

Appeal Statement

Land at Summer Street Stroud Gloucestershire GL5 1PQ

Planning Inspectorate reference: 3154183

Local Planning Authority reference: S.15/2549/OUT

Introduction

This statement follows CPRE's letter of objection dated 14 January 2016 to the planning application, and should be read alongside it. CPRE has reviewed the letter and considers that nothing in the intervening eight months has made it out of date or less relevant for any other reason. We therefore wish to draw it to the Inspector's attention.

In terms of chronology, the planning application was submitted before the Stroud District Local Plan (SDLP) was adopted, but the consultation period on it ended after the adoption of the Plan. The Council was therefore able to rely only on the newly adopted policies and attach full weight to them in its decision to refuse the application. The SDLP is the sole component of the development plan; the site of the proposed development does not lie in an area covered by a made neighbourhood development plan – or indeed any emerging neighbourhood plan.

In the pages that follow, it is necessary for some issues only to reaffirm the content of the letter of 14 January. In this statement, we mainly address the appellant's Statement of Case, and in doing so the reasons for refusal, and take note of the draft Statement of Common Ground and the latest position on housing land supply.

The Main Issues

CPRE considers the main issues to be as follows:

- Whether or not the proposed development is in accordance with the development plan
- If it is not, whether any other material considerations can be identified which might outweigh any lack of compliance with the development plan
- Whether or not a five year supply of land for housing in the District can be demonstrated

- Whether the proposed development can be regarded as sustainable development, and
- The balance to be struck between these and other relevant considerations.

The Appellant's Statement of Case

We address issues in the order in which they appear in the Statement of Case (SoC).

For reasons given below we disagree with the appellant's assertion at 1.4.1 that the Council cannot demonstrate a five year supply of land for housing.

We acknowledge the appellant's point at 1.4.2: to put it another way, we recognise that the existence of a five year supply of land for housing does not necessarily militate against a proposal for housing development, and that in accordance with paragraph 47, even if a local plan meets the objectively assessed need for housing, this should not prevent additional housing from coming forward in appropriate circumstances.

Such circumstances might for example consist of a brownfield site within an urban area or settlement boundary where the detailed policy framework is also supportive. However, in the present case, what CPRE regards as the degree of lack of compliance with the Local Plan means that this is not an appropriate location for the provision of additional housing.

We note the appellant's acknowledgment at 2.2.2 of the SoC of the soundness of the SDLP in respect of housing requirements. This has the effect of placing a great burden in the appellant's case on the housing land supply issue. We disagree entirely with the appellant's interpretation of the five year supply position (again for reasons set out below), and consider that paragraph 49 is not engaged and that as a result, the reinforcement it might provide to paragraph 14 does not apply.

In respect of 2.2.4 CPRE considers that the proposed development is very plainly in conflict with newly adopted policies, particularly CP2, CP3 and CP15, and the fact that the present proposal is substantially smaller in scale than the proposals which went to inquiry about two years ago does not in our opinion diminish the degree of conflict with those policies.

We note the applicant's position set out at 2.3.1 in respect of Policy CP15, and indeed we would agree that one of its effects is to constrain housing supply; it is meant to. However, if it is accepted, as CPRE does, that the Council can in fact demonstrate a five years supply of land for housing, then the argument that CP15 is out of date fails.

In respect of 2.3.3, we consider that that the Local Plan should be read as a whole. Settlement boundaries are one of the most important means of implementing the spatial strategy set out in policies CP2 and CP3. The fact remains that the site of the proposed development lies outside the settlement boundary for Stroud, like all such boundaries in the

District carefully delineated and approved the Local Plan Inspector as part of his overall consideration of the Local Plan.

We address the content of Section 3 of the appellant's SoC below under the heading The Planning Balance.

Section 4 of the SoC appears to repeat much of the earlier material. In respect of the first reason for refusal, our comments above about paragraph 2.3.1 and CP15 apply also to 4.2.2. This policy should in our view be given full weight in the decision on this appeal. It follows (in respect of 4.2.3) that the test of paragraph 14 should not be applied. None of the adjectives in the fourth bullet point of paragraph 14 – absent, silent or out of date – are relevant.

In respect of the second reason, we disagree with paragraphs 4.3.1 to 4.3.3. Contrary to the appellant's view, we consider that the location of the proposed development in relation to existing development and the "green finger" will have a disproportionately adverse effect on the green finger.

This statement does not address the third and fourth reasons for refusal. To the extent that they carry weight in the final decision, to CPRE they appear to reinforce the first and second reasons and the Council's position is therefore supported.

The Statement of Common Ground

We note that the Statement of Common Ground (SoCG) is in draft. We agree with the content of Section 2 on the site and its surroundings, with the definition of the development plan in Section 4, and the range of applicable policies set out in Section 5. We do not disagree with the content of Section 6.1; matters raised by 6.2 are taken up below.

In particular, we note Section 7 which refers briefly to eight matters on which the principal parties agree. CPRE does not dissent from to the position on each of these. We agree with the specific content of 7.9, but say more about broader landscape issues below.

Housing Requirements and Housing Land Supply

The Local Plan is recently adopted and in its final form made significantly greater provision for housing than the Submission Draft: 11,400 dwellings for the Plan period 2006 to 2031 instead of 9,500 dwellings, an increase of 20%. It therefore cannot reasonably be argued that the Local Plan makes insufficient provision for housing or that the full objectively assessed needs for housing are not met. Any dispute about the figures must therefore be on the supply side.

At the time of the adoption of the Local Plan in November 2015 the Local Plan Inspector was satisfied that there was a five year supply of deliverable housing sites in the District. CPRE notes the conclusion of the latest report on this topic published by Stroud DC (Five Year

Housing Land Supply; June 2016) - that there was a 6.59 year supply of land for housing in the District at 1 April 2016. We are content to rely on the detailed evidence of the Council's officers on this matter. However, from our own detailed examination of the report, and our familiarity with at least all the major sites it assesses, we are confident that this document represents an accurate and reasonable assessment of the position, and is not capable of serious challenge.

We note from Table 1 the total requirement for the Plan period 2006-2031 of 11,400 dwellings, and the annual requirement of 456 dwellings. Completions in the first ten years of the Plan period amounted to 4,267 dwellings, compared with a cumulative requirement of 4,560 dwellings. Thus, 93.6% of requirements were met. This in our opinion does not constitute the persistent under delivery of housing to which paragraph 47 of the NPPF refers, and which would warrant the application of the 20% buffer in the calculation of the years supply figure. The Council is therefore justified in applying the 5% buffer which paragraph 47 also provides for in appropriate circumstances. The modest shortfall of completions against requirements (293 dwellings) is properly taken into account in the calculations, which result in a five year requirement figure of 2,702 dwellings.

We consider the report to be methodologically as well as mathematically sound. Paragraph 2.1 shows how the provisions of paragraph 47 of the NPPF have been applied in practice. The report's approach to small sites and windfalls is also appropriate.

Some general observations are also pertinent. First, although the existence of a five year supply does not in itself militate against a proposal for housing, it does mean that paragraph 49 of the NPPF is not engaged.

Secondly, the appellants would need to demonstrate convincingly that a total of at least 858 dwellings (24% of the total available supply of 3,560 dwellings) included in the Council's assessment of supply were not in fact available in the five year period to bring the years supply figure to below five and therefore to engage paragraph 49. The figure of 858 dwellings is obtained by subtracting Row B from Row A in Table 3. As the Local Plan Inspector's report states at paragraph 70, *"although the detailed delivery of these sites may change, there is sufficient "headroom" in these figures to ensure that the 5-year housing land supply requirement can be met..."*.

Thirdly, it should be noted that one of the District's strategic allocations (West of Stonehouse, 1,350 dwellings) has already been granted planning permission.

Finally, even if the appellant's case that there is not in fact a five year supply of land for housing is accepted, twenty dwellings will make scarcely any difference in alleviating the shortfall.

To sum up, CPRE considers the Council's position on this issue to be sound.

Landscape and Visual Impact

Representatives of CPRE made a further visit to the site on 5 September 2016, walking the rights of way in the vicinity and taking in the viewpoints identified in the applicant's Landscape and Visual Assessment. This reinforced the view obtained from the previous site visit in November 2015, that significant harm to the landscape result.

The Planning Balance

To the extent that the planning balance set out in paragraph 14 of the NPPF needs to be addressed at all in these circumstances, our view is set out below in terms of the three dimensions of sustainable development.

There would undoubtedly be some economic benefits – employment in the construction stage, and Council Tax revenues and increased spending once the dwellings are occupied – arising from the proposed development. However, they would as a result of the scale of the development, 20 dwellings, be relatively small and therefore do not weigh heavily in its favour.

Social benefits would undoubtedly arise from the provision of housing in general and affordable housing in particular. However, again as result of the small scale of the development, they would be relatively small and in our opinion the weight is further diminished by the fact that a newly adopted Local Plan makes sufficient provision for housing and moreover contains in Policy CP2 a commitment to early review.

In terms of the environmental dimension, the proposed development would lead to the irrevocable loss of an important component of the local landscape, to a disproportionate extent in relation to the number of dwellings provided.

For these reasons, we consider that the proposed development is not overall sustainable and that its benefits are outweighed by its adverse effects.

Conclusions

In respect of the main issues, CPRE finds the following:

- That the proposed development clearly does not accord with the development plan
- That no material considerations of sufficient weight have been identified which would outweigh the lack of compliance with the development plan
- That the Council can demonstrate a five year supply of land for housing and that as a result paragraph 49 of the NPPF cannot be relied on in support of the development.

- That the landscape and visual impact of the proposed development would be adverse
- That on balance the adverse effects of the proposed development outweigh the potential benefits.

In conclusion, for all the above reasons, the Inspector is respectfully requested to dismiss the appeal.

David Crofts MRTPI
Director
Estcourt Planning

7 September 2016