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Dear Sir / Madam

STROUD DRAFT LOCAL PLAN REVIEW (LPR) PRE-SUBMISSION CONSULTATION

Thank you for consulting with the Home Builders Federation (HBF) on the above-mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership which includes multi-national PLC's, regional developers and small local builders. In any one year, our Members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. The HBF submit the following representations on the pre-submission Stroud LPR. In due course the HBF would wish to attend Examination Hearing Sessions to discuss matters in greater detail.

Duty to Co-operate

As set out in the 2019 NPPF, the Council is under a Duty to Co-operate with other Local Planning Authorities (LPA) and prescribed bodies on strategic matters that cross administrative boundaries (para 24). To maximise the effectiveness of plan-making and fully meet the legal requirements of the Duty to Co-operate, the Council's engagement should be constructive, active and on-going. This collaboration should identify the relevant strategic matters to be addressed (para 25). Effective and on-going joint working is integral to the production of a positively prepared and justified strategy (para 26). The Council should demonstrate such working by the preparation and maintenance of one or more Statements of Common Ground (SoCG) identifying the cross-boundary matters to be addressed and the progress of co-operation in addressing these matters. Therefore, as set out in the 2019 NPPF, the LPR should be positively prepared and provide a strategy, which as a minimum seeks to meet its own LHNs in full and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated (para 35a).

Under **Core Policy CP2 - Strategic growth and development locations**, Stroud District will make a contribution to meeting the unmet housing needs of Gloucester City for the plan period by providing for growth at Land at Whaddon for 3,000 dwellings, subject to a requirement to meet unmet housing needs and



consistency with the approved strategy for the Gloucester Cheltenham & Tewkesbury (GCT) Joint Core Strategy (JCS) Review.

The latest National Planning Practice Guidance (NPPG) sets out that authorities should have a SoCG available on their website by the time of publication of their Draft Plan, in order to provide communities and other stakeholders with a transparent picture of collaboration. Once published, the Council will need to ensure that any SoCG continues to reflect the most up-to-date position of joint working (ID 61-020-20190315). The Stroud LPR pre-submission consultation is accompanied by an unsigned Draft SoCG between the Gloucestershire authorities. However, this is only a statement of intention. The Council should agree a SoCG with the GCT JCS authorities, which sets out an agreed position on housing needs and the meeting of any unmet needs arising from Gloucester up to 2040.

Strategic & Non-strategic Policies

As set out in the 2019 NPPF, the LPR should include strategic policies which address the Council's identified strategic priorities for the development and use of land in the plan area (para 17). These strategic policies should set out an overall strategy for the pattern, scale and quality of development (para 20). The LPR should make explicit which policies are strategic policies (para 21) and clearly distinguish non-strategic policies from strategic policies (Footnote 13). The LPR should include a clearer statement of which are strategic and non-strategic policies.

Local Housing Need (LHN) & Housing Requirement

To meet the LHN of the District between 2020-2040, **Core Policy CP2 - Strategic Growth & Development Locations** proposes to accommodate at least 12,600 additional dwellings (630 dwellings per annum).

As set out in the 2019 NPPF, strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need and any needs that cannot be met within neighbouring areas can be met over the plan period (para 65) (see HBF representations on Gloucester's unmet housing needs under Duty to Co-operate). The determination of the minimum number of homes needed should be informed by LHN assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 60). In Stroud, there are no exceptional circumstances to justify an alternative approach. The latest NPPG sets out the standard methodology for calculating the LHN figure (ID 2a-004-20201216).

The Council's estimated LHN is set out in Gloucestershire Local Housing Needs Assessment (LHNA) 2019 published in September 2020 by Opinion Research Services. The LHNA for Stroud is calculated as 638 dwellings per annum capped or 652 dwellings per annum uncapped (see Figure 1). As set out in the NPPG, the LHN is calculated at the start of the plan-making process, but this

number should be kept under review and when appropriate revised until the Local Plan is submitted for examination (ID 2a-008-20190220). The minimum LHN for the District may change as inputs are variable. Using the standard methodology, the minimum LHN for Stroud is 630 dwellings per annum based on 2014 SNHP, 2021 as the current year and 2020 affordability ratio of 8.65.

The NPPG clearly states that the standard methodology is the minimum starting point in determining the number of homes needed. It is important that the housing needs of Stroud are not under-estimated. The NPPG explains that “*circumstances*” may exist to justify a figure higher than the minimum LHN. The “*circumstances*” for increasing the minimum LHN are listed in the NPPG including, but not limited to, situations where increases in housing need are likely to exceed past trends because of growth strategies, strategic infrastructure improvements, agreeing to meet unmet need from neighbouring authorities or previous levels of housing delivery / assessments of need, which are significantly greater than the outcome from the standard methodology. The NPPG indicates that if previous housing delivery has exceeded the minimum LHN, the Council should consider whether this level of delivery is indicative of greater housing need (ID 2a-010-20201216). It is noted that the 2020 Housing Delivery Test (HDT) Results identify housing completions of 666 dwellings in 2019/20, which significantly exceeds the adopted Local Plan housing requirement of 456 dwellings per annum and marginally exceeds the minimum LHN of 630 dwellings per annum. The Council should consider if there are “*circumstances*” to justify a housing requirement above the minimum LHN.

It is noted that there is no uplift from the minimum LHN starting point to support economic growth because various economic forecasts, which assume no change in the commuting rates identified in the 2011 Census, conclude there are sufficient resident workers to align with the growth in jobs. The 2019 NPPF seeks to achieve sustainable development by pursuing economic, social and environmental objectives in mutually supportive ways (para 8). The Council should be seeking to support the long-term sustainability of the District by achieving a sustainable balance between employment and housing growth. The Council should also recognise economic benefits of housing development in supporting local communities as highlighted by the HBF’s latest publication Building Communities – Making Place A Home (Autumn 2020). The Housing Calculator (available on the HBF website) based on The Economic Footprint of House Building (July 2018) commissioned by the HBF estimates for every additional house built in Stroud, the benefits for the local community include creation of 3 jobs (direct & indirect employment), financial contributions of £27,754 towards affordable housing, £806 towards education, £297 towards open space / leisure, £1,129 extra in Council tax and £26,339 spent in local shops.

The NPPG sets out that households whose needs are not met by the market, who are eligible for one or more of the types of affordable housing as defined in Annex 2 : Glossary of the 2019 NPPF, should be considered in need of affordable housing (ID 67-005-20190722). The Gloucestershire LHNA 2019 identifies an overall unadjusted affordable housing need of 424 dwellings per

annum. This is significant in comparison to the minimum LHN representing 67% of LHN, however, the Council's Viability Assessment demonstrates that only 30% affordable housing provision is viable. The NPPG states that total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments. The Stroud District Housing Land Availability Report (at April 2020) shows that only 345 affordable dwellings were delivered between 2016 - 2020. As set out in the NPPG, an increase in the total housing figures may be considered where it could help deliver affordable housing (ID 2a-024-20190220). The HBF acknowledge that the Council may not be able to meet all affordable housing needs but a housing requirement above the minimum LHN will make a greater contribution to delivering more affordable housing.

As set out in the NPPG, the Government is committed to ensuring that more homes are built and supports ambitious Councils wanting to plan for growth (ID 2a-010-20201216). The NPPG states that a higher figure "*can be considered sound*" providing it "*adequately reflects current and future demographic trends and market signals*". However, the NPPG does not set any limitations on a higher figure, which is a matter of judgement. The Government's objective of significantly boosting the supply of homes set out in the 2019 NPPF remains (para 59). A housing requirement above the minimum LHN would support economic growth, deliver more affordable housing given the significant identified need and contribute to any unmet housing needs from neighbouring authorities including Gloucester (see HBF representations under Duty to Co-operate above).

Housing Land Supply (HLS)

The LPR's strategic policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver a housing requirement, which meets the District's LHN and assists in meeting unmet housing needs from Gloucester. This sufficiency of HLS should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS) and achieve HDT performance measurements.

Core Policy CP2 - Strategic Growth & Development Locations proposes strategic development site allocations for circa 7,680 dwellings at the following locations :-

- Cam North West for 900 dwellings ;
- Cam North East Extension for 180 dwellings ;
- South of Hardwicke for 1,350 dwellings ;
- Hunts Grove Extension for 750 dwellings ;
- Sharpness Docks for 300 dwellings ;
- Sharpness for 2,400 dwellings (5,000 dwellings by 2050) ;
- Stonehouse North West for 700 dwellings ; and
- Wisloe for 1,500 dwellings.

Local development site allocations for circa 985 dwellings are proposed in Berkeley, Brimscombe & Thrupp, Dursley, Frampton-upon-Severn, Hardwicke, Kingswood, Leonard Stanley, Minchinhampton, Nailsworth, Newtown & Sharpness, Painswick, Stonehouse, Stroud and Whitminster. These local development site allocations are distributed across the district as follows :-

- 525 dwellings in the Stroud Valleys (PS01, PS02, PS05, PS06, PS10, PS11, PS12, STRO65) ;
- 50 dwellings in the Stonehouse Cluster (PS16, PS42, PS17) ;
- 10 dwellings in Cam & Dursley (PS28) ;
- 10 dwellings in the Gloucester Fringe (HAR017) ;
- 240 dwellings in the Berkeley Cluster (PS33, BER016/17, PS35) ;
- 80 dwellings in the Severn Valley (PS44, PS45, PS46) ;
- 50 dwellings in the Wolton Cluster (PS38) ; and
- 20 dwellings in the Cotswold Cluster (PS41).
- 985 dwellings in total.

In addition to allocated sites, development will take place in accordance with the **Core Policy CP3 - Settlement Hierarchy**. The proposed settlement hierarchy comprises :-

- Tier 1 - Main settlements of Cam & Dursley, Stonehouse and Stroud ;
- Tier 2 - Local Service Centres of Berkeley, Minchinhampton, Nailsworth, Painswick, Wotton Under Edge and Hunts Grove ;
- Tier 3a - Accessible Settlements with Local Facilities of Hardwicke, Chalford, Manor Village (Bussage), Brimscombe & Thrupp, Eastington, Kings Stanley, Leonard Stanley, Frampton on Severn, Newtown & Sharpness, Kingswood, Whitminster and North Woodchester ;
- Tier 3b – Settlements with Local Facilities of Whiteshill & Ruscombe, Upton St Leonards, Uley, Slimbridge, Bisley, Coaley, North Nibley, Oakridge Lynch, Amberley, Horsley and Miserden ;
- Tier 4a - Accessible Settlements with Basic Facilities of “Old” Bussage, Cambridge, Eastcombe, Newport, Nympsfield, Selsley and South Woodchester ; and
- Tier 4b – Settlements with Basic Facilities of Arlingham, Box, Brookthorpe, Cranham, France Lynch, Haresfield, Hillesley, Longney, Middleyard, Randwick, Saul, Sheepscombe, Stinchcombe and Stone.

All settlements identified in this Policy have defined settlement boundaries or “Settlement Development Limits” (SDL), within and (exceptionally) adjacent to which suitable development may be permitted. SDLs should be drawn to encompass all proposed site allocations.

Housing development within SDLs and other limited housing development specifically allowed for by other policies in the LPR at locations outside of SDLs will be permitted in accordance with **Delivery Policy DHC1 - Meeting housing need within defined settlements** and the meeting of all nine specified criteria of **Delivery Policy HC1 - Detailed criteria for new housing developments**.

In Tier 3b and Tier 4 settlements support for small housing schemes of up to 9 dwellings (not leading to a cumulative increase of more than 10% of the settlement's housing stock) outside SDLs are subject to all five criteria set out in **Delivery Policy DHC2 - Sustainable rural communities**. The HBF note that the requirement to satisfy all criteria set out in **Delivery Policies DHC1, HC1 and DHC2** is very restrictive and less permissible than suggested by **Core Policies CP2 and CP3**. A more flexible policy approach should be applied if the Council is unable to demonstrate a 5 YHLS and / or failed HDT.

Very small settlements not mentioned in the settlement hierarchy will be treated as open countryside, where development will be restricted to that which contributes to diverse and sustainable farming enterprises, recreation, tourism, or involves the conversion of rural buildings and the provision of essential community facilities, in accordance with **Core Policy CP15 - A Quality Living & Working Countryside**.

The Council's overall HLS to 2040 is estimated as 14,935 dwellings as set out in Table 2 – Housing Requirement to 2040. This HLS comprising of :-

- existing commitments (large & small sites with planning permission or under construction & sites with resolution to grant planning permission as at April 2019) less undeliverable sites of 4,595 dwellings ;
- LPR allocations of 9,065 dwellings ; and
- 1,275 dwellings from small sites allowance of 75 dwellings per annum over 17 years.

To 2040, there is a headroom of 2,335 dwellings (18.5%) between the overall HLS of 14,935 dwellings and the District's LHN (excluding unmet needs from Gloucester) of 12,600 dwellings. The HBF always advocates as large a contingency as possible. There is no numerical formula to determine a contingency quantum but where the HLS is highly dependent upon one or relatively few large strategic sites and / or localities then greater numerical flexibility is necessary than if the HLS is more diversified.

Whilst the HBF have no comments on individual sites and our representations are submitted without prejudice to any comments made by other parties, it is critical that an accurate assessment of availability, suitability, deliverability, developability and viability is undertaken. The Council's assumptions on lead in times and delivery rates should be correct and supported by parties responsible for the delivery of housing on each individual site. In Stroud, there are delivery concerns about brownfield sites and Strategic Sites (see HBF representations on Viability and Deliverability below). Indeed, the Council's own Viability Assessment concludes that brownfield sites and Strategic Sites should only be included in the LPR where it is demonstrated that they are deliverable. Extreme caution should be applied in relying on brownfield sites in the early years of the LPR (for example in its 5 YHLS) and only counted on where there is confidence that sites will be forthcoming.

Housing delivery is optimised by the widest possible range of housing site sizes and market locations, which provides suitable land buying opportunities for small, medium and large housebuilding companies. On strategic development site allocations, there may be long lead in times for the commencement of on-site development and build up to optimum delivery rates. To ensure a continuous HLS in the short to medium term, these sites should be complimented by smaller non-strategic sites. The widest mix of sites provides choice for consumers, allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides competition in the land market. A diversified portfolio of housing sites also offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. As set out in the 2019 NPPF at least 10% of the housing requirement should be accommodated on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target (para 68a). For Stroud, 10% of the housing requirement is approximately 1,200 dwellings. From the Council's evidence, it is not obvious if this national policy requirement will be achieved.

The Council's small site allowance of 75 dwellings per annum should be robustly evidenced. National policy only permits an allowance for windfall sites if there is compelling evidence that such sites have consistently become available and will continue to be a reliable source of supply.

The 2019 NPPF sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites (para 73). The Council's Housing Trajectory is not site-specific and shows only five-year tranches rather than year by year. This provides insufficient detail to check the realism of the Council's delivery assumptions, which may be overly optimistic. The Council has not provided the clear evidence necessary to satisfy the 2019 NPPF Glossary definition of deliverable. The insertion of a more detailed housing trajectory would assist in the annual monitoring of housing delivery from individual strategic and non-strategic sites.

Furthermore, there is no 5 YHLS Statement. If the Council cannot demonstrate a 5 YHLS on adoption of the LPR and maintain a 5 YHLS throughout the plan period, the LPR should not be found sound.

Viability and Deliverability

In plan-making, viability is inseparable from the deliverability of development. At Examination, viability will be a key issue in determining the soundness of the Stroud LPR. The viability of individual developments and plan policies should be tested at the plan making stage. As set out in the 2019 NPPF, the contributions expected from development including the level & types of affordable housing provision required and other infrastructure for education, health, transport, flood & water management, open space, digital communication, etc. should be set out in the LPR (para 34). As stated in the

2019 NPPF, development should not be subject to such a scale of obligations that the deliverability of the LPR is threatened (para 34). Viability assessment should not be conducted on the margins of viability especially in the aftermath of uncertainties caused by the Covid-19 pandemic and Brexit. Without a robust approach to viability assessment, the LPR is unsound, land will be withheld from the market and housing delivery targets will not be achieved.

The Councils viability assessment is set out in Working Draft Local Plan Viability Assessment dated May 2021 by HDH Planning & Development. The HBF and other parties participated in the Council's draft Viability Study consultation. At which time, numerous concerns about standard inputs and the cumulative impact of policy compliant requirements were raised (see attached Appendix A & B). These concerns included (not an exclusive list) :-

- sales values ;
- land values (Benchmark & Existing Use) ;
- build costs ;
- abnormal costs ;
- professional fees ;
- contingencies ;
- interest rates ;
- developer return ;
- acquisition & sales costs ;
- CIL & S106 contributions (including education infrastructure requirements) ; and
- LPR policy requirements.

Post consultation, it is noted that some changes to assumptions were changed however other concerns remain unresolved. Viability assessment is highly sensitive to changes in its inputs whereby an adjustment or an error in any one assumption can have a significant impact. The Council's viability assessment should accurately account for all costs for affordable housing provision, CIL, S106 contributions and policy requirements sought.

One significant concern is the exclusion of abnormal costs for greenfield sites and Strategic Sites and a minimal allowance of 5% of base build costs for brownfield sites. The approach is contradictory to reality and inappropriate basis for plan wide viability testing. The Council's approach implies that all abnormal costs should be fully deducted from the assumed Benchmark Land Value (BLV). The reduction of BLV to account for site-specific abnormal costs is only valid where that reduction maintains a sufficient incentive for the landowner to sell as required by the NPPG (ID 10-013-20190509), which states that the BLV should reflect the minimum return at which it is considered a reasonable landowner would be willing to sell their land. The NPPG confirms that the premium above the Existing Use Value (EUV) should provide a reasonable incentive for the landowner to sell. Whilst the NPPG (ID 10-014-20190509) requires the BLV to reflect the implication of abnormal costs and site-specific infrastructure costs, this reflection is not equitable to full deduction because this may result in insufficient incentive for a landowner to sell, which

will stagnate land supply as landowners will not bring land forward for development. The HBF acknowledge that BLV should reflect the implications of abnormal costs in accordance with NPPG, however, there is a tipping point beyond which the land value cannot fall as the landowner will not be sufficiently incentivised to release their site for development. It is noted that the greenfield BLV of £375,00 per gross hectare is not reflective of the Council's own evidence of policy compliant land sales nor "real world" evidence as submitted by other parties, which ranged between £450,000 - £775,000 per gross hectare. If the viability of sites is overstated, policy requirements will be set at unrealistic levels. This will lead to delays in sites being brought forward for development because landowners and developers will have no choice but to submit site-specific assessments to challenge inaccurate assumptions in the viability assessment and negotiate more reasonable policy requirements based on the true viability of the site.

Another significant concern is the approach to the provision of educational infrastructure. The Council's final viability assessment appraisals assume that the education requirements of the County Council are included in Community Infrastructure Levy (CIL) for non-strategic site typologies. However, the HBF are aware that Gloucestershire County Council are routinely requesting additional payments of up to £17,000 per dwelling. It is also unclear if these costs are included in the modelling assumptions for the Strategic Sites. To determine the impact on the viability of development and the deliverability of the Stroud LPR, the Council's position on education contributions sought should be absolutely clear and explicitly stated.

With regard to policy requirements sought, the Council's final viability assessment appraisals are based on the following assumptions :-

- 30% Affordable Housing (Intermediate Housing 50%, Affordable Rent 50%) ;
- 67% Accessible & Adaptable & 8% Wheelchair Accessible dwellings ;
- Nationally Described Space Standard (NDSS) ;
- Water efficiency ;
- 10% Biodiversity Net Gain ;
- Future Homes Standard Option 2.
- CIL (as per Charging Schedule - £96.44/m² / £0/m²) ; and
- S106 contributions of £5,000 per dwelling & on Strategic Sites approximately £20,000 per dwelling.

It is explicitly stated that these final viability assessment appraisals do not include costs for :-

- EVCPs (see HBF representations to **Delivery Policies ES1 & EI12**) ;
- an allowance for District Heating (see HBF representations to **Delivery Policy DES3**) ; and
- higher environmental standards above the Future Homes Standard (see HBF representations to **Core Policy DCP1, Core Policy CP8 & Delivery Policy ES1**).

For comparative purposes, the Council should provide a Table showing the final viability assessment appraisals including these excluded costs.

Tables 10.11a – 10.11d & 12.8a – 12.8d show that not all development is viable. In the higher value Cotswold area and in the Rural West of the District, greenfield typologies are viable, however the two larger greenfield typologies on the Gloucester Fringe are only marginally viable. Brownfield sites in the Rural West of the District and the Stroud Valleys including Sharpness are unviable. It is noted that 45% of proposed allocations (excluding Strategic Sites) are brownfield or mixed (Table 9.3). For the Strategic Sites, only one site (PS37) is viable. The remaining Strategic Sites are marginal and three are unviable. Table 10.12 also shows that only three out of fourteen Older Peoples Housing (Sheltered) typologies tested are viable. Table 10.13 – Older Peoples Housing (Extra-care) shows of fourteen typologies tested only 50% are viable, two are marginally viable and the remaining are unviable.

The Council's viability assessment confirms that a large proportion of typologies including Strategic Sites will be unable to bear the Council's full policy aspirations. Most sites should be deliverable at planning application stage without further viability assessment negotiations. Viability negotiations should occur occasionally rather than routinely. The Council's overall policy requirements should be revisited and reduced (**Core Policies CP6, CP8, CP9, DCP1 & DCP2 and Delivery Policies HC3, DES3, EI12, ES1, ES6 & ES16**). Without revision in many cases, trade-offs between policy requirements, affordable housing and infrastructure provision will be necessary and the Council will have to accept site specific viability assessments at development management stage. Such negotiations at planning application stage causes uncertainty for developers and may result in significant delay to housing delivery or even non-delivery.

Housing Policies

Core Policy DCP2 - Supporting Older People & People with Mobility Issues

Under **Core Policy DCP2**, 67% of both market and affordable homes should meet M4(2) and 8% should be to M4(3) of the Building Regulations. All specialist housing for older people should meet M4(2) and at least 25% should meet M4(3).

If the Council wishes to adopt the optional standards for accessible & adaptable dwellings, then this should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46) and the NPPG. Footnote 46 states "that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties". As set out in the 2019 NPPF, all policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focus focussed tightly on supporting and justifying the policies concerned (para 31). A policy requirement for M4(2) and M4(3) dwellings must be justified by credible and robust evidence. The NPPG sets out

the evidence necessary to justify a policy requirement for optional standards. The Council should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327).

All new homes are built to M4(1) “visitable dwelling” standards. These standards include level approach routes, accessible front door thresholds, wider internal doorway and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities usable by wheelchair users. M4(1) standards are not usually available in the older existing housing stock. These standards benefit less able-bodied occupants and are likely to be suitable for most residents.

The Council’s estimated of need for accessible & adaptable homes is set out in Gloucestershire LHNA 2019. This evidence does not set out local circumstances, which demonstrate that the specific needs of Stroud differ substantially to those across Gloucestershire, the South West region or England. If the Government had intended that evidence of an ageing population alone (Figure 68) justified adoption of optional standards then such standards would have been incorporated as mandatory in the Building Regulations, which is not currently the case.

Figures 77 & 78 set out numbers of households with long term illness or disability based on ORS modelling, however, not all health issues affect housing needs. No evidence is presented to suggest that households already housed would be prepared to leave their existing homes to move into new homes constructed to M4(2) standards. Many older people already live in the District and are unlikely to move home. Those who do move may not choose to live in a new dwelling. Recent research by Savills “Delivering New Homes Resiliently” published in October 2020 shows that over 60’s households “*are less inclined to buy a new home than a second-hand one, with only 7% doing so*”. The existing housing stock is significantly larger than its new build component, therefore adaption of existing stock will form an important part of the solution.

Figure 83 summarises the identified need for accessible & adaptable housing for M4(2) as 8,254 dwellings, M4(3) market housing as 684 dwellings and M4(3) affordable housing as 297 dwellings. This is the basis for proposing targets for all new housing of 67% for M4(2) and 8% for M4(3). Most of the identified growth in households with wheelchair users are aged 75 or over, many of these households are also identified as needing specialist housing for older persons. On this basis, the Council propose that all specialist housing for older people should meet M4(2) and at least 25% should meet M4(3). However, if higher targets for specialist housing for older persons are adopted, this could reduce the proportion of general needs housing that would need to meet optional standards for M4(2) and M4(3). This recommendation is not incorporated into the Council’s policy requirements.

The Council’s evidence also advocates that by providing specialist accommodation for older persons, large numbers of currently underoccupied

family homes in the existing housing stock could be vacated. Conversely accessible & adaptable dwellings, which allow people to live in their own homes for longer, could lead to under-occupation of new build family homes running at odds with the aim of making the best use of the housing stock.

The Council's Viability Assessment includes additional costs of £521 per dwelling for M4(2) and £10,111 per dwelling for M4(3), which have been indexed by 14.5% to £597 per dwellings and £11,577 per dwelling respectively (para 8.28). However, these costs are below alternative estimates. The Government's consultation "Raising Accessibility Standards for New Homes" (ended on 1st December 2020) estimates the additional cost per new dwelling, which would not already meet M4(2), is approximately £1,400. In September 2014 during the Government's Housing Standards Review, EC Harris estimated the cost impact of M4(3) per dwelling as £15,691 for apartments and £26,816 for houses. M4(2) and M4(3) compliant dwellings are also larger than NDSS (see DCLG Housing Standards Review Illustrative Technical Standards Developed by the Working Groups August 2013), therefore larger sizes should be used when calculating additional build costs for M4(2) and M4(3) and any other input based on square meterage with the exception of sales values because enlarged sizes are unlikely to generate additional value (see HBF representations under Deliverability & Viability above).

The 2019 NPPF confirms that Local Plans should avoid unnecessary duplication (para 16f). The Council's proposed policy approach will be unnecessary if the Government implements proposed changes to Part M of the Building Regulations as set out in the "Raising Accessibility Standards for New Homes" consultation, which closed on 1 December 2020.

In the meantime, if the policy requirements are retained, the NPPG specifics that *"Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied."* (ID 56-008-20160519).

The Council should distinguish between wheelchair accessible dwelling, which include the most common features required by wheelchair users (M4(3b)) and wheelchair adaptable dwelling, which include features to make a home easy to convert to be fully wheelchair accessible (M4(3a)). The Council is also reminded that the requirement for M4(3) should only be required for dwellings over which the Council has housing nomination rights as set out in the NPPG (ID 56-008-20150327).

Core Policy CP9 - Affordable housing

On sites of 10 or more dwellings provision of at least 30% affordable housing will be required. Within the Cotswolds Area of Outstanding Natural Beauty (AONB) or the designated rural parishes of Alderley, Alkington, Amberley,

Arlingham, Bisley with Lypiatt, Brookthorpe with Whaddon, Coaley, Cranham, Eastington, Frampton on Severn, Fretherne with Saul, Frocester, Ham & Stone, Hamfallow, Harescombe, Haresfield, Hillesley & Tresham, Hinton, Horsley, Kingswood, Longney & Epney, Miserden, Moreton Valance, North Nibley, Nymphsfield, Painswick, Pitchcombe, Slimbridge, Standish, Stinchcombe, Uley and Whitminster, on sites of 4 or more dwellings at least 30% affordable housing provision will be required.

Policy requirements should be unambiguous. The prefix “at least” is unclear. The Council’s viability assessment shows that affordable housing provision above 30% is not viable. Brownfield sites in the Rural West of the District and the Stroud Valleys including Sharpness are unviable, the two larger greenfield typologies on the Gloucester Fringe are only marginally viable and all except one Strategic Sites are either unviable or marginally viable (see HBF representations under Deliverability & Viability above).

Furthermore, the requirement for provision of at least 30% affordable housing on-site on smaller sites of 4 or more dwellings in Cotswold AONB and other Designated Rural Areas may be impractical. The Council’s policy approach should be more flexible so that where appropriate commuted sums for off-site provision is also acceptable.

Under **Core Policy CP9**, the Council will negotiate the tenure, size and type of affordable units on site by site basis having regard to housing needs, site specifics and other factors. The Gloucestershire LHNA 2019 indicated that most need for affordable housing is for affordable or social rented dwellings. However, the Council’s final viability assessment appraisals are based on an affordable housing tenure split of 50% affordable rent and 50% affordable home ownership. This tenure mix should be reflected in site by site negotiations between the Council and developers. The Council’s affordable housing tenure mix should also accord with national policy. The 2019 NPPF expects at least 10% of homes to be available for affordable home ownership (para 64). The Written Ministerial Statement dated 24 May 2021 also requires 25% of affordable housing to be First Homes with further detail on implementation provided in the latest NPPG.

Delivery Policy HC3 - Self-build & Custom Build Housing Provision

On strategic site allocations, in addition to affordable housing, a minimum of 2% of the dwellings shall be provided as plots suitable for self- or custom-build. In determining the nature and scale of any provision, the Council will have regard to site-specific circumstances and local demand. Development briefs will set out how the self-build plots will be delivered and integrated into the wider scheme.

The Council’s estimated of need for custom & self build housing is set out in Gloucestershire Local Housing Needs Assessment (LHNA) 2019 published in September 2020 by Opinion Research Services. In Stroud, the total number of entries on the Council’s Register is 170 comprising 48 entries in 2016, 112

entries in 2016/17, 2 entries in 2017/18 and 8 (provisional) in 2018/19. The introduction of a charge may be one reason for the decrease in interest since 2016/17. Overall, 56% of applicants have a local connection however many applicants wish to move into Gloucestershire rather than being existing residents.

As set out in the NPPG, the Council should use the Register and additional data from secondary sources to understand and consider future need for this type of housing (ID 57-011-20210208). A simple reference to the headline number of entries on the Council's Register may over-estimate actual demand. The Register may indicate a level of expression of interest in self & custom build but it cannot be reliably translated into actual demand should such plots be made available. The Register's entries may have insufficient financial resources to undertake a project, be registered in more than one local authority area and have specific preferences.

There is no legislative or national policy basis for imposing an obligation on landowners or developers of strategic sites to set aside a minimum of 2% as serviced plots for self and custom build housing. Under the Self Build & Custom Housebuilding Act 2015 and 2019 NPPF (para 61), it is the Council's responsibility, not the landowner or developer, to ensure that sufficient permissions are given to meet demand. The Council is not empowered to restrict the use of land to deliver self-build housing. The NPPG sets out ways in which the Council should consider supporting self & custom build by "engaging" with developers and landowners and "encouraging" them to consider custom & self build where they are "interested" (ID 57-025-201760728).

There is a concern that by focussing on strategic sites the Council is supporting serviced plots on the sort of sites that do not normally appeal to those wishing to build their own home and limits choice for those wishing to build on smaller sites in or close to village locations. The Council should ensure that the LPR will result in a range of different custom & self build housing opportunities rather than only serviced plots on strategic sites. There are a number of alternative policy mechanisms that should be used to ensure a reliable and sufficient provision of self and custom build opportunities across the District including allocation of small and medium scale sites specifically for custom build and permitting custom and self build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.

The provision of self & custom build plots on strategic sites adds to the complexity and logistics of developing such sites and therefore potentially slower delivery. It is unlikely that the provision of self & custom build plots on new housing developments can be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health & safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity. Any differential

between the lead-in times / build out rates of self & custom build plots and the development of the wider site means unfinished plots next to completed and occupied dwellings resulting in consumer dissatisfaction, construction work outside of specified working hours, building materials stored outside of designated compound areas, etc.

Where plots are not sold, the Council's policy should be clear as to when these revert to the original developer. It is important that plots should not be left empty to the detriment of neighbouring properties or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible because the consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site.

As well as on-site practicalities impacts on viability should be tested. It is unclear if this policy requirement has been included in the appraisal of Strategic Sites (see HBF representations under Deliverability & Viability above). The provision of self & custom build plots will have a bearing on the development economics of the scheme. Site externals, site overheads, and enabling infrastructure costs are fixed and borne by the site developer. The developer will also have borne up front site promotion costs, including planning and acquisition costs. It is unlikely that these costs will be recouped because the plot price a self & custom builder is able to pay may be constrained by much higher build costs for self-builders. There are also impacts of not recouping profit otherwise obtainable if the house was built and sold on the open market by the site developer, disruption caused by building unsold plots out of sequence from the build programme of the wider site and a worst-case scenario of unsold plots remaining undeveloped to be considered.

Delivery Policy HC3 should be deleted.

Other Policies

Core Policy CP6 - Infrastructure & Developer

Core Policy CP6 states that where implementation of a development would create a need to provide additional or improved infrastructure and amenities, would have an impact on the existing standard of infrastructure provided, or would exacerbate an existing deficiency in their provision, the developer will be expected to make up that provision for those local communities affected. Where the developer is unable to make such provision, the Council will require the developer to make a proportionate contribution to the overall cost of such provision through a legal agreement and/or Community Infrastructure Levy.

It is inappropriate for the Council to expect developers to make up existing deficiencies in existing infrastructure and amenities. The Council should only be seeking contributions to meet requirements originating from new development. This should be clarified by a modification to **Core Policy CP6**.

Core Policy DCP1 - Delivering Carbon Neutral by 2030, Core Policy CP8 – New Housing Development and Delivery Policy ES1 - Sustainable Construction & Design

Under **Core Policy DCP1**, Stroud District will become Carbon Neutral by 2030 ahead of the Government target of net Zero Carbon 2050. All new development must be designed to follow the Energy Hierarchy principle of reducing energy demand, supplying energy efficiently and using onsite low or zero carbon energy generation to meet standards, which move progressively towards zero carbon, in terms both of regulated and unregulated emissions. Accordingly, new development should be constructed to achieve the highest viable energy efficiency and designed to maximise the delivery of decentralised renewable or low-carbon energy generation.

Bullet Point 4 of Core Policy CP8 requires new housing development to provide renewable or low carbon energy sources in association with the proposed development.

Under **Delivery Policy ES1**, all new development should achieve a net- zero carbon standard by means of :-

- an overall minimum 35% reduction in emissions over Part L 2013 Building Regulations achieved onsite ;
- a minimum of 10% and 15% reduction in emissions over Part L 2013 Building Regulations achieved respectively in homes through fabric energy efficiency improvements ;
- residual emissions offset through payments to a Stroud District Council carbon offset fund.

Major development proposals should calculate and minimise carbon emissions from any other part of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions. These standards are required unless it can be clearly demonstrated that they are not viable for the development in question.

Today's new homes are already very energy efficient with lower heating bills for residents in comparison to older existing homes. Energy performance data has shown that 8 out of 10 new build dwellings have an A or B energy efficiency rating, compared to only 3% of existing properties. In November 2019, the average new build buyer in England saved £442.32 every year on heating costs compared to owners of existing dwellings.

Nevertheless, the HBF recognise the need to move towards greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. The Government Response to The Future Homes Standard : 2019 Consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for new dwellings dated January 2021 provides an implementation roadmap, the Government's aim is for the interim Part L (Conservation of fuel

and power), Part F (Ventilation) & Overheating Regulations to be regulated for in late 2021 and to come into effect in 2022. The 2021 interim uplift will deliver homes that are expected to produce 31% less CO2 emissions compared to current standards. To ensure as many homes as possible are built in line with new energy efficiency standards, transitional arrangements will apply to individual homes rather than an entire development and the transitional period will be one year. This approach will support successful implementation of the 2021 interim uplift and the wider implementation timeline for the Future Homes Standard from 2025. The Future Homes Standard will ensure that new homes will produce at least 75% lower CO2 emissions than one built to current energy efficiency requirements. By delivering carbon reductions through the fabric and building services in a home rather than relying on wider carbon offsetting, the Future Homes Standard will ensure new homes have a smaller carbon footprint than any previous Government policy. In addition, this footprint will continue to reduce over time as the electricity grid decarbonises.

The HBF support the Government's approach to the Future Homes Standard but there are difficulties and risks to housing delivery given the immaturity of the supply chain for the production / installation of heat pumps and the additional load that would be placed on local electricity networks in combination with Government proposals for the installation of EVCPs in new homes (see HBF representations to Delivery Policies ES1 & E112). In autumn 2020, the HBF established a Future Homes Task Force to develop workable solutions for the delivery of the home building industry's contribution to meeting national environmental targets and objectives on Net Zero. Early collaborative work is focussed on tackling the challenges of implementing the 2021 and 2025 changes to Building Regulations successfully and as cost-effectively as possible, in particular providing information, advice and support for SME developers and putting the customer at the centre of our thinking.

The HBF consider that the Council should comply with the Government's intention of setting standards for energy efficiency through the Building Regulations. The key to success is standardisation and avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The Council should not need to set local energy efficiency standards to achieve the shared net zero goal because of the higher levels of energy efficiency standards for new homes proposed in the 2021 Part L uplift and the Future Homes Standard 2025.

It is noted that in its Response to the Future Homes Standard consultation, the Government has confirmed that the Planning and Energy Act 2008 will not be amended, therefore for the moment the Council retains powers to set local energy efficiency standards for new homes. However, the Government has acknowledged the need to clarify the role of Councils in setting energy efficiency requirements for new homes that go beyond the mandatory standards set out in the Building Regulations. The Housing, Communities & Local Government Committee have opened a new inquiry into "Local Government and the path to net zero". The aim of the inquiry is to scrutinise the Government's plans to make all new homes "zero carbon ready" by 2025, through the introduction of the

Future Homes Standard, and to explore how Local Government can help the UK to reduce its carbon emissions to “net zero” by 2050. The deadline for the submission of evidence on the role of Councils in determining local energy efficiency standards was 30th April 2021.

This policy is unnecessary because it is superseded by the Future Homes Standard. Furthermore, the Council’s final viability assessment appraisals only include costs of £4,847 per dwelling for Future Homes Standard Option 2, additional costs associated with Bullet Point 3 and unregulated emissions are excluded (see HBF representations under Deliverability & Viability above). **Delivery Policy ES1** should be deleted.

Delivery Policy DES3 – Heat Supply

Under **Delivery Policy DES3**, development proposals should include a communal low-temperature heating system where viable. The heat source for the communal heating system should be selected in accordance with the following heating hierarchy :-

- connect to local existing or planned heat networks ;
- use of zero-carbon renewable heat or CHP ;
- use of local ambient or secondary heat sources (in conjunction with heat pumps, if required).

Where a local heat network is planned but not yet in existence or connection is not currently viable, but may become viable in the future, the development should be designed to allow for the cost-effective connection and supply at a later date.

It is acknowledged that communal heat networks are one aspect of the path towards decarbonising heat, however currently the predominant technology for district-sized communal heating networks is gas combined heat and power (CHP) plants as set out in Bullet Point 2 of the Council’s proposed heating hierarchy. As 2050 approaches, meeting the Government’s climate target of reducing greenhouse gas emissions to net zero will require a transition from gas-fired networks to renewable or low carbon alternatives such as large heat pumps, hydrogen or waste-heat recovery but at the moment one of the major reasons why heat network projects do not install such technologies is because of the up-front capital cost. The Council should be aware that for the foreseeable future, it will remain uneconomic for most heat networks to install low-carbon technologies.

No doubt the Council is also aware that some heat network consumers do not have comparable levels of satisfaction as consumers on gas and electricity networks, and they pay a higher price. Currently, there are no sector specific protections for heat network consumers, unlike for people on other utilities such as gas, electricity or water. A consumer living in a building serviced by a heat network does not have the same opportunities to switch supplier as they would for most gas and electricity supplies. All heat network domestic consumers

should have ready access to information about their heat network, a good quality of service, fair and transparently priced heating and a redress option should things go wrong. Research by the Competition and Markets Authority (CMA) found that a significant proportion of suppliers and managing agents do not provide pre-transaction documents, or what is provided contains limited information, particularly on the on-going costs of heat networks and poor transparency regarding heating bills including their calculation and the consumers limited ability to challenge their heat suppliers reinforces a perception that prices are unjustified. The monopolistic nature of heat networks means that future price regulation is required to protect domestic consumers. The CMA have concluded that *“a statutory framework should be set up that underpins the regulation of all heat networks.”* They recommended that *“the regulatory framework should be designed to ensure that all heat network customers are adequately protected. At a minimum, they should be given a comparable level of protection to gas and electricity in the regulated energy sector.”* The Department for Business, Energy & Industrial Strategy consultation on Heat Networks : Building A market Framework (ended on 1st June 2020) proposes a regulatory framework that would give Ofgem oversight and enforcement powers across quality of service, provision of information and pricing arrangements for all domestic heat network consumers. These concerns are not reflected in the Council’s proposals for communal heat networks.

It is also noted that the Council’s final viability assessment appraisals only include costs for Future Homes Standard Option 2 of £4,847 per dwelling, additional costs associated with the delivery of heat networks are excluded from the viability assessment (para 8.90), which are estimated at £5,000 per dwelling (para 10.29) (see HBF representations under Deliverability & Viability above). **Delivery Policy DES3** is impractical and unviable, which should be deleted.

Bullet Point 8 of Delivery Policy ES1 - Sustainable Construction & Design and Delivery Policy EI12 - Promoting Transport Choice & Accessibility

Bullet Point 8 of Delivery Policy ES1 proposes that new developments with off road parking should provide electric vehicle charging points (Home Quality Mark or equivalent). **Delivery Policy EI12** proposes that vehicular parking standards for new development should be provided in accordance with the adopted standards set out in LPR Appendix C. Appendix C states that every new residential building with an associated car parking space will have a charge point. To be classified as a charge point for the purpose of policy compliance, each charge point must be a minimum 7kW and be at least Mode 3 or equivalent.

It is recognised that electric vehicles will be part of the solution to transitioning to a low carbon future. As set out in the Department of Transport consultation on Electric Vehicle Charging in Residential & Non-Residential Buildings (ended on 7th October 2019), the Government’s preferred option is the introduction of a new requirement for EVCPs under Part S of the Building Regulations. The inclusion of EVCP requirements within the Building Regulations will introduce a standardised consistent approach to EVCPs in new buildings across the country.

However, until the introduction of proposed changes to Part S of the Building Regulations, the HBF consider that the physical installation of active EVCPs is inappropriate. The evolution of automotive technology is moving quickly therefore a passive cable and duct approach is a more sensible and future proofed solution, which negates the potential for obsolete technology being experienced by householders. A passive cable and duct approach means that the householder can later arrange and install a physical EVCP suitable for their vehicle and in line with the latest technologies.

The HBF and its Members also have serious concerns about the capacity of the existing electrical network in the UK. The supply from the power grid is already constrained in many areas across the country. Major network reinforcement will be required across the power network to facilitate the introduction of EVCPs and the move from gas to electric heating as proposed under the Future Homes Standard (see HBF representations to Core Policy DCP1 and Delivery Policy ES1). These costs can be substantial and can drastically affect the viability of developments. If developers are funding the potential future reinforcement of the National Grid network at significant cost, this will have a significant impact on their businesses and potentially jeopardise future housing delivery. The Department for Transport - Electric Vehicle Charging in Residential & Non-Residential Buildings consultation estimated an installation cost of approximately £976 per EVCP plus any costs for upgrading local electricity networks, which under the Government's proposal automatically levies a capped figure of £3,600 on developers. It is noted that the Council's final viability assessment appraisals exclude costs for EVCPs. These costs should be included as EVCPs will be required either by Delivery Policies ES1 and ES12 or Part S of the Building Regulations (see HBF representation under Deliverability & Viability above).

Furthermore, the Council should not require all residential development proposals to meet or exceed the standards set out by the Home Quality Mark, or equivalent. The Home Quality Mark has no status beyond that of best practice guide. The HBF is supportive of the use of best practice guidance however, the use of such guidance should remain voluntary rather than becoming a mandatory policy requirement, which would oblige developers to use this tool as a pre-condition for support from the Council. The reference to the Home Quality Mark in policy wording should not convey development plan status to a document, which has not been subject to the same process of preparation, consultation and Examination as the LPR. It is not reasonable or justified for residential development proposals to be required to meet or exceed these standards. This reference should be removed.

Delivery Policies ES1 (Bullet Point 8) and **E112** are unnecessary because of the Government's proposed introduction of Part S of the Building Regulations. These policies should be deleted.

Core Policy CP8 - New housing development and Delivery Policy ES6 - Providing for biodiversity & geodiversity

Core Policy CP8 expects major residential development proposals to enhance biodiversity on site and, where appropriate, through a network of multifunctional green spaces. Under **Delivery Policy ES6**, development proposals shall provide a minimum of 10% net gain in biodiversity by incorporating and enhancing existing and creating new biodiversity features within their design and maximising opportunities to enhance and create links between ecological networks and habitats of principal importance both on-site and, where possible, with nearby features.

The Council's policy approach to biodiversity net gain should not deviate from the Government's proposals as set out in the Environment Bill. This legislation will require development to achieve a 10% gain for biodiversity. It is the Government's opinion that 10% strikes the right balance between the ambition for development and reversing environmental decline. 10% gain provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. 10% will be a mandatory national requirement, but it is not a cap on the aspirations of developers who want to voluntarily go further. The Government will use the DEFRA Biodiversity Metric to measure changes to biodiversity under net gain requirements established in the Environment Bill. The mandatory requirement offers developers a level playing field nationally and reduced risks of unexpected costs and delays. The Council should not specify a requirement above 10%, the prefix "minimum" should be deleted.

The Government also intends to make provision for a transition period of two years. The Government will work with stakeholders on the specifics of this transition period, including accounting for sites with outline planning permission, and will provide clear and timely guidance on understanding what will be required and when. Transitional arrangements should be incorporated into Delivery Policy ES6.

There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. The Government has confirmed that more work needs to be undertaken to address viability concerns raised by the housebuilding industry in order that biodiversity net gain does not prevent, delay or reduce housing delivery. The DEFRA Biodiversity Net Gain & Local Nature Recovery Strategies : Impact Assessment Table 14 : Net Gain Delivery Costs (Residential) sets out regional costs (based on 2017 prices) in South West of £18,470 per hectare of development based on a central estimate but there are significant increases in costs to £63,610 per hectare for off-site delivery under Scenario C. The Council's final viability assessment appraisals include a cost of £22,000 per hectare (para 8.97), which is at the bottom end of the range set out in the DEFRA Assessment. This may under-estimate cost impacts. There may also be an impact on the ratio of gross to net site acreage. It is unclear if this has been considered by the Council in Table 9.2 – Net / Gross Assumptions (see HBF representations under Deliverability & Viability above).

Delivery Policy ES6 should be modified to remove inconsistencies with the Government's proposals set out in the Environment Bill.

Delivery Policy ES16 - Public art contributions

Delivery Policy ES16 requires proportionate contributions towards the provision of publicly accessible art and design works from development proposals comprising major residential schemes. Smaller schemes will be encouraged to include public art as a means of enhancing the development's quality and appearance. The level of contribution will be negotiated on an individual basis dependent upon the nature of the development proposal and the impact of this requirement on the economic viability of the development proposal.

It is assumed that the Council proposes to require public art contributions by legal agreement and / or planning condition. As set out in the 2019 NPPF, an otherwise unacceptable development can be made acceptable by using planning conditions or obligations. The Council should provide evidence to justify the reasons that residential development without contributions to public art is unacceptable. Planning conditions should only be imposed where they are necessary and relevant (para 55) whilst planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (para 54). The 2019 NPPF also sets out three tests to be met when a planning obligation is sought (para 56). This policy requirement does not pass all three tests.

In the Council's final viability assessment costs for public art contributions are assumed to be included in the £5,000 S106 contribution allowance (para 8.102). However, no evidence has been provided to justify this assumption. It is unclear if historically S106 Agreements have included a financial contribution to public art (see HBF representations under Deliverability & Viability above).

Delivery Policy ES16 is unsound, which should be deleted.

Conclusion

For the Stroud LPR to be found sound under the four tests of soundness as defined by the 2019 NPPF (para 35), the LPR must be positively prepared, justified, effective and consistent with national policy. The afore-mentioned Policies are considered unsound. If any further information or assistance is required, please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



Susan E Green MRTPI
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