

**Hardwicke Planning Group - Review of Planning Application S.18/1947/OUT Land
At Quadrant Distribution Centre Quadrant Way Hardwicke Gloucester - Erection of
160 dwellings comprised of 53 two-bed, 83 three-bed, 6 four-bed, 6 five-bed
houses & 12 Flats, with all matters reserved except for access**

1 The application is a proposal for 160 houses on land currently allocated for industrial use. The Hardwicke Parish Council Planning Group reviewed the application and supporting evidence as of 20th November 2018.

2 This is an interim response to the application to identify our main findings. A full review will be forwarded as soon as possible.

3 The review identified a number of omissions, discrepancies and inconsistencies with the evidence offered in support of the application.

4 It found the proposal to be

- **non-compliant NPPF Paragraph 12, NPPF paragraph 62 and NPPF paragraph 64. These are material considerations carrying considerable weight in the planning process**
- **non-compliant with SDC Local Plan Policy CP2, CP5, CP6, CP7, CP8, CP9, CP11, CP13, CP15, EI1, EI2. These are material considerations carrying significant weight in the planning process**
- **non-compliant with Hardwicke Parish Council Neighbourhood Development Plan Policy GEN1, HOU1, EC1. These are material considerations carrying significant weight in the planning process**

Hardwicke Parish Council therefore requests that the outline application be rejected by the Planning Authority.

5 The recommendation is predicated on the following evidence

Background

6 There is one previous planning application for the site.

6.1 2018/0053/EIAS Request for EIA screening opinion for a proposed residential development of 160 dwellings.

Observations/Comments/Compliances

7 National Planning Policy Framework (NPPF)

7.1 NPPF Paragraph 12 states that *'...The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the*

development plan), permission should not usually be granted...'

7.1.1 The proposed development is not in the Development Plan making it **non-compliant with the requirements of NPPF Paragraph 12, a material consideration carrying considerable weight in the planning process.**

7.2 NPPF Paragraph 62 states that '*...Where a need for affordable housing is identified, planning policies should specify the type of affordable housing required and expect it to be met on-site unless:*

a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and

b) the agreed approach contributes to the objective of creating mixed and balanced communities...'

7.2.1 The need for affordable housing in the district is well established. The application states that the developer cannot contribute affordable housing on viability grounds but provides no evidence or alternatives required by the NPPF. This makes the application **non-compliant with NPPF paragraph 62, a material consideration carrying considerable weight in the planning process.**

7.3 NPPF Paragraph 64 states that '*...Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:*

a) provides solely for Build to Rent homes;

b) provides specialist accommodation for a group of people with specific needs (such as purpose-built accommodation for the elderly or students);

c) is proposed to be developed by people who wish to build or commission their own homes; or

d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.

7.3.1 The need for affordable housing is well established in the district. The application states that the developer cannot contribute affordable housing on viability grounds but provides no evidence of the exceptions stated. This makes the application **non-compliant with NPPF paragraph 64, a material consideration carrying considerable weight in the planning process.**

8 Stroud District Council Local Plan

8.1 SDC Local Plan Policy CP2 - Strategic growth and development locations states that '*...Stroud District will accommodate at least 11,400 additional dwellings, 950 additional care home bed-spaces (2013-31) and 58 hectares of additional employment land for the period 2006-2031...'* '*...Strategic sites are identified at the following locations:...' '...Hunts Grove Extension 750...'*

'...Outside of strategic sites, development will take place in accordance with the

settlement hierarchy set out in this Plan...'

8.1.1 Hardwicke is an 'Accessible Settlements with Limited Facilities – Third Tier' settlement whose remit in the plan strategy is 'will provide for lesser levels of development in order to safeguard their role'.

8.1.2 This application is outside identified strategic sites therefore development should be proportionate to meeting its Third Tier role. This development of 160 dwellings cannot be seen as contributing 'lesser levels of development' compromising its role as a rural settlement.

This makes the application **non-compliant with SDC Local Plan Policy CP2, a material consideration carrying significant weight in the planning process.**

8.2 SDC Local Plan Policy CP5 - Environmental development principles for strategic sites states that '*...Strategic sites will:...*'

'...3. Be readily accessible by bus, bicycle and foot to shopping and employment opportunities, key services and community facilities; and will contribute towards the provision of new sustainable transport infrastructure to serve the area, in seeking to minimize the number and distance of single purpose journeys by private cars

4. Have a layout, access, parking, landscaping and community facilities in accordance with an approved indicative master-plan...'

8.2.1 Paragraph 2.11 and 2.12 of the Travel Plan (TP) quotes PPG13 and the CIHT document 'Providing for Journeys on Foot' (2000) respectively to support the claim that listed facilities are within walking distance. The PPG document is obsolete. Using more recent information demonstrates that the only attractors identified in the TP that meet the requirement is a public house, two bus stops and an electric vehicle charging station.

8.2.2 The layout of the development and width of road design results in access to parking in all but 15 dwellings that is not wide enough for a lorry and car to pass.

Width in metres					Parking Access
Road	Pavement	Car (m)	Lorry(m)	Both(m)	
		1.872m	2.5m	4.372	
7.3	2	✓	✓	✓	0
5.5	2	✓	✓	✓	15
4.8	2	✓	✓	x	106
3.7	0	✓	✓	x	39

8.2.3 The location is not part of an approved master-plan therefore the layout, access, parking, landscaping and community facilities cannot be in accordance with one. To meet noise requirements from the surrounding industrial units three sides of the development is enclosed by a high berm. This isolates This limits views out of the development giving it an isolated, cramped and enclosed feeling.

8.2.4 This makes the application **non-compliant with SDC Local Plan Policy CP5, a material consideration carrying significant weight in the planning process.**

8.3 SDC Local Plan Policy CP6 - Infrastructure and developer contributions states that *'...4. Negotiating appropriate planning obligations to mitigate any adverse impacts of proposed development – while avoiding duplication of payments made through CIL.*

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...'

8.3.1 The application states that developer contributions would not be acceptable as the development would be unviable. Quedgeley Town Council has already requested infrastructure contributions. It would be unacceptable, and unfair to other developments, for the Planning Authority not to agree contributions should they feel inclined to permit this development.

As it stands, this makes the application **non-compliant with SDC Local Plan Policy CP6, a material consideration carrying significant weight in the planning process.**

8.4 SDC Local Plan Policy CP7 Lifetime communities states that *'...To ensure that new housing development contributes to the provision of sustainable and inclusive communities (including the provision of community facilities) in the District, developers will need to clearly demonstrate how major housing development will contribute to meeting identified long term needs in those communities the development relates to...'*

The District housing needs are identified in the SDC Local Plan supporting evidence whilst the Hardwicke Neighbourhood Development Plan - Future Housing Needs Assessment concludes that the growing need is for housing for the aging population. The application does nothing to identify how it contributes to the lifetime communities policy. This makes the application **non-compliant with SDC Local Plan Policy CP7, a material consideration carrying significant weight in the planning process.**

8.5 SDC Local Plan Policy CP8 New housing development states that *'...New housing development must be well designed to address local housing needs, incorporating a range of different types, tenures and sizes of housing, to create mixed communities...'*

8.5.1 The application does not explain how the development intends to meet the identified housing needs for the District or Hardwicke community. This makes the application **non-compliant with SDC Local Plan Policy CP8, a material consideration carrying significant weight in the planning process.**

8.6 SDC Local Plan Policy CP9 Affordable housing states that '*...There is an overall unadjusted need for affordable housing of 446 dwellings per annum. Planning permission will be granted for residential (including extra care) development providing an appropriate density that is acceptable in townscape, local environment, character and amenity terms, dwelling types, tenures and sizes seamlessly integrated with existing development or proposed mixed-use development. ...*'

'...All residential proposals of at least 4 dwellings (net) or capable of providing 4 dwellings (net) covering a net site area of at least 0.16 ha will provide at least 30% of the net units proposed as affordable dwellings, where viable...'

8.6.1 The application states that the developer cannot contribute affordable housing on viability grounds but provides no evidence of the exceptions stated. The continued deferral by the Planning Authority of affordable housing quotas is causing a backlog of affordable housing in the local area that affects the ability of families to remain in their own neighbourhoods. This makes the application **non-compliant with SDC Local Plan Policy CP9, a material consideration carrying significant weight in the planning process.**

8.7 SDC Local Plan Policy CP11 Economic growth and strategic employment needs states that '*...Employment sites will be provided in order to increase the range and choice of sites available and to address the self-containment of settlements in terms of homes / jobs balance.*

Existing employment sites will be safeguarded unless new proposals are put forward that intensify the employment use of the site, supported by enabling development as set out in other policies in the Local Plan...'

8.7.1 Key Employment site EK13 identifies Hunts Grove/Quadrant Distribution Centre as a key employment site to provide work for areas around Hardwicke and particularly for Hunts Grove. We are just three years into the SDC Local Plan 2015. The residential part of the HG development is less than a third complete. The need for local employment can only grow with the development and with 13 years to completion there is plenty of time for the market to change. If the land is released for residential then it cannot be reversed. This makes the application **non-compliant with SDC Local Plan Policy CP11, a material consideration carrying significant weight in the planning process.**

8.8 SDC Local Plan Policy CP13 Travel and transport states that '*...Proposals for major schemes, as defined by the Town and Country Planning (Development Management procedure) (England) Order 2010, will be supported where they:*

- 1. Provide for a variety of forms of transport as alternatives to the car to allow more sustainable choices*
- 2. Improve the existing infrastructure network, including road, rail and bus, facilities for pedestrians and cyclists, including provision for those with reduced mobility, and other users*
- 3. Mitigate any significant adverse affects upon the transport network that arise from the development proposed.*

In all development cases, schemes shall:

- i) be located where there are, or will be, at the time of development, choices*

in the mode of transport available and which minimise the distance people need to travel

ii) provide appropriate vehicular parking, having regard to car ownership and the Council's adopted standards

iii) not be detrimental to and, where possible, enhance road safety and

iv) not cause or contribute to significant highway problems or lead to traffic related environmental problems.

Development proposals shall be consistent with and contribute to the implementation of the agreed transport strategy, set out in the Gloucestershire Local Transport Plan...'

8.8.1 The proposal makes no additional alternative form of transport to the car; offers no improvements to existing infrastructure network and the Highways Agency has deemed that the development will add significantly to the strategic highway. Access to the site will be a road designed for use to industrial units. Such a mix of industrial and residential traffic on Marconi Road has caused considerable road safety problems for Hunts Grove Phase 1 residents .

8.8.2 This makes the application **non-compliant with SDC Local Plan Policy CP13, a material consideration carrying significant weight in the planning process.**

SDC Local Plan Policy E11 - Key Employment Sites states that '...The key employment sites listed below will be retained for B Class Uses. Redevelopment for alternative uses or changes of use from employment use will not be permitted on these sites.

EK12 Hardwicke

Quedgeley West

EK13 Hardwicke

Hunts Grove/Quadrant Distribution Centre...'

The policy is unequivocal, changes of use from employment will not be permitted. This makes the application **non-compliant with SDC Local Plan Policy E11, a material consideration carrying significant weight in the planning process.**

8.9 SDC Local Plan Policy E12 - Transport Choice - Delivering Transport Infrastructure states that '*...All development proposals should have full regard to the traffic impact on the local highway network. Major development proposals, or those that are likely to have a significant impact on the local transport network, will be required to submit a Transport Assessment as well as a Travel Plan, to demonstrate that they have fully considered access by all modes of transport...'*

8.9.1 The Travel Assessment submitted has numerous discrepancies and the Travel Plan content fails to meet NPPF recommendations. Highways England have made their position clear that '*...In terms of M5 J12, recent surveys show existing concerns with the southbound off-slip during weekday peak hours, with queues already extending onto the mainline. In accordance with paragraphs 9 and 10 of DfT Circular 02/2013, Highways England takes the view that any development trips adding to an off-slip, which then results in mainline queuing; or extends an existing mainline queue; and/or increases the frequency at which a mainline queue occurs, to be a severe safety impact...'*

8.9.2 Whilst the application has no flow pattern analysis supporting M5 J12 it seems inconceivable that this development would not contribute to the current problems at that junction. This makes the application **non-compliant with SDC Local Plan Policy EI12, a material consideration carrying significant weight in the planning process.**

8.10 SDC Local Plan Policy ES3 Quality of Life within Environmental Limits states that *'...Permission will not be granted to any development which would be likely to lead to, or result in an unacceptable level of:...' '...5. A detrimental impact on highway safety...'*

8.10.1 For the reasons stated previously regarding detrimental impacts of the development on highway safety the application is **non-compliant with SDC Local Plan Policy EI12, a material consideration carrying significant weight in the planning process.**

9 Hardwicke Neighbourhood Development Plan

9.1 NPPF paragraph 30 states that *'...Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently...'*

9.1.1 This ensures that local NDP policies to be applied when the equivalent Local Plan policies covering the area have been met.

9.2 Hardwicke Neighbourhood Development Plan Policy GEN1 Settlement Boundary states that *'...Development proposals will be supported within the settlement boundary as shown on the policies map, on existing employment sites, and on sites allocated within the Stroud District Local Plan provided they meet the criteria set out in other policies in the Local Plan.*

Outside the settlement boundary development appropriate to a rural area will be supported where it:

- *meets the essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *would represent the most viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *would re-use redundant and disused buildings and lead to an enhancement of their immediate settings; or*
- *would incorporate a dwelling of exceptional quality or innovative nature of design; or*
- *otherwise satisfies criteria set out in the development plan for development in rural areas...'*

9.2.1 This development location is outside the settlement development boundary but is within a site allocated in the Local Plan, however the development fails to meet other policies in the Local Plan.

9.2.2 The development is not for rural workers; has no heritage assets; does not re-use redundant buildings; do not incorporate dwellings of exceptional quality or of an innovative nature. This makes the application **non-compliant with the Hardwicke NDP Policy GEN1, a material consideration carrying significant weight in the planning process.**

9.3 Hardwicke Neighbourhood Development Plan Policy HOU3 – Dwelling Mix states that *‘...All new housing developments should provide and demonstrate an appropriate mix of dwelling types and sizes to meet the needs of current and future households in Hardwicke...’*

9.3.1 Hardwicke Neighbourhood Development Plan - Future Housing Needs Assessment identified future housing needs in Hardwicke. Full cognisance was afforded to The Planning Advice Service (PAS) Neighbourhood Planning Advice Note titled ‘Housing Needs Assessment for Neighbourhood Plans’ throughout the housing assessment and is compliant with its requirements. The application does not address the conclusions of the assessment making it **non-compliant with the Hardwicke NDP Policy HOU3, a material consideration carrying significant weight in the planning process.**

9.4 Hardwicke Neighbourhood Development Plan Policy EC2 Existing Employment states *‘...Insofar as planning permission is required, proposals for the change of use of existing business premises to other non-employment use classes will not be supported...’*

9.4.1 The site is allocated for employment as part of the Hunts Grove and wider Stroud District employment strategy. We are just three years into the SDC Local Plan. The residential part of the HG development is less than a third complete. The need for local employment can only grow with the development and with 13 years to completion there is plenty of time for the market to change. If the land is released for residential then it cannot be reversed. This makes the application **non-compliant with SDC Local Plan Policy EC1, a material consideration carrying significant weight in the planning process.**