

Unsoundness of 1,000 dwellings at Mitton in Tewkesbury SWDPR54 (SWDP NEW EDGE 3)

Introduction

There are no grounds to include Mitton in the SWDPR, the planning applications to build 500 dwellings plus a primary school were refused by the Wychavon District Council (WDC) by Planning Committee on 12 May 2022 (Application Number 18/00771/OUT and 20/00008/OUT) and then dismissed by the Planning Inspectorate at Appeal on the 25 November 2022 (Reference APP/H1840/W/22/3301732).

There is no justification for the inclusion of 1,000 dwellings at Mitton. If this development is included, the character and identity of Bredon village and Bredon's Hardwick will be lost forever and they will become a suburb of Tewkesbury.

This is a prime example of both the JCS and SWDPR taking advantage of opportunities presented by speculative planning applications from developers who have not considered the impact on existing residents and businesses within the Tewkesbury/Gloucestershire area. A development this close to the county boundary will inflict hardship upon its neighbours and Bredon Parish residents primarily due to lack of transport infrastructure and services.

The SWDPR demonstrates no consideration to its neighbours in Tewkesbury who will suffer significant hardship and additional flooding created by development of 1,000 dwellings at Mitton along the Gloucestershire/Worcestershire border.

The inclusion of the Mitton development is unsound for the following reasons:

Policies SWDPR02 and SWDPR54 – Employment, housing and retail requirements

SWDPR02 paragraph 2.1 - *The housing allocations along with the conservative windfall allowance combined mean that the **proposed supply exceeds the housing requirement by 2,240 dwellings (20.4%)**. The authorities are requesting confirmation of a five-year housing land supply position for the Plan.*

SWDPR02 paragraph 2.2 - *Paragraph 66 of the NPPF requires strategic policy-making authorities to establish a housing requirement figure for their whole area, which shows the extent to which the identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.*

SWDPR54 paragraph 4.1 *The strategic allocation at Mitton for 1,000 dwellings and associated development reflects how the site has evolved through both the plan led process and via a separate planning application for 500 dwellings submitted to Wychavon District Council in 2018 on part of the overall allocation. The adopted 2017 Cheltenham, Gloucester and Tewkesbury Joint Core Strategy reflects the examination Inspector's recommendation that this site promoted in Mitton would be suitable and a sustainable location for the delivery of 500 dwellings to meet the needs of Tewkesbury Borough Council.*

SWDPR54 paragraph 4.3 *The allocation is also covered by the adopted Bredon Parish Neighbourhood Plan (2017) and the bringing forward of a strategic allocation to meet Tewkesbury Borough Council's housing need via the development plan review process is supported and specifically referenced under policy NP1 of the Neighbourhood Plan. In addition to the 500 dwellings under the proviso of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy, this review of the SWDP is allocating an additional 500 dwellings under Phase 2 of this policy to meet the housing supply for Wychavon set out under SWDPR 2. It is not in the Bredon Plan*

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

The SWDP states supply exceeds the current housing requirement by 2,240 houses by 31 March 2041 so there is **no requirement** for 500 WDC houses or 500 Tewkesbury Borough Council (TBC) houses to make up any shortfall as there isn't one. The Tewkesbury Joint Core Strategy (JCS) also states supply exceeds the current housing requirement and this was before the additional 10,000 houses planned for Tewkesbury Garden Town and recent developments built since these policies came out. This development is no longer needed or relevant any more. There is no longer any justification that SWDPR54 should be included as there is no shortfall.

The Mitton development policy SWDPR54 at paragraph 4.3 above is false. The development is not included in the Bredon Parish Neighbourhood plan. The plan's stated option is **infill** development inside the Bredon settlement boundary which is in keeping with its character and surroundings.

The Mitton proposal is not an allocated or strategic site in this strategy. The Mitton proposal was 'add on' onto the strategy as footnotes. At the JCS consultation/examination no-one had the opportunity to bring evidence or have their say. The reason none of the residents got a say in this is because the Mitton site didn't form part of the original JCS policy or was a site allocation and had originally been ruled out as unsuitable.

Policies SWDPR 03 and SWDPR 54 - The Spatial Development Strategy and Settlement Hierarchy and Mitton housing

SWDPR 03 & SWDPR 54 would have an unsustainable impact on the road network. These policies are unsound because they are not consistent with national policy. In dismissing the recent Mitton Appeal for 500 houses, the Inspector concluded there was "too much risk of a severe residual cumulative impact" on local roads. 1,000 houses would have a much greater impact, contrary to NPPF paragraphs 104, 105 & 111.

SWDPR 03 & SWDPR 54 would harm the Cotswolds AONB. These policies are unsound because they are not consistent with national policy. In dismissing the recent Mitton Appeal for 500 houses, the Inspector concluded it was uncertain whether traffic might utilise routes through the neighbouring AONB resulting in unacceptable impacts on tranquillity. 1,000 houses would have a much greater impact and would risk causing severe harm to the AONB contrary to NPPF paragraphs 11, 174 & 176.

SWDPR 03 & SWDPR 54 have not been justified by robust evidence. The policies are unsound because the strategic location assessment carried out in the Sustainability Appraisal contains several key errors and faulty assumptions, as

demonstrated by Bredon Parish Council. When these are corrected, Mitton is in fact ranked as one of the least appropriate of the 9 alternative locations.

Railway station/public transport

1. SWDPR03 at point D - *states that growth aspirations are directed towards the larger settlements like Mitton and are allocated on this basis.*
2. SWDPR03 Paragraph 3.3 - *states that it be located within 3 miles of a railway station.*
3. SWDPR06 point A - *states that the layout and design will minimise the need to travel by car and maintain highway safety for all users.*
4. SWDPR06 paragraph 6.2 – *will require an efficient rail network offering improved and frequent regional and intercity connections and high-quality active travel (cycling and walking) routes for shorter distance journeys.*

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

The railway station is **over 3 miles** away along a fast-moving road with no pavements to walk on. Bredon Road has a 50mph speed limit and is unlit so it is also difficult for cyclists to use at night. There is also only one bus that heads towards the Ashchurch parkway and takes a much longer route to get to the railway station via Tewkesbury town centre. The planned garden town of 10,000 houses and the new developments being built at Fiddington are much better alternatives to this site and better placed as they are closer to the parkway. For this reason, the plan is not justified because this has not been taken into consideration reasonable alternatives.

Not all trains passing through the parkway stop at Ashchurch, most go on to stop at Cheltenham meaning services are very limited. The Ashchurch parkway is in Gloucestershire so unlikely to get any benefit when policy improvements are targeted at Worcestershire infrastructure.

Significant gaps and countryside

1. SWDPR03 paragraph 3.4 – *Quality of the open countryside is highly valued, less sustainable to access local services and employment opportunities and that development in countryside is restricted.*
2. SWDPR03 paragraph 3.6 – *maintaining identity and integrity of individual settlements. Land to be kept open, **the value of ‘significant gaps’ identified through neighbourhood plans to conserve the character, needs and opportunities of each area.***
3. SWDPR03 paragraph 3.7 – ***‘Significant gaps’ are sensitive areas and should be kept free from development.***
4. SWDPR03 paragraph 3.8 - *the **inclusion of additional Significant Gap designations within Neighbourhood Plans will be supported.***
5. SWDPR54 paragraph 4.3 - *The allocation is also covered by the adopted Bredon Parish Neighbourhood Plan (2017) and the bringing forward of a strategic allocation to meet Tewkesbury Borough Council’s housing need via the development plan review process is supported and specifically referenced under policy NP1 of the Neighbourhood Plan. In addition to the 500 dwellings under the proviso of the Cheltenham, Gloucester and Tewkesbury Joint Core Strategy, this review of the SWDP is allocating an additional 500 dwellings under Phase 2 of this policy to meet the housing supply for Wychavon set out under SWDPR 2.*

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

The Mitton development policy SWDPR54 at paragraph 4.3 above is false. The development is **not included** in the Bredon Parish Neighbourhood plan. The plan's stated option is infill development inside the Bredon settlement boundary which is in keeping with its surroundings. As Bredon Village/Bredon's Hardwick are small settlements, they should not be expected to have to accommodate a huge, unsightly developments on their doorstep. They do not have the facilities to cope with an influx of such numbers.

Bredon Parish area (and parts of Mitton) are agricultural, surrounded by fields, orchards and woodland. Negative impacts mentioned in the Plan and SWDPR03 above was the loss of open countryside between settlements and to keep the rural character by preserving key open spaces. So, SWDPR54 is **contrary** to SWDPR03, not justified or effective in relation to **NP2** of the Bredon plan as:

"The policy seeks to protect the essential countryside character of five key gaps between the settlements of Bredon, Bredon's Hardwick, Kinsham, Lower Westmancote, Westmancote, Kemerton and Tewkesbury. The purpose of maintaining these gaps, which either serve as a rural buffer or visual break between settlements, or which protect the character and rural setting of settlements, is to provide additional protection to open land that may be subject to development pressures. The designation helps to maintain a clear separation between settlements in order to retain their individual identity. The policy therefore serves similar purposes to SWDP 2 D (which aims to maintain gaps between rural settlements and adjacent urban areas²⁴) and complements it at a parish scale".

Mitton is indicated as **GAP 5** in the Bredon plan and if Mitton SWDPR54 is included in the SWDP this gap between settlements will be lost and Bredon's Hardwick will become a suburb of Tewkesbury losing its character and identity as a village.

Recreational and open spaces

SWDPR05 A iv - *Maximise opportunities to improve the quality of life and health and wellbeing of current and future residents through the provision of, but not exclusively:*
1. Private, communal and public amenity space. 2. Appropriate internal space standards for new dwellings. 3. Recreational space for all.

SWDPR54 F **sets out a range of facilities for the Wychavon (phase 2)** part of the 1,000 dwellings development including a community hall, sports facilities, community green, park and allotment, LEAP, LAP and NEAP and convenience store space.

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

1. The **duty to co-operate** – failure to consult with neighbouring authorities on ensuring that facilities for phase 1 in conjunction with the dismissed appeal at Mitton has access to new facilities as stated at SWDPR05 A iv above. Only Wychavon (phase 2) gets these extra facilities as stated in SWDPR54 point F.
2. No thought has been put into the phase 1 development at Mitton. It just seems to be an **'add on'** instead of creating a development with modern facilities.

Transport and traffic

1. SWDPR06 point A – Development proposals **must demonstrate that the layout will minimise the need to travel by car** and least maintain highway safety for all users. (Land Parcel A - also referred to as Phase 1 Mitton)
2. SWDPR06 point C – Development proposals within or on the periphery of these highly valued landscapes **should not give rise to significant traffic increases and associated effects on tranquillity and enjoyment.**
3. SWDPR06 paragraph 6.2 – Integrated investment in transport infrastructure, services and travel choice information for all modes of transport will be required to accommodate the growth in travel demand without increasing travel times, congestion and costs.
4. SWDPR06 paragraph 6.3 – evidence shows that provision of additional capacity simply unlocks latent demand to travel by car, bringing with it significant negative impacts in terms of worsening congestion, accessibility and environmental/air quality. As such, widespread investment cannot be justified as this will lead to further unsustainable traffic growth. The SWDPR aims to ensure that development improves the effectiveness of the transport network.
5. SWDPR06 paragraph 6.6 – The Worcestershire LTP suggests that investment should be focused on enhancing the performance of existing transport networks, particularly where journey times and costs are increasing, through for example, investment in transport network capacity and reliability ‘pinch points’. There are some **areas in south Worcestershire** where investment in transport infrastructure and services has been insufficient to deal with rising demand, particularly with respect to rail and active travel modes.
6. SWDPR06 paragraph 6.7 – **Traffic congestion and air quality** within urban areas.
7. SWDPR06 paragraph 6.8 – The SWDPR overarching development strategy seeks to focus new development largely within the urban areas and in villages / settlements that have good access to local services, or where services can be enhanced through development (SWDPR 03), in order to minimise the need to travel.
8. SWDPR06 paragraph 6.23 – Developers will be required to demonstrate that they have given **appropriate consideration to the potential impacts of development on a wider and strategic transport network**, including that managed by Worcestershire County Council, National Highways and Network Rail. In particular, the impact on the safe and efficient operation of Junctions 5, 6 and 7 of the M5 and the A46(T) will require detailed consideration as developments come forward during the plan period.
9. SWDPR54 8 v points 1,2,3 and vi (all transport infrastructure). Traffic studies – movement and impact, improving surrounding road junctions.
10. SWDPR54 paragraph 4.4 In practice the overall allocation provides a northern sustainable urban extension to the town of Tewkesbury. The site is bounded by Bredon Road and Tewkesbury Road (B4080), open countryside to the north beyond Hardwick Bank Road, and the urban edge of Tewkesbury which incorporates the Carrant Brook. The services and facilities in the town are accessible via a regular bus service and are located approximately 2km away.

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

The application/appeal made by Mactaggart & Mickel, Pearman and North Tewkesbury Land consortium for 500 dwellings and a school (APP/H1840/W/22/3301732 & 3301742). This was dismissed mostly on Highway grounds regarding the relevance and robustness of the transport assessment and surveys carried out, doubts were cast about the sustainable travel and the consideration of impact of traffic at the junction on Hardwicke Bank Road.

Since the application was made 4 years ago there have been other housing developments and windfall sites that have been built in the Tewkesbury area e.g. Fiddington which the outdated Transport assessment and other traffic surveys did not take into consideration at the time regarding the impact of the road network. The Inspector makes note of this at paragraph 23 of the appeal decision by saying ***‘that much development has already been granted planning permission in the vicinity and a degree of congestion is evident both in visiting the area and from evidence submitted. Whilst the evidence provided is in many respects robust, and demonstrably reasonable, there are a number of areas that cast significant doubt over whether the impact of the developments have been accurately predicted or assessed proportionately but with a precautionary approach in mind’.***

The transport assessment for the application conceded that both the Memorial Roundabout, Black Bear roundabout and Shannon Way junction are over capacity currently with car traffic. The applications’ (now out of date) figures only predicted that there would only be a small increase on these roundabouts and Junctions but it would make the situation worse, particularly in Tewkesbury and Shannon Way. The road network cannot cope at rush hour or when the M5, A38 or A46 has an incident, it puts added pressure on Tewkesbury town centre and the surrounding road infrastructure where traffic backs up on existing roads and there are long queues in and out of Tewkesbury town. This also includes Bredon Village, Northway, Kinsham and Aston-on-Carrant as vehicle users look for alternative routes.

The Traffic distribution plan on the application shows that most traffic routes go through Tewkesbury High Street to get to the M5, A38 etc. This adds more pressure on the town centre and will only get worse if the 1,000 dwellings are included in the plan. **The SWDPR policies above only cover Worcestershire roads and their traffic network.** Tewkesbury/Gloucestershire roads are not covered by the plan but will be affected stated at SWDPR06 paragraph 6.23 and SWDPR54 point B – Though there is the duty to co-operate to help meet housing needs for TBC I see no evidence that the SWDPR has included any details about reducing the **traffic impact on Gloucestershire Roads** including M5 J9, A38 etc. Again, plenty is said about Worcestershire Road networks and Tewkesbury footpaths and cycleways are mentioned at point C iii of SWDPR 54 and the Ashchurch parkway. **No co-operation or collaboration** has been made between Gloucestershire Councils and SWDPR team to work together on these road network issues.

Both Motorway bridges that connect Northway to Tewkesbury are weak and for the last few years both have been limited in the weight of vehicle that can cross. The one nearest Shannon Way is single file traffic only. So, they are not suitable for the increase in traffic and congestion that SWDPR54 will cause!

Because the site accesses come off Bredon Road, all traffic will either have to go through Tewkesbury Town Centre, Northway or Bredon to get to major routes such as M5 J9 of motorway, A38 and A46 all of which are already gridlocked at rush hour.

The WCC LTP requires the following car and cycle parking standards for residential dwellings as a

minimum:

- *1 Bedroom Flat – 1 Car Space, 1 Cycle Space;*
- *2 Bedroom Flat – 2 Car Spaces, 2 Cycle Spaces;*
- *1 bed house – minimum 2 spaces;*
- *2 bed house is a minimum of 2 spaces;*
- *3 bed house is a minimum of 3 spaces;*
- *4 bed house is a minimum of 4 spaces;*
- *Larger units add 0.5 spaces thereafter*

That's an extra 2,000+ cars (based on properties having two cars per household) on the road. This will affect **pollution levels** as Tewkesbury High Street is one of the most polluted streets in the county and the Council found **high levels of Nitrogen Dioxide** so had to designate it an air quality management area. Traffic trying to find alternative routes to Tewkesbury would create rat-runs through Bredon village, Kinsham, Northway and Aston-on-Carrant for traffic heading to the Motorway or to the A46 to Evesham which are already evident. The policy/plan is **not effective** as it would increase pollution in Tewkesbury Town.

There has been a steer towards providing public transport in recent years on applications for housing but nearly all households use cars for longer journeys. Although **oversubscribed** schools are on the doorstep, employment and healthcare are not (people have to travel to reach these facilities and most use cars). That's extra pressure on the roads at rush hour and school time. Stagecoach have also announced **cutbacks to bus routes** in recent weeks because they are no longer viable **questioning whether alternative forms of transport** will actually be available as the plan/policy insists there will be.

Policies SWDPR 09 and SWDPR 54 - Infrastructure

Infrastructure

SWDPR09 paragraph 9.1 - *New development can place additional pressures on existing infrastructure. To **ensure that development is successfully integrated into existing communities** and meets the needs of new residents and businesses, it is important that the appropriate infrastructure is provided and that it is delivered at the right time.*

SWDPR09 paragraph 9.4 - *9.4 For specific infrastructure requirements related to particular sites, reference should be made to the site-specific policies of this Plan, which are SWDPR 51-58. See below:*

SWDPR54 point 2 ix. *Contributions to new or improved infrastructure in accordance with SWDPR 09, referring to the Infrastructure Delivery Plan, including education, transport, sporting and recreational facilities, emergency and healthcare services. (This relates only to phase 2 WDC houses)*

SWDPR54 point F sets out a range of facilities for the Wychavon (phase 2) part of the 1,000 dwellings development including a community hall, sports facilities, community green, park and allotment, LEAP, LAP and NEAP and convenience store space.

SWDPR54 paragraph 4.4 *In practice the overall allocation provides a northern sustainable urban extension to the town of Tewkesbury. The site is bounded by Bredon Road and Tewkesbury Road (B4080), open countryside to the north beyond Hardwick Bank Road, and the urban edge of Tewkesbury which incorporates the Carrant Brook. The services and facilities in the town are accessible via a regular bus service and are located approximately 2km away.*

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

1. **The duty to co-operate** – failure to consult with **neighbouring authorities** on ensuring that facilities for phase 1 in conjunction with the dismissed appeal at Mitton has access to new facilities as stated at SWDPR09 above. Only phase 2 (Wychavon's allocation) gets facilities as stated in SWDPR54 point F and 2 ix above.
2. No thought or details have been put into the phase 1 development at Mitton. It just seems to be an '**add on**' instead of creating a development with modern facilities. There are no new medical facilities or secondary schools mentioned in the plan or in the recently dismissed application for 500 houses.

It currently takes about a month to get an appointment to see a GP. The new healthcare facility in the grounds of the hospital is the new home for three of the existing doctors' surgeries in Tewkesbury and there is one small surgery in Bredon. 1,000 dwellings will put extra pressure on an already struggling public services and infrastructure particularly in Bredon as the facility is for a village. 500 dwellings out of the total of 1,000 (Wychavon's allocation) will need to register with this surgery as it will be in Worcestershire. Assuming that most households have children (e.g., one child two adults) the surgery would be looking at an increase of 1,500 people to deal with. This will also be the same for Tewkesbury's allocation. These services are already overstretched and there were no plans for new facilities.

3. Mitton Manor and Tewkesbury School are currently oversubscribed so how can anyone say in the SWDPR, the transport assessment/travel plan (on application for 500 houses) that these facilities are within walking and cycling distance when there is **no space**? There will be a reliance on using a car to get to schools that can accommodate new pupils. The primary school that was proposed in 20/00008/OUT which was dismissed at appeal would not have been able to accommodate all the children in a 1,000 dwelling development and as no secondary schools are being proposed this would mean more trips by car at peak times.

Policies SWDPR 28 and SWDPR 54 - The Cotswolds National Landscape (NL) and Malvern Hills Area of Outstanding Natural Beauty (AONB)

Setting next to Cotswolds AONB

1. SWDPR28 point D - *Development proposals in the setting of a NL and AONB which could have a **detrimental impact on the NL and AONB and on people's enjoyment of them** will have to submit an assessment of*

landscape and visual effects (100) (including cumulative effects where relevant) and demonstrate, including through siting and design, that any such effects could be rendered acceptable.

2. SWDPR28 paragraph 3.1 - *The Cotswolds National Landscape and Malvern Hills Area of Outstanding Natural Beauty are nationally important landscapes that need to be conserved as indicated in the NPPF (paragraph 176).*
3. SWDPR28 paragraph 3.3 *The nature of the landscape is such that **even small-scale development has the potential to have a negative effect on the special qualities of a NL or AONB, especially where such effects accumulate with those arising from other developments.***
4. SWDPR28 paragraph 3.4 *The Strategic Housing and Employment Land Availability Assessment (SHELAA) demonstrates sufficient potential housing land capacity beyond the NL and AONBs, so it is considered that **there is no overriding justification for large-scale unallocated development in these protected landscapes.***
5. SWDPR28 paragraph 3.5 - *Poorly located or badly designed development can do significant harm to a NL or AONB and to people's enjoyment of it. Views from and to the higher ground of the Cotswolds NL and Malvern Hills AONB have been shown to be highly valued by local people and visitors alike.*
6. SWDPR06 point C – ***Development proposals within or on the periphery of these highly valued landscapes should not give rise to significant traffic increases and associated effects on tranquillity and enjoyment.***
7. SWDPR54 paragraph 4.5 e -*Ensuing that the **most important views to and from Bredon Hill are not adversely impacted by the development.***

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

SWDPR 03 & SWDPR 54 would harm the Cotswolds Area of Outstanding Natural Beauty (AONB). These policies are unsound because they are **not consistent with national policy**. In dismissing the recent Mitton Appeal for 500 houses, the Inspector concluded it was uncertain whether traffic might utilise routes through the neighbouring AONB resulting in unacceptable impacts on tranquillity. 1,000 houses would have a much greater impact and would risk causing severe harm to the AONB contrary to NPPF paragraphs 11, 174 & 176.

The proposal will be seen from Bredon Hill which is also in the AONB. Bredon hill also has protected Landscape status for its high scenic quality. It will also have an impact on the tranquillity of the villages in the AONB as there will be more cars passing through them to avoid traffic congestion on the main roads.

The proposal will be seen from Cleeve Common/Hill. Views of the new proposal from the PROW (GCC Ashchurch footpaths 13 and 20 and WCC footpath 554C are south of the site adjacent to the Industrial Estate near Carrant Brook) have not been taken into account. The new dwellings would spoil the enjoyment of the footpath for walkers as it will form a dominant feature on the landscape.

Policies SWDPR 34 and SWDPR 54 – Management of Flood Risk

Flood risk

1. SWDPR34 point B 2. - *Show that they (the development/s) are safe for their lifetime and consider the vulnerability of users, and B 3. **Demonstrate that they will not have a detrimental impact on flood risk outside of the development and will potentially reduce flood risk overall.***

2. SWDPR34 point C i -xi and D – *Ensuring the development site itself is safe from flooding and ensuring that measures and plans are made to make the site flood resistant.*
3. SWDPR34 (requirements for development) paragraph 2 - *Seek to provide wider betterment by demonstrating what measures can be put in place to contribute to a reduction in flood risk downstream in site-specific Flood Risk Assessments and Surface Water Drainage Strategies.*
4. SWDPR34 (requirements for development) paragraph 4K. - *The LPA will work closely with the Environment Agency and Worcestershire County Council as LLFA to identify areas of land that should be safeguarded for the future use of natural flood management features.*
5. SWDPR34 (reasoned justification) paragraph 3.1 - *It is therefore of paramount importance that the Local Plan sets out robust policies that **provide protection of floodplains from inappropriate development** and which minimise the impacts of future flooding and storm events.*
6. SWDPR34 (reasoned justification) paragraph 3.4 *The area of search for the consideration of **reasonable alternatives** should be discussed with the LPA and will be proportionate to the scale and type of the development being proposed. Ownership of land is not a reason in itself for a site to pass the Sequential Test.*
7. SWDPR34 (reasoned justification) paragraph 3.5 *Site Specific FRAs will be required to be undertaken where evidence, in particular through and informed by the SFRA, **indicates there are records of historic flooding or other sources of flooding**, e.g., due to critical drainage problems (including from ordinary watercourses) and / or a need for more detailed analysis is highlighted or as indicated in the LLFAs Flood Spot Data. FZ 2 and 3 are always as defined by the most up-to-date flood risk mapping.*
8. SWDPR34 (reasoned justification) paragraph 3.6 *In considering vulnerability of development, where development is allowed (none in flood zone 3b (functional floodplain), including extensions and intensification of use and changes of use), **opportunities to relocate development out of the floodplain should be sought**. The only development that can be permitted in Flood Zone 3b is water compatible development and essential infrastructure, subject to the Exception Test - this should be informed by the SFRA and PPG tables 2 and 3(131).*
9. SWDPR34 Cumulative Impact – New Settlements paragraphs 3.10 (a-c) - *how increased flow rates and volumes of water from development sites impact on receiving watercourses, the risk of flooding from all sources and ensuring drainage systems take into account to ensure no flood risk to new properties and that its routed around those properties.*

The Mitton 1,000 dwellings at SWDPR54 is unsound when you compare them with the criteria for the above policies because:

The site earmarked for development is situated within the River Severn flood warning area and the majority of the site will be built within flood zone 1 but most of the southern area (and Carrant Brook which is adjacent to the site) is within flood zones 2 and 3. The soil underneath the proposed site is mainly clay which can shrink or swell and this does not drain too well increasing conditions for flooding.

Flooding in Tewkesbury is a major issue and a regular occurrence (not just the 2007 floods, it happens year upon year). Part of the site is sloped and when we have heavy rainfall, significant runoff goes into the Carrant Brook (**see photo 1**) and the

surrounding area. In particular, the residential properties on Northway Lane, Industrial Estate and southerly properties at Mitton when the Brook overflows and floods. The water has to go somewhere!

The lower part of Northway Lane (near the old car auctions) floods when there is heavy rainfall (**see photos 2 & 2a**) and the whole of the bottom part of Northway Lane and Carrant Road flooded in 2007 and also many years before and after that year making the roads impossible to use. A number of businesses along the Industrial estate were also flooded in 2007 and when the road is unpassable only 4X4s can get through.

It should also be noted that water from the River Avon in Tewkesbury flows back into the Carrant Brook when it floods which can also exacerbate Carrant Brook flooding and creates a lake in the lower field and development site (**see photos 1 & 1a**). This lower field acts as a flood plain but does overflow into the industrial estate.



Photo 1 – Proposed site looking south from Mitton in 2007 – Flooding of lower field and development site, Carrant Brook and the Industrial Estate



Photo 1a – Proposed site looking south from Mitton in November 2019 – Flooding of lower field and development site, Carrant Brook and the Industrial Estate



Photo 2 – View of flooded Northway Lane taken from the bridge of the dismantled railway in 2007



Photo 2a – View of flooded Northway Lane taken from the bridge of the dismantled railway in November 2019

A flood risk assessment (FRA) was carried out for the application for 500 houses at Mitton but it did not give enough information about the **neighbouring area** in Tewkesbury/Gloucester part of the site and the likely impact the flood water runoff would have further downstream, the houses at the bottom of Mitton and the industrial estate.

At the examination of the SWDPR an FRA for the surrounding area should be submitted and **an independent expert Hydrologist should be present** in order to give an unbiased view of the impact of the flood risk to the surrounding area not just the development site.

A lot of emphasis has been put on measures to prevent flooding on the development site itself. This is also the case with the recently dismissed application. The SWDPR policy **states above that they ‘ensure no flood risk to new properties and that its routed around those properties.’** There has been little information in the SWDPR on the surrounding area, the Gloucestershire neighbouring dwellings and industrial estate so the engagement with other statutory bodies and duty to co-operate with neighbouring authorities has not taken place and severe flooding in these other areas cannot be ruled out. This is why an expert independent Hydrologist is needed at the examination to determine whether the Mitton site should be ruled out of the SWDPR on flooding grounds.

SWDP34 states that *where flooding occurs regularly that it should consider other opportunities to **build elsewhere***. Neither the application for 500 houses, JCS, Tewkesbury Borough Council or SWDP have collaborated to consider contingencies such as windfall sites at Ashchurch and development that has come forward in the last 4 years that was not part of the JCS or the Garden town.

For these reasons above the development (SWDPR54) is contrary to the **NPPF, JCS (policies INF2 & SD9), SWDP 34 and Worcestershire Local Flood Risk Management Strategy** which clearly states that any development **should not** increase the flood risk **elsewhere and/or to third parties**. This should be the most critical reason that the site is **unsuitable for development** and not been included in the SWDPR as it will exacerbate the current flood risk to properties in the surrounding area.

Other considerations that are part of the SWDPR

Specific Comments on SWDP Regulation 19 Document Dated November 2022

1. Page 18: The SWDP states supply exceeds the current housing requirement by 2,240 houses 31 March 2041 so there is no requirement for 500 WDC houses or 500 Tewkesbury Borough Council (TBC) houses. The Tewkesbury Joint Core Strategy (JCS) also states supply exceeds the current housing requirement which was before the additional 10,000 houses planned for Tewkesbury Garden Town was factored in.
2. Page 21: Mitton is 'windfall' however it is **not** in an acceptable defined development boundary and should no longer be considered as there are 8 other more favourable sites.

SHELAA - Mitton – Strategic Assessment Document

The 'SHELAA Mitton – Strategic Assessment Document Land Parcels CFS1044, CFS 1044b, CFS1044bsc' is linked from the evidence-based report but has **no** date or document reference. It can be found by following the link below:

[SHELAA Mitton](#)

SHELAA considers 3 land parcels CFS1044 45.657ha, CFS1044b 42.541ha and CFS1044bsc 28.357ha however the Mitton Concept Development only considers two sites for housing development. This leaves open the CFS1044bsc 28.357ha site for further housing development above the 1,000 houses already under consideration in CFS1044 and CFS1044b.

I have already covered a lot of this in the individual policies above. The document makes **too** favourable and **unrealistic** assessment of Mitton as being a Strategic Site for the following reasons:

Major Criteria

1. *Could the site reasonably meet some of Worcester City's / Tewkesbury's housing and employment needs?* Tewkesbury has not correctly established the need for 500 houses as the calculations are in error with Tewkesbury's 5-year housing plan as housing supply exceeds the current housing requirement. Tewkesbury Garden Town of 10,000 houses and recent housing developments have not been considered or included.
2. *Is the site within reasonable walking / cycling distance of an existing or new rail station?* The site is **not** in reasonable walking distance of a railway station. The distance is 4.8Km not 2.8Km as stated. The proposed road network within the development is not sufficiently wide to accommodate a bus. The bus providers are significantly reducing these types of non-economic services as reported in the media.
3. *Is the site prone to fluvial or pluvial flooding? If yes can this be mitigated on site?* It may be correct that 'the majority of the site itself will not be affected by

flooding', however **no** consideration has been given to the impact of flooding on existing houses and businesses over the border in Gloucestershire.

4. *Can the site be provided with safe access onto the public highway? If yes, can the surrounding road network accommodate the additional development?* No. It was **not** demonstrated at appeal that the first 500 homes traffic flow was to the satisfaction of the highway authority. No work has been undertaken to model the traffic flow of 1,000 houses taking into consideration the impact of the Tewkesbury Garden Town housing development of 10,000 houses will have on the road network and especially the medieval town of Tewkesbury and Bredon village.
5. *Are the Sewerage and Water supplies adequate in the area or can it be improved to accommodate the additional development?* Only the impact of 500 homes have been given a cursory assessment, the current sewerage system is **overloaded**. The impact on sewerage of 1,000 homes has not been assessed. The water supply has been assessed as **inadequate** for 1,000 homes.
6. *Is the site in the AONB, or affect the setting of?* Yes. No mitigation is possible. Much of the site and its neighbours will lose the enjoyment of the vista towards the AONB of Bredon Hill and Cleeve Hill in the Cotswolds.

Other Criteria

7. *Would development of the site have a detrimental impact on a Significant Gap?* Yes. The Bredon Neighbourhood Plan identifies the Gap between Bredon's Hardwick and Tewkesbury as being GAP5. This gap will be lost.
8. *Can the existing education provision accommodate the increased need arising from the development? If no, can further provision be provided to meet the need?* Tewkesbury school has only suggested that they can accommodate students from 500 homes. No consideration has been given to the effect 1,000 new dwellings would have and whether the students could be accommodated. It does not adequately show the non-sustainable travel arrangements needed for the journey of these students to schools which are many miles away from the development.
9. *Would development of the site result in an adverse impact on local health provision? If yes, can it be mitigated against?* Yes. No appropriate solution has been considered regarding the current health provision for Tewkesbury and Bredon which is woefully inadequate with appointment times now exceeding 4 weeks.
10. *Would development of the site assist in delivering / supporting identified community infrastructure needs e.g. in Neighbourhood Plan?* **No**. Community infrastructure will not be provided under Phase 1 of the Mitton scheme. Phase 1&2 will not serve the community Bredon have identified in its Neighbourhood Plan as Mitton was never included in that plan.

Outcome

11. *Ruled in or out of SHELAA?* The site should be ruled **OUT** of SHELAA.
12. *Should the site be carried forward for potential allocation in the SWDPR?* **NO**. There is no justification to carry this site forward within the SWDPR.
13. *Summary?* Should read 'The site at Mitton should be considered **inappropriate** for a strategic site as there is no requirement for 500 dwellings for TBC or WDC as calculated in their housing plans as both housing supply plans exceed the current housing requirement. Green and Blue infrastructure will not be improved with this scheme and there is little evidence provided to

suggest it should be in the SWDPR. The site is not within proximity to a railway station other than access by car. Tewkesbury does not have sufficient community facilities to support this development at Mitton. The site was originally rejected by the JCS and has only been included in the 'Duty of Care' due to pressure from the Developers and JCS examination.

Conclusion

The Mitton proposed 1,000 dwellings:

- There is **no longer** a shortfall of housing in Tewkesbury with many other developments such as the garden town and other housing developments nearby that have been approved recently or already being built. This is also the case in Worcestershire as they no longer have a shortfall. This development is no longer needed.
- **Will** increase flooding in Mitton, residents on Northway Lane and the Industrial Estate and is **contrary** to the NPPF, JCS (policies INF2 & SD9), SWDP 28 and Worcestershire Local Flood Risk Management Strategy.
- **Will** increase traffic in and around Tewkesbury, Mitton, Northway and Bredon area on already congested roads and weak bridges.
- **Will** put extra strain on Tewkesbury healthcare, education and its infrastructure.
- **Is contrary** to Bredon Neighbourhood Development Plan.
- **Will** create a loss of open countryside with unnecessary infill between Mitton, Bredon's Hardwick and Northway.
- Gives **no** monetary or any other benefit for Tewkesbury tax payers except extra pressure on an already crumbling infrastructure.
- **Will** set a precedent and open the doors for adjacent housing proposals.
- **Will** create more traffic pollution in and around Tewkesbury.
- Are **not** allocated sites in the JCS or the Bredon Neighbourhood Plan.
- **Will** create a dominant feature and spoil the enjoyment of walkers and visitors on the Ashchurch PROW, Bredon Hill and Cotswolds AONB.
- **Does not** show a duty to co-operate or having worked with neighbouring authorities except in terms of Tewkesbury having 500 dwellings. There is little detail in the policies showing how they will protect Tewkesbury road network, facilities, infrastructure and education. Only Worcestershire part of the plan has that level of detail.

And lastly:

- The appeal for 500 dwellings was recently dismissed by the Inspector so why is this under consideration for inclusion into the SWDPR when it's been ruled out?

It is Unsound to include 1,000 dwellings at Mitton SWDPR 54 in the Southwest Worcestershire Development Plan for all of the above reasons given in this document