

12 February 2021

Dear Mr Reed

Tewkesbury Borough Plan (TBP) Examination

I am writing in response to your letter dated 6 February 2021, to Mr Weaver, who has now left the Council.

I can confirm that JCS Policies INF6 and INF7 set out the Council's adopted approach to infrastructure delivery and developer contributions. The Pre-Submission Tewkesbury Borough Plan does not contain a separate policy.

The County Council has been in the process of reviewing their Local Developer Guide which was adopted in 2016. The County Council's consultation, on the latest draft Local Developer Guide 2019¹ concluded after the Council submitted their Plan for examination in May 2020. Due to the timing of submission and consultation, the TBC did not take into consideration the draft Local Developer Guide. It should be noted that the revised Local Developer Guide has still not yet been adopted. Once adopted, the County Council's Local Developer Guide, will form a material consideration in planning decisions.

Further in September 2019 the CIL regulations were amended to omit regulation 123, removing the previous restriction on pooling more than five obligations towards a single piece of infrastructure and allowing the same infrastructure to be funded through both s106 contributions and CIL. The Council's Infrastructure Funding Statement (December 2020) sets out the infrastructure it intends to fund via CIL and section 106 contributions are being sought where compliant with regulation 122.

Following your letter of 6 February, the Council has commissioned PorterPE, our viability consultant, to undertake further analysis into current infrastructure contributions and overall viability of the Plan. This work is aimed to be completed by Friday 26 February when the Council will be meeting with the consultants to discuss the findings. We will then be in a position to provide an addendum to the Tewkesbury Borough Plan Viability Assessment prior to the hearings on Matters 6 and 7 in week four.

No objections were received by the County Council on issues of viability during the Reg 19 consultation. The Council has the above policies in the JCS for developer contributions. Once the County Council's Local Developer Guide has been adopted it will form part of the evidence informing the review of the JCS. Taking all these factors into consideration, the Council is compliant with paragraph 34 of the NPPF.

¹ [ldg-2020-refresh-final-consultation-draft-28-04-2020.pdf \(gloucestershire.gov.uk\)](https://www.gloucestershire.gov.uk/ldg-2020-refresh-final-consultation-draft-28-04-2020.pdf)

Yours sincerely



Sandra Ford

Head of Development Services

Tewkesbury Borough Council

