

## **P E Duncliffe Limited**

### **Tewkesbury Borough Plan Examination**

#### **Comments in response to Inspector's Viability Note (EXAM023)**

##### **Background**

The Inspector's letter dated 6<sup>th</sup> February 2021 indicated that as the TBP is a secondary, non-strategic plan, the Examination would not be revisiting or reviewing the policies or background assumptions of the Joint Core Strategy (JCS) adopted in December 2017 or the Tewkesbury Borough Council Community Infrastructure Charging Schedule which came into effect in January 2019.

It was our understanding that the submitted TBP was prepared in accordance with the relevant adopted JCS policies (notably INF6), the CIL Charging Schedule and their respective evidence base. That policy platform provided the basis upon which the various TBP proposed allocations were tested in terms of viability (see the Tewkesbury Borough Plan Viability Assessment, Final Report September 2019).

It now appears to be the case that the viability assessment upon which the various TBP allocations are based has changed significantly. That point is articulated in Addendum Note 1A prepared by PorterPE dated 4<sup>th</sup> March 2021 and indicates that the infrastructure required by Gloucestershire County Council may not have been adequately reflected in the testing of the Tewkesbury Borough Plan. This is a significant issue which in our view needs to be very carefully considered as it goes to the heart of the viability of the Plan and the deliverability of the allocations contained in the Plan.

##### **Addendum Note 1 (EXAM022B)**

It is of concern that Addendum Note 1 (Table A2 Viability at full Policy layer 8) shows that of the 22 typologies, 12 are unviable when assessed against the new formulaic approach of Gloucestershire County Council. That has serious implications for the viability of the Plan policies and housing allocations. In hindsight, this matter should have been resolved ahead of the Examination especially in terms of deliverability issues.

##### **Addendum Note 1 and 1a (EXAM022B and EXAM022C)**

Regrettably, the details provided in both Addendums contain significant errors and do not accurately reflect the factual position relating to a number of specific sites including sites BIS2, BIS3, BRO2, COO2 and GOT2. We have had insufficient time to research other sites. The errors relate variously to incorrect unit numbers and the actual amounts calculated for education and other purposes.

## **Changes to calculating educational need**

The basis upon which the TBP allocations were tested in terms of viability appear to have changed significantly at the start of the Examination and are no longer being based on what we had understood to be the agreed position (i.e. the adopted JCS, the CIL Charging Schedule and their respective evidence base). We are unclear as to whether these changes are appropriate departures from a Plan which was meant to be assessed against the adopted JCS.

We note that the County Council's new formulaic approach to educational need assumes that twice as many pupils will be generated in each new dwelling than is assumed in the adopted JCS. This is a very substantial increase and leads to the question as to whether enough housing has actually been provided for in the TBP. Furthermore, we cannot reconcile how this new approach squares itself with other local authorities who do not have such extraordinarily high pupil ratios.

We consider that there are many unresolved questions and all participants should be given more time to carefully digest and consider the implications of these very significant changes. This is particularly important in a situation where the separate issue of housing land supply in the Borough is of critical importance to the Plan. Any deviation away from the adopted Policy basis upon which viability testing was undertaken will have serious implications for deliverability and should be properly and robustly examined before any changes are made.

We have had very little opportunity to consider and research the updated sales values and/or build costs and also have strong reservations about the Land Value Benchmarks.

## **Conclusion**

Given the significant implications set out above, we consider that the TBP should proceed to be assessed against the existing JCS and CIL Charging Schedule both of which have been the subject of robust testing at Examination. Any departure from this tested and adopted policy platform will lead to significant deliverability issues which is already evidenced by the Council in Addendum 1.

If the TBP policies and proposed allocations are to be the subject of a departure from the existing adopted policy platform (notably INF6) then they need to be the subject of appropriate and robust viability testing, where all participants have sufficient time to engage in the process and can see the full suite of evidence that the departures are based upon.