

Tewkesbury Borough Local Plan EIP

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

Submissions by McLoughlin Planning on behalf of:
Mactaggart and Mickel
RES Homes
Witcombe Landowners



Introduction

1. McLoughlin Planning has been instructed by the above parties to make submissions in respect of Question 1.5 of Matter 1.

Question 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?

2. It is the Respondents' position that the Sustainability Appraisal regrettably fails to adequately address the environmental, social and economic effects of the Plan in terms of its inability to deal with the Housing Land Supply shortfall.
3. In policy terms, the current context for the preparation of the Local Plan is the fact that the Plan has a 2,450 dwelling shortfall against the requirements of the JCS. As drafted, there is no policy in the TBP setting out in specific terms exactly what the housing requirement is and what allocations are brought forward to meet that requirement as well as what commitments are already in place. Instead, the TBP defers to Policy SP2 of the JCS (see paragraph 3.11 & 3.12 of the TBP) which set out the following
 - Paragraph 3.11 of the JCS sets out the housing requirement for the Borough of 9,899 dwellings over the Plan period of 2011 to 2031.
 - Paragraph 3.12 sets out that at least 7,445 dwellings will be provided in Tewkesbury Town and other locations in the Settlement Hierarchy as established in the JCS.
4. That is as far as the Plan goes in terms of documenting its housing target and how that housing target will be met. The Sustainability Appraisal equally mirrors this approach in that it does not assess the impact of the 2,450 dwelling shortfall on the environmental, social and economic aspects of the Plan. As an alternative, the SA focusses on individual site allocations as listed in the Plan. Turning to the SA's conclusions on housing at

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paragraph 7.78, it is welcomed that housing is seen as having a major positive. However, the failure of the SA and the Plan to meet the overall housing requirement means that the social effects have unfortunately not been adequately addressed in the SA.

5. To put this in perspective, Table 2.1 of the Integrated Assessment sets out how housing is viewed. This states that housing is:

"Ensuring everyone has access to a decent home that they can afford and meets their needs".

6. In terms of assessing the impact, it's clear that the need for people to have a decent home is a key issue in Sustainability Appraisal terms and having a decent home they can afford is equally important. In contrast, the published shortfall in the Plan means that on face value, there is an immediate under-supply of "decent homes". Turning to the affordability issue of this and based on a Plan standard of 40% affordable housing to be provided across all allocations, this means that there are 1,470 missing for open market purchases and perhaps even more critical that there are 980 missing affordable dwellings.
7. Against a Plan requirement of 9,899 dwellings, the affordable shortfall is the equivalent of circa. 10% of the TBPs overall housing target for affordable homes. This cannot be seen as a major positive, or having been adequately addressed. This is a housing requirement set out in the Plan which is coming up to 4 years old and the review mechanism has yet to be significantly advanced. There is no evidence in the Plan or the SA demonstrating how this shortfall has been adequately addressed, which is partially down to the fact that the Plan does not contain a specific housing policy setting out what the JCS target is. The only conclusion which can be drawn, is that in failing to deliver 980 affordable dwellings will undermine the overall supply of affordable housing in the Borough and the SA aim quoted above. Whilst this is quite correct to identify the positive benefits the levels of housing which is being provided for in the Plan, the negative effects of the shortfall has not been adequately addressed.

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8. The importance of ensuring that the social, environmental and economic impacts are adequately addressed in the SA are driven by paragraph 32 of the Framework. This requires (amongst other things) at:

“significant adverse impacts on these objectives should be avoided and wherever possible, alternative options which reduce or eliminate such inputs should be pursued.”

9. In this instance, it is the Respondents’ combined position that the shortfall in housing set out in the TBP can be seen as a significant adverse impact by a Plan simply failing to meet its housing requirements. This is something that should be avoided in NPPF terms wherever possible.
10. There is of course a solution to this problem and that is to ensure that reasonable alternatives are properly assessed and put forward. This requires the SA to demonstrate that a reasonable alternative strategy option which reduces or eliminates this impact has been considered. Other submissions in relation of other matters will deal with this point in more detail, but in terms of the point of the broad strategy of dealing with reasonable alternatives, it is clear from the SA that it has not sought to address the shortfall in terms of what alternative strategies could be put forward.
11. For example, given the level of under-supply there is an opportunity for non-strategic sites to come forward to help significantly reduce the under-supply in advance of the JCS Review. In terms of this being discounted as an option, there is little evidence in the SA to support the fact that this has been properly considered. It is noted that the JCS Review is one of the means by which the shortfall can be addressed and other submissions will detail this further. However, it is the Respondents’ position that the JCS Review is not the only way to address in the shortfall and it should be incumbent on the Sustainability Appraisal for the TBP to undertake such an assessment to demonstrate that this is not acceptable.
12. In light of such a lack of such evidence in the SA, it can only be concluded that either the reasonable alternative of meeting the JCS shortfall has not been considered or that it is a

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strategy which has been deliberately discounted because of apparent concerns with the JCS, but those concerns have clearly not been documented.