

**TEWKESBURY BOROUGH PLAN 2011-2031 – EXAMINATION IN PUBLIC
STATEMENT ON BEHALF OF L&Q ESTATES LIMITED – REFERENCE ID 381
LAND AT HARVEY’S LANE, WINCHCOMBE**

Matter 1: Duty to Co-operate and other legal requirements

This Matter Statement has been prepared on behalf of our client, L&Q Estates Limited, in response to the Inspector’s List of Matters, Issues and Questions (MIQs) as part of the Tewkesbury Borough Plan Examination in Public.

L&Q Estates Ltd control land located to the north and south of Harvey’s Lane, which directly adjoins the settlement boundary of Winchcombe (the ‘Site’). The Site has capacity to deliver up to 130 dwellings with associated open space and landscape infrastructure – split between 50 dwellings to the south of Harvey’s Lane and 80 dwellings to the north.

The Site was partially allocated as part of the Preferred Options version of the Tewkesbury Borough Plan (TBP) as a suitable and sustainable location to deliver approximately 45 dwellings. However, following the Preferred Options consultation, the allocation was deleted from the emerging TBP.

This Matter Statement should therefore be read in conjunction with our representations to the Pre-Submission consultation which demonstrates that the emerging TBP is unsound as currently drafted.

In accordance with the Inspector’s MIQs, this Matter Statement relates to Matter 1: Duty to Co-operate and other legal requirements. For the avoidance of doubt, where a written response to a question is not provided, we reserve the right to comment further in so far as it may affect our client’s land interests at Winchcombe.

Questions

- 1.5 Have the likely environmental, social and economic effects of the plan been adequately addressed in the Sustainability Appraisal? Does the appraisal test the plan against reasonable alternatives for the distribution of housing and employment land? (This is not an opportunity to discuss the merits of individual sites).**

1. In support of the emerging Borough Plan, TBC has prepared the 'Pre-Submission Sustainability Appraisal (July 2019)' (Ref: CD006). It is understood that no further amendments have been made to the document following the Pre-Submission consultation or submission to the Secretary of State for independent examination.
2. On review of the Sustainability Appraisal, it is firstly noted that it does not assess alternative levels of growth at individual settlements. For example, the Sustainability Appraisal does not consider a different distribution of growth between the Rural Service Centres as a reasonable alternative.
3. Notwithstanding this, there are considered to be two fundamental flaws in the Council's approach for apportioning housing towards Winchcombe and subsequently allocating suitable sites for development.
 - i. The Sustainability Appraisal does not appropriately consider the delivery of 354 dwellings over the Plan period nor does it assess the 597 dwellings as identified by the HBP (October 2019)
4. Policy SP2 of the JCS confirms that the Rural Service Centres will accommodate in the order of 1,860 new homes over the Plan period. Table SP2c goes onto explain that these will be delivered between the settlement of Bishop's Cleeve and Winchcombe.
5. The allocation of residential sites has been informed by a disaggregation process to determine the level of development appropriate to each Rural Service Centre and a site specific selection process. The methodology and results of these assessments are outlined in the Housing Background Paper (HBP) (October 2019) – Ref: EB013.
6. The outcome of the disaggregation process is set out in the table contained within Appendix D of the HBP (October 2019). As we set out within our response to Matter 2, it is considered that the approach taken towards the disaggregation process is unsound given the weighting attributed to the size of a settlement – rather than in respect of its function and proximity/accessibility. Notwithstanding this, it is noted that the Council consider the disaggregated housing requirement for Winchcombe to be a minimum of 597 dwellings over the Plan period (paragraph 11.6, HBP October 2019).
7. However, despite this requirement at Winchcombe, Table 6 of the Tewkesbury Borough Housing Land Supply Position Statement (December 2020) (Ref: EXAM001B) confirms

that only 354 dwellings will be delivered at Winchcombe over the Plan period – equating to 59% of Winchcombe’s disaggregated total.

8. Whilst the Sustainability Appraisal provides a specific assessment of the draft allocation (WIN1), it does not test the implications of delivering 354 dwellings over the Plan period nor does it assess the 597 dwellings as identified by the HBP (October 2019). The Sustainability Appraisal is therefore considered unsound as it does not appropriately consider the delivery of 597 dwellings at Winchcombe as a reasonable alternative to locating development elsewhere within the Borough.
9. Winchcombe is a substantial settlement in its own right and will require additional housing to come forward specifically in that location to support the local economy and support the needs of local residents.
10. Indeed, as set out within our response to Matter 2, the apportionment of housing at Bishop’s Cleeve has largely been driven by sites coming forward via planning appeals. This does not represent a ‘Plan-led’ approach for housing delivery within the Rural Service Centres. There is a specific need for housing at Winchcombe which needs to come forward through the identification and allocation of sustainable sites as part of the ‘Plan-making’ process.
11. For the Sustainability Appraisal to be considered a robust part of the evidence base, it should appropriately consider the delivery of 597 dwellings at Winchcombe as a reasonable alternative.
 - ii. The Sustainability Appraisal identifies Winchcombe 6 as a more appropriate location for development than the draft allocation
12. At Table 6.2, the Sustainability Appraisal outlines the potential options for housing and employment development. In terms of Winchcombe, our Client’s Site is considered as part of ‘Winchcombe 6’ with the draft allocation in the emerging Borough Plan referenced at ‘Winchcombe 7’.
13. On review of the two site assessments, it is noted that ‘Winchcombe 6’ performs better than the draft allocation contained within the emerging TBP. This difference relates to the scoring in respect of Traffic, with the Sustainability Appraisal noting that the draft allocation (Winchcombe 7) has the potential to increase traffic in the surrounding road network.

14. As we will discuss in our response to Matter 3, it is considered that the Council was incorrect in its approach for discounting 'Winchcombe 6' on the grounds of landscape impact. Indeed, Winchcombe 6 and Winchcombe 7 were attributed the same 'Landscape' score as part of the Sustainability Appraisal. However, in terms of responding to question 1.5, the Sustainability Appraisal is considered unsound as it does not identify the most suitable locations for residential development within Winchcombe.

Summary

15. To summarise, the Sustainability Appraisal is considered unsound as currently drafted. Firstly, it does not appropriately consider the economic and social impacts of delivering only 354 dwellings at Winchcombe – equating to 59% of Winchcombe's housing requirement as defined by the HBP (October 2019). Secondly, the Sustainability Appraisal is flawed in its approach for identifying and allocating suitable sites for residential development at Winchcombe.