

**EXAMINATION OF THE STROUD DISTRICT LOCAL
PLAN REVIEW**

INSPECTORS' MATTERS, ISSUES AND QUESTIONS

MATTER 10: Environment

Matter 10a: Sustainable future

On behalf of: Robert Hitchins Ltd

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Pegasus is instructed by Robert Hitchins Ltd to submit a Statement in respect of Matter 10a, pursuant to the Matters and Questions identified by the Examination Inspectors.

Separately additional Statements have been submitted in respect of the following Matters:

- Matter 1
- Matter 2
- Matter 3
- Matter 6
- Matter 6a
- Matter 6c
- Matter 6d
- Matter 6g
- Matter 7
 - Matter 7a
 - Matter 7b
 - Matter 7c
- Matter 8
- Matter 10
 - Matter 10a
 - Matter 10c
 - Matter 10d
- Matter 11
 - Matter 11a
 - Matter 11b
 - Matter 11c

Following the submission of the Reg 19 representations in July 2021 Pegasus along with PFA Consulting and Pioneer Housing and Development Consultants have also responded to the Stroud District Local Plan Review Additional Technical Evidence in October 2022.

The Hearing Statements should be read alongside our representations and supporting evidence. As instructed, we have not repeated our representations of July 2021 or October 2022; but instead sort to highlight the salient points in response to the MIQs and indicated what changes we consider necessary in order for the Plan to be found sound.



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10. MATTER 10 – ENVIRONMENT

10.1 Issue 10 – Does the Plan set out a positively prepared strategy for the natural, built and historic environment that is justified, effective and consistent with national policy? Does the Plan adequately address other environmental matters and are the policies sound?

Matter 10a Sustainable future

Core Policy DCP1 Delivering Carbon Neutral by 2030

1. Core Policy DCP1 sets a target of achieving net zero by 2030, ahead of the national target which is to achieve the same by 2050.
 - a. **Is this target achievable? Is it justified and viable?**
 - 1.1 This is for Stroud District Council to answer with reference to 'The 2030 Strategy' (EB1010).
 - b. **How will 'net zero carbon' be defined and measured and is this clearly set out in the Plan? How will progress towards meeting this target be monitored? On what basis will the target be measured as having been achieved?**
 - 1.2 This is for Stroud District Council to answer, however elements required to achieve the target are beyond the scope of the Local Plan, for example reducing carbon emissions from the existing housing stock.
 - c. **Are all the policy requirements set out in Core Policy DCP1 justified for a strategic policy and are they achievable? How will a decision-maker determine whether the requirements have been met, for instance how will they know that green infrastructure has been maximised?**
 - 1.3 Other policies in the Plan indicate in more detail how the decision maker should determine how development contributes to achieving the strategic policy. It would aid reading of the Plan if these were 'sign-posted' within the supporting text to Policy DCP1.
 - d. **Does the policy strike the right balance between encouraging sustainable modes of transport whilst recognising that in rural areas some local residents and businesses may be more reliant on the private car? Is the policy approach consistent with paragraph 105 of the Framework?**
 - 1.4 The Policy is not consistent with paragraph 105 of the Framework. In this respect it should be modified by reference to 'where genuine alternatives to the private car exist'.
 - e. **The policy states that all new development must be designed to discourage the use of the private car, irrespective of fuel source. Does this acknowledge opportunities to encourage EV usage through the provision of, for example, a network of electric charging points across the District, including the rural area?**
 - 1.5 The Policy does not acknowledge opportunities to encourage EV usage, particularly in rural areas where there is more reliance on the private car. The policy should recognise that vehicle fuel types have a contribution to carbon neutrality, for example electricity from renewable and carbon neutral sources.



- f. **Does the policy provide sufficient support for the use of land for the production of food?**
- 1.6 Yes, within the context of the Framework.
- g. **Would the policy requirements for new development result in developers having to build to a higher level of standards than that required by the Building Regulations (whether current or those planned to be implemented)? Are these requirements justified and consistent with national policy? What, if any, would be the implications of this for delivery of development across the District (specifically viability)?**
- 1.7 The Policy should be consistent with Building Regulations and the Future Homes Standard to be adopted from 2025 including the transition period.
- 1.8 The Councils updated Local Plan Viability Assessment 2022 Refresh considers the effects by the Policy on viability by reference to Delivery Policy ES1 Sustainable construction and design.
- 1.9 Paragraph 58 of the Framework is clear that where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. The reference to the 'highest viable energy efficiency' within the Policy is therefore not in accordance with the Framework as it introduces a potential for a variable level of energy efficiency on a site-by-site basis which is likely to be a matter of negotiation between the applicant and the LPA.
- h. **Is the policy as a whole consistent with national policy?**
- 1.10 The Framework places the transition to a low carbon future in the context of the changing climate (paragraph 152). The supporting text to Policy DCPI equally sets the context for the Policy within the need to respond to the climate change. However, the Policy aim is for the District to achieve carbon neutrality by 2030, rather than setting a 'proactive approach to mitigating and adapting to climate change' as set out in paragraph 153 of the Framework. Indeed, the 6th bullet point of the Policy addresses more wider aspects of climate change including reducing the risk of flooding. The Policy should be reframed such that the contribution of new development to achieving carbon neutrality is part of the measures to mitigating climate change.

High quality sustainable development – Core Policy CP14

2. **This policy states that development will be supported where it achieves the requirements listed in 14 criteria. Several requirements appear to be included in other Plan policies. Is the purpose of the policy clear and does it provide sufficient clarity for a decision-maker to determine whether proposals accord with the policy? Or does it confusingly and unnecessarily duplicate national policy and other Plan policies?**

A quality living and working countryside – Core Policy CP15

3. **Under policy CP15, land outside of identified settlement development limits is treated as open countryside. The policy states that in these circumstances, development will not be permitted except where several specified criteria are complied with.**
- a. **Is the wording of this policy suitably positively worded and is it sufficiently flexible to ensure that desired outcomes are achieved?**



- b. Are the criteria set out in the policy consistent with national policy, for example, on the re-use of rural buildings?
- c. Do the criteria strike the right balance between enabling suitable development in rural area whilst seeking to prevent development that would be unacceptable? Are there additional types of development that should be included in the policy, for example essential infrastructure?
- d. Criteria 9 of the policy limits schemes within Tier 3b, 4a or 4b settlements to 9 dwellings. Is this justified?
- e. Overall, does the policy unnecessarily duplicate other more detailed Plan policies?

3.1 No Comments

Sustainable Construction and Design – Delivery Policy ES1

- 4. Policy ES1 requires development proposals to meet a number of requirements, including the achievement of a net-zero carbon standard.
 - a. Is this policy consistent with national policy and relevant Building Regulations and is it justified and necessary? In the event that Building Regulations are altered or updated, how would the policy deal with this?
 - b. Are the requirements set out in the policy achievable and viable?
 - c. Should the policy incorporate transitional arrangements? If so, why and what should these be?
 - d. What is the Stroud District Council carbon offset fund and how will it be managed and administered?
 - e. Is the policy sufficiently flexible to allow for situations where the achievement of the requirements may not be possible due to the individual circumstances of a site?
 - f. Is the reference to the Home Quality Mark justified?

4.1 No comments.

Renewable or low carbon energy generation – Delivery Policy DES2

- 5. Has the assessment methodology, including the Landscape Character Assessment and the identification of suitable areas, which support this policy taken sufficient account of the Cotswold AONB? For example, has sufficient account been taken of the Cotswold AONB Management Plan (2018–23), AONB Character Assessment and AONB Landscape Strategy and Guidelines?

5.1 No comments

- 6. Are the Landscape Character Types used in the AONB consistent with those used in the Council's LCA? What, if any, difficulties may arise during the planning process if there are differences?

6.1 No comments



7. Do the issues set out in the policy take sufficient account of the benefits of renewable energy generation at the national strategic level?

7.1 No comments

Heat supply – Delivery Policy DES3

8. Is this policy supported by the evidence base and is it viable and deliverable?

8.1 No comments

9. Does the policy take sufficient account of opportunities to provide communal heating systems when considering issues relating to feasibility (as a separate consideration to viability)?

9.1 No comments

10. Should the policy be applicable to all site sizes? Are there particular issues relating to small and medium sites that should be taken account of?

10.1 No comments

11. Is the wording of the policy suitably flexible to take account of individual site circumstances?

11.1 No comments

Water resources, quality and flood risk – Delivery Policy ES4

12. Given that Defra has designated the Seven Trent Area as being under serious water stress (July 2021), does the policy incorporate sufficient water efficiency standards?

12.1 No comments

13. Is the requirement, where appropriate, for contributions towards surface water flood projects, including 'upstream rural SuDS projects' that are outside a site application boundary, justified?

13.1 No comments

Maintaining quality of life within our environmental limits – Delivery Policy ES3

14. The policy sets a number of criteria against which development proposals will be assessed. Some relate to environmental limits and some relate to living conditions issues (such as noise disturbance and outlook). Is the scope of the policy justified in terms of the policy issues it seeks to cover? Is the policy effective or should it be split into two policies covering environmental limits and living conditions respectively?

14.1 Other than some duplication in respect of flood risk and highway safety with other policies in the Plan, the Policy is acceptable within its scope.

15. Are the criteria set out in the policy justified and consistent with national policy, for example criteria 8 which relates to the best and most versatile agricultural land?



15.1 We refer you to our Regulation 19 response on this matter. In the policy wording as proposed it is not clear how this policy can be effectively implemented. Criterion 1 – 7 can all be mitigated, but it is not clear what an “... unacceptable level of loss of healthy soils” refers to, particularly as the sentence then refers to best and most versatile agricultural land and the economic and other benefits it offers.

15.2 We have suggested revised wording in our representations on Policy ES3.

16. Does the policy take sufficient account of mitigation measures that might be used to make developments acceptable where there would be some level of harm, for example regarding soil resources?

16.1 It is assumed that mitigation measures are included in the assessment of ‘unacceptable level of...’, however additional supporting text would aid clarity.

17. When the policy refers to ‘an unacceptable level’ is it clear what is meant by this term and how development proposals will be assessed against it?

17.1 The assessment of what is unacceptable is usually made in conjunction with relevant professional input in both forming the development proposal and the decision making.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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