be revised to accord with the provisions contained within the National Model Design Code (MHCLG January 2021). To be justified and effective the policy should draw upon the ten characteristics of well-designed places set out within the Code and which are developed within it. This is an appropriate reference point for place-making policies and CP4 should be re-drafted to ensure that it clearly and consistently reflects the provisions within the National Model Design Code.

Core Policy CP5 – Environmental development principles for strategic sites (p.60)

To be consistent with national policy and effective criterion 5 should make clear that any design code framework to be provided should reflect provisions within the locally adopted design code relevant to the district/area, or the National Model Design Code in absence of a locally prescribed approach. The policy should require future proposals to demonstrate accordance with either the locally adopted code or the national model.

Core Policy CP6 – Infrastructure and developer contributions (p.62)

Again, it is noted that the proposed wording of Policy CP6 has not been subject to any significant revision or change compared to earlier versions of the policy that have been consulted on previously. It is critical that the Council ensures that the infrastructure improvements required to deliver the overall strategy are identified clearly and are timetabled so that development can occur without impediment. This is a fundamental requirement of soundness.

The Council has recently published an IDP Main Report (June 2021) prepared on behalf of the Council by Arup, which sets out infrastructure requirements under a series of themed headings. Notable in this regard is the Transport and Highways section of the report. It highlights that the previous version of the IDP, dating from 2014 identified 14 major pinch points on the road network in and around the district, including junctions 12, 13 and 14 of the M5 motorway, which were forecast to be approaching capacity towards the end of the Plan period. The current IDP notes that since then the DTp has published an update to the 2015-20 Road Investment Strategy (RIS1), which covers the period 2020-25 (RIS2). The RIS addresses management of the strategic road network (SRN) specifically. RIS1 did not identify any projects within Stroud district, and the successor strategy, RIS2 also does not allocate any funds to SRN improvements within the district. The closest project on this part of the M5 is at Jn.10. Reference is also made to the Highways England (HE) Birmingham to Exeter Route Strategy (03/17),

which highlighted concerns regarding levels of congestion at junctions 9, 10, 11, 11a, 12 and 14 of the M5. The IDP notes that levels of congestion on the motorway could constrain economic growth in Stroud, and by association adversely affect the deliverability of the Local Plan.

The IDP notes that the Gloucester Fringe sub area connects to the SRN via Jn.12 of the M5 and that capacity concerns demand a solution to support the strategy of the Local Plan. The Gloucestershire Local Transport Plan (LTP) states that a scheme of improvements should be developed jointly by the District and County Councils working in partnership with HE. The strategically significant Cross Keys roundabout has been subject to recent improvements (2019) that were funded in part by S106 contributions from the development of Hunts Grove.

The transport modelling work informing the IDP shows that Jn.12 of the M5 is likely to be operating at capacity, with specific pinch points constraining the entry points to the B4008 and the northbound on-slip roads; an improvement scheme comprising a grade separated junction utilising two overbridges has been tested, but this is not yet fully developed and will require further development with HE. There is no indication within the IDP Main Report as to the likely cost of the mitigation scheme at Jn.12, or in respect of other pinch-point areas within the Gloucester Fringe that will require infrastructure improvements to the road network, although there is acknowledgement that demand management measures should form part of any solution. The report suggests that contributions will be sought from the main strategic allocations within the area: PS30 – Hunts Grove, PS32 South of M5 junction 12, PS43 Javelin Park, G1 South of Hardwicke, and G2 Land at Whaddon, with potential funding also sought from other schemes within the district given the strategic significance of the location.

The Infrastructure Delivery Plan (IDP) should identify the infrastructure, funding and delivery mechanisms that are needed to support the Local Plan and make clear that public funding will be sought alongside any S106 contributions from the planned allocations. However, in this regard it will also be important to distinguish between existing commitments that are being delivered and are already allocated and schemes proposed for allocation through the review of the Local Plan.

The Hunts Grove extension is an existing development commitment forming part of the adopted development plan and as such should properly form part of the baseline for assessment when determining what infrastructure improvements are required to facilitate delivery of the emerging Local Plan allocations. Necessarily, the PS30 allocation (SA4) was subject to such consideration during the previous examination process. In this regard existing commitments should therefore benefit from any residual spare capacity that is available within the junction before pro-rata contributions are sought towards any improvement scheme. The policy should be drafted to ensure that contributions sought relate to the marginal impact that each development will have on the operation of the highway network; accordingly existing capacity should be assigned to existing commitments rather than treating all the proposed allocations listed above in the same way.

The Policy should explain clearly in the supporting text that the Council will actively seek contributions from available public funds towards key strategic infrastructure improvements that are fundamental to the success of the Local Plan. This will include contributions towards transport infrastructure comprising road and rail schemes the delivery of which is closely linked to the deliverability of the housing and employment strategies of the Plan. Public and private sectors will work together to ensure there is timely delivery and that contributions sought will be proportionate to impacts.

MAKING PLACES - A SPATIAL VISION FOR STROUD DISTRICT

Vision Diagram (p.67)

The extract describing development at the Gloucester Fringe is insufficiently thorough to reflect the strategic significance of the location. The extract should also refer specifically to the strategic housing allocation planned at South Hardwicke, the potential DtC site at Whaddon, and employment growth adjacent to M5 junction 12,

which, when considered cumulatively comprise strategic scale extensions to the Gloucester principal urban area totalling over 5,000 homes and 32 hectares of employment land. It is vital that the importance of the location is reiterated throughout the Plan to ensure that public funding is directed towards reinforcing the infrastructure network (as required) so that development is facilitated and the policies within the Plan are effective.

Shaping the Future of Gloucester’s Rural Fringe Vision to 2040 (p.138)

As set out above it is important that the Vision clearly articulates the level of change that is anticipated within this area and its strategic significance. It should describe fully the position that will be reached once the development proposals contained within the Plan are realised. As has already been described this should note the scale of existing commitments (1,750 dwellings at Hunts Grove and 13 hectares of employment land at Quedgeley East) and describe these alongside those that are allocated within the emerging Plan (1,350 dwellings South of Hardwicke, 750 dwellings at the Hunts Grove extension, the potential for 3,000 dwellings at Whaddon to help meet Gloucester’s needs, 27 hectares of employment land at Javelin Park, and 5 hectares at Quedgeley East) to demonstrate the importance of the location. Greater clarity will aid the effectiveness of the Local Plan and therefore deliverability.

Paragraph 3.4.5 – Guiding Principles for Growth or Development Within the Parishes South of Gloucester (p.140)

To ensure clarity within the Guiding Principles and therefore the effectiveness of the Plan the key components should be addressed consistently in terms of the detail assigned to each, accordingly:

1. Hunts Grove will be identified as a Tier 2 Local Service Centre settlement and will be expanded by a further 750 dwellings (PS30) to create a community of around 2,500 homes when complete.
2. Hardwicke will be extended to the south via an allocation for 1,350 new homes, a new local centre and additional community provision.
3. Land at Whaddon is safeguarded for up to 3,000 dwellings to help meet the housing needs of Gloucester City upon demonstration of the need to allocate the land for development via a review of the Joint Core Strategy for Cheltenham, Gloucester, and Tewkesbury.
7. The development strategy for the rural fringe will make necessary provision for the safe and efficient operation of Junction 12 of the M5 via the delivery of appropriately scaled improvements to the junction. The Council will work with the statutory agencies and delivery partners to secure funding for infrastructure improvements to support the growth strategy.

Policy PS30 – Hunts Grove Extension (p.145)

Crest fully supports the continued allocation of Hunts Grove Extension for 750 dwellings. The wording of PS30 reflects that set out within the adopted Local Plan under SA4, which has already been subject to examination. The adopted policy criteria should be carried forward, as proposed although criterion 13, which requires the safeguarding of land for the potential future provision of a railway station does not relate to land contained within the area covered by the allocation and should therefore be deleted to ensure the policy is both justified and effective.

Policy G1 – South of Hardwicke (p.150)

To ensure the policy is effective it should include provisions to ensure that access proposals to the site from the A38 are fully compatible with the approved main site access to the Hunts Grove new community and should not compromise the delivery of Hunts Grove and the Hunts Grove extension carried forward under PS30 in any way. The Policy should also include a requirement to ensure that proportionate contributions are made to necessary

transport infrastructure improvements, including to the SRN, to ensure the timely delivery of development within the Gloucester Fringe sub area.

CORE POLICIES

Policy DHC5 – Wellbeing and healthy communities (p.243)

Crest recognises that place making can have a positive impact on the health and wellbeing of communities. However, there is no justification for the requirement to provide separate health impact assessments (HIA) for strategic scale schemes and it is considered unnecessary to mandate such for all schemes of this nature. The policy should be re-worded to remove specific reference to HIA, albeit it is appropriate to retain the requirement for proposals to demonstrate how they have been designed to encourage health and wellbeing.

It is unclear how criterion 1 of the policy could meaningfully be satisfied and whether it is realistic to expect all developments of 10 or more dwellings to meet this requirement. While it is understood that the planning process should encourage the promotion of health and wellbeing generally this aspect of the policy is unclear and therefore is not likely to be effective. NPPG (004 ID: 53-004020190722) makes clear that planning can have a role to play in limiting the proliferation of fast-food outlets in particular locations, near to schools for example, and can support opportunities for communities to access healthier food choices, but this does not reasonably extend to requiring all major proposals to demonstrate how access to healthy, fresh and locally produced food can be achieved. This aspect of the policy should be reworded to require major proposals where feasible to incorporate opportunities for on-site small scale food production through the provision of allotments; edible streets; community orchards etc. (refer to Policy DHC7).

Policy DHC7 – Provision of new open space and built and indoor sports facilities (p.246)

If the Council intends to operate a CIL the provision of indoor sports facilities should more appropriately be covered by the levy, than by on-site provision or S106 contributions. To illustrate, a 25m swimming pool has an area of 300 sqm; which would necessitate a 30,800 person increase in population, equivalent to the delivery of over 13,000 houses (based on average household size in Stroud), which is more than is planned for during the whole of the Plan period. Indoor sports facilities, by their nature, cater for much wider catchments and therefore it is appropriate that their provision should be covered via CIL. This aspect of the policy is not effective and should be amended.

Policy EI12 – Promoting Transport Choice and Accessibility (p.266)

The provisions within the policy relating to the prioritisation of active travel modes over car use are not consistent with the relevant provisions within the NPPF, as currently expressed and are therefore not justified. The objective should be to facilitate and encourage the development of sustainable modes of travel that limit their impact on the environment. The policy should be based on encouraging and supporting viable and realistic alternatives to car use through demand management, active travel planning, support for public transport and walking and cycling, rather than specifically setting as a primary objective the reduction of car use. This outcome will naturally be the result of a successful policy framework that supports alternative modes and manages travel demand.

The provision within the policy that requires the use of travel planning to positively address impacts on the highway network as a first response, prior to requiring engineered solutions that increase capacity, is supported. The Council should ensure that this approach to addressing transport infrastructure requirements and accessibility enhancement is pursued throughout the plan-making process and in discussions with the statutory agencies when assessing the scale and requirement for infrastructure reinforcement. This approach should be taken when determining the nature of interventions required at the junctions of the M5 around which

development is concentrated within the Local Plan. To be effective the policy should ensure this requirement is fully reflected.

Policy DE1 – District-wide mode-specific strategies (p.268)

The wording of DE1 does not present a clear policy, it merely describes what the Council intends to do in pursuit of developing different transport strategies across the district, accordingly it is neither justified or effective. If required, it should be included as supporting text introducing the Council’s approach to the promotion of sustainable transport choices.

Policy CP14 – High quality sustainable development (pp.276)

The final sentence of the policy is not sufficiently clear as to when such documents should be provided in support of proposals; in any case it could be deleted without undermining the purpose or effectiveness of the policy. This sentence is not justified.

Policy ES1 – Sustainable construction and design (p.279)

The draft policy should be consistent with the national policy approach that is set out currently by the Written Ministerial Statement from March 2015, which advises that additional standards over and above Building Regulations, which provide the baseline technical standard for all new homes, should be required only if they address a clearly evidenced locally occurring need, justified by locally specific data and where their impact on viability has been considered. This position is reinforced by NPPG, paragraphs 007 Reference ID: 56-007-20150327; and 020 Reference ID: 56-020-20150327. It is acknowledged that Stroud District Council has an ambition to accelerate the move towards carbon neutrality as a proactive response to climate change. Crest recognises the importance of delivering development that is truly sustainable and appreciates the role that the development industry must play in this respect. Through the Local Plan formulation process, it will be important to ensure that the policies and ambitions that are set out within the Plan are in step with the national agenda and can be fully justified through the examination process. This will necessarily require a full and thorough assessment of the potential impacts on delivery of the Local Plan strategy, the viability of which will be affected by any application of locally specific standards.

Policy ES6 – Providing for biodiversity and geodiversity (p.290)

The Council’s policy approach to biodiversity should not deviate from the Government’s proposals on biodiversity gain as set out in the forthcoming Environment Bill, which will require development to achieve a 10% net gain for biodiversity. The Government contends that 10% is an appropriate balance between securing development and arresting environmental decline and will be a mandatory national requirement on enactment of the legislation. Necessarily it does not prevent developers who are able to exceed this requirement from doing so if feasible. The addition of ‘minimum’ to the 10% requirement implies that delivering 10% BNG is barely acceptable, when it reflects the national standard. The qualification is not justified.

The policy is worded in a way that implies that development should be resisted as a default position: Use of the phrasing *Where development is considered necessary, adequate mitigation measures, or exceptionally compensation measures, will be required...* is unjustifiably negative. The Policy ought to adopt the following approach:

“Where development has an impact on biodiversity/natural capital, adequate mitigation, or compensatory measures where necessary, to achieve 10% net gain, will be required.”

The wording of the Policy also fails to draw any effective distinction between national and international sites and sites of local interest, by stating that proposals that have an adverse effect on either will not be permitted/should not take place. To be effective the policy should be clearer on the different approaches that will be taken, in accordance with the approach at paragraph 171 of the NPPF.

Appendix C – Ultra low emissions vehicles (p.323)

There remains a degree of internal inconsistency within the Local Plan insofar as the Council is seeking provision of ULEV charging points for every new dwelling through application of this policy, while actively seeking to discourage the use of cars, elsewhere within the Local Plan, irrespective of fuel source. The approach to policies on transport should be consistent with the NPPF and should not actively discourage the use of any particular mode.

Development Viability of Local Plan Policies (Comments)

In summary it is important that the emerging draft policies contained within the Local Plan have due regard to the need for the document to be positively prepared, justified, effective and consistent with national policy. In every respect there is an overarching requirement set out within the NPPF to ensure that the deliverability of the plan is not undermined through the imposition of policies or obligations that undermine the viability or achievability of the plan strategy. In this regard consistency with national policy is a critical factor in preparing and delivering a Local Plan that can effectively deliver sustainable development.

Yours sincerely,