

Respondent ID:

Black Box Planning on behalf of:

- **The Twigworth Farm Partnership (TWIG014 - Chestnut Tree Farm, Twigworth)**
- **Edward Ware Homes (ALD010 - last west of Willow Bank Road, Alderton)**
- **Redrow Homes (ASHC022 - land at Walton Cardiff, Tewkesbury)**
- **Edenstone Homes (Elms Farm, Minsterworth, plan at Appendix 1)**

Note: Omission site reference numbers in accordance with EB015c

Hearing Statement

Matter 2: Overall housing provision in the TBP

1. This statement has been submitted to supplement representations made by Black Box Planning to the Regulation 18 and Regulation 19 consultation stages of the local plan preparation. It does not restate the matters which have already been presented in those representations but does amplify some of the issues with specific reference to the Inspector's List of Matters, Issues and Questions (16 December 2020). This statement also has regard to the Inspector's guidance note regarding the scope and purpose of the TBP examination.
2. In respect of question 2.1, the scope for allocations in the TBP should be considered in the context that the immediate review of the JCS has failed to materialise to any meaningful stage, and there can be little confidence regarding the completion of the JCS review within the next 2 -3 years, with the adopted JCS having taken 9 years in preparation to reach adoption. With this in mind, the TBP is artificially constrained by only considering non-strategic sites. In doing so, it fails to provide a positively prepared framework to respond to local derived housing need. Within the parameters of the established shortfall and lack of a 5-year housing land supply, the TBP should afford itself a degree of flexibility to proactively address the faltering nature of the development plan as whole.
3. In respect of question 2.2, the TBP fails to make an appropriate contribution towards meeting the housing needs of Tewkesbury Borough over the plan period, as set out in the adopted JCS. It is unsound on this basis as it has not been positively prepared, and it is not therefore consistent with national policy.
4. Paragraph 15 of the Framework states:

“The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area, a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings.”

5. In addition, paragraph 33 of the Framework states local plan reviews ‘*should take into account changing circumstances affecting the area*’.
6. In this case, the failure of the adopted JCS to identify for the full plan period requirement and moreover the lack of progress with the necessary immediate review of the JCS, presents a set of circumstances whereby the TBP should be seized as an opportunity to allocate further sites, of a variety of scales, above and beyond the minimum residual requirement of the adopted JCS. In doing so, there are two sensible and clear benefits to the development plan.
7. First, the TBP will provide an immediate boost to housing delivery through additional allocations while the JCS strategic allocations, which are yet to deliver, await to be unlocked by major infrastructure provision. The TBP can therefore recover some ground lost by the adopted JCS and if positively prepared and aspirational in accordance with paragraph 16 of the Framework, it can go a long way to providing some stability to the housing land supply position in the Borough.
8. Second, a positively prepared plan would ensure that the TBP does not have a curtailed shelf-life. In otherwords, the TBP risks being out of date and in need of an immediate review as a result of the forthcoming JCS review. In this context, the TBP should not simply plan for the residual adopted JCS requirement but adopt a much more positive approach to boost the delivery of homes and therefore to ensure a plan-led system in both the short-term whilst the JCS review is forthcoming, and thereafter in the longer-term meaning the TLP will only require a partial review to align with the new JCS. In otherwords, the TBP should be capable of enduring beyond the JCS review to ensure the Tewkesbury Borough remains plan-led with overlapping development plan reviews. As currently prepared, the TBP and JCS, as the Development Plan, does not meet the development needs of the area. It is an unsound approach to plan making but is easily remedied.
9. There are sufficient deliverable sites in the Borough to do so through this TBP without requiring a substantive green belt review. For example, land at Walton Cardiff is controlled by Redrow Homes and provides a sustainable and deliverable development opportunity on a larger scale, which should be looked at in combination with smaller sustainable and deliverable sites, such as land at Minsterworth controlled by Edenstone Homes, land at Alderton controlled by Edward Ware, and land at

Twigworth being actively promoted by the landowners. All of these sites can help with short-term housing delivery in the Borough.

10. Paragraph 16 of the Framework states plans should be 'aspirational'. Paragraph 33 of the Framework sets out that reviews should take place 'at least' once every five years including strategic policies. It is apparent at this stage, that the JCS review will not be complete within the minimum 5-year requirement. The TBP should therefore be utilised to bridge the shortfall and significantly boost delivery to ensure 5-year housing land supply can be demonstrated and maintained by providing additional allocations above and beyond the residual requirement of the JCS.
11. It is also prudent to recall that JCS Policy SP2 set the requirement of 'at least' 7,445 new homes for Tewkesbury borough, the emphasis therefore being that the JCS requirement for Tewkesbury borough was a minimum. With the benefit of hindsight, the JCS strategic allocations have failed to match their assumed trajectories, and the policies relating to housing development are now assessed to be out of date¹ due to the housing land supply shortfall. Tewkesbury Borough's housing land supply position has also been volatile for several years with a chequered history of housing land supply appeal cases. Lessons should be learned from these experiences, pointing to the conclusion that the TBP as drafted does not make the required contribution to meet Tewkesbury Borough's housing needs and the overall housing provision is not positively prepared.
12. As highlighted above with reference to the clients represented by Black Box Planning, there are numerous omission sites in the Borough which are both sustainably located, available and deliverable. Such an opportunity should not be deferred to the JCS review and subsequent local plan review. To do so, would be a recipe for continued volatility in housing delivery and fail to provide a robust plan-led system capable of enduring the intended plan period.
13. In respect of question 2.4, clarification is required in respect of the Council's assessment of Twigworth. Our Pre-submission Representations highlighted a number of concerns and inconsistencies with the Council's assessment and placement of Twigworth within the settlement hierarchy. On the basis of the settlement audit², Twigworth is a service village and a sustainable location for growth as a matter of principle. To expand upon the points of concern raised in our previous representations, the HBP³ confirms at paragraphs 4.5 and 4.16 that the proximity of settlements to the principal urban areas of Gloucester and Cheltenham is an important factor in determining appropriate villages for development growth. There

¹ See recent appeal decision at Ashmead Drive, Gotherington (APP/G1630/W/20/3256319)

² EB011a – JCS Settlement Audit 2017.

³ EB013 – Housing Background Paper October 2019

appears therefore to be inconsistencies in the settlement audit which need to be addressed to ensure the TBP evidence base is sound.

14. In respect of question 2.5, the methodology used for identifying housing sites as set out in the HBP is flawed in respect of how Green Belt is treated. Paragraph 5.13 of the HBP states;

“Where the Green Belt is identified as being a constraint to development consideration has been given to the site’s contribution to Green Belt purposes as set out at paragraph 134 of the NPPF. The Council’s Part 2 (partial) Green Belt review (2017) is the key evidence base document for this matter and identifies the potential degree of harm that could result if a site were to be removed from the Green Belt. Sites located within the Green Belt are only considered to be suitable for allocation where the Council is satisfied that the level of harm would be acceptable and that exceptional circumstances exist (as required by paragraphs 136 and 137 of the NPPF).”

15. The Council’s methodology only considers Green Belt release on the basis of the land’s contribution to the Green Belt function to conclude exceptional circumstances. The Council has failed to discharge paragraph 137 of the Framework where it states;

*“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority **should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development”.***

16. Paragraphs 12.4 through to 12.9 of the HBP seek to justify Green Belt release at Shurdington and Woodmancote. The emphasis is that they are service villages, despite paragraph 12.5 confirming that there are other sites outside the green belt which could meet the identified housing need. In addition to Toddington, Coombe Hill and Woodmancote as mentioned in paragraph 12.5 of HBP, there are deliverable sites at Alderton, Twigworth, Minsterworth and Walton Cardiff which could be allocated as sequentially preferable to Green Belt release. As such, the TBP is unsound on this basis as there is no requirement for Green Belt release in this local plan, exceptional circumstances have not been met and the authority has not examined fully all other reasonable non-Green Belt options.

17. In respect of question 2.7, it is considered that the TBP is not positively prepared and should go further by making additional allocations to boost housing supply and delivery, and thereby helping to address the shortfall rather than deferring the matter in its entirety to the JCS review. History demonstrates that plan-making is not a particularly swift exercise for the JCS authorities, and therefore the TBP should be

positively prepared by going above and beyond the minimal requirement, including in and around Tewkesbury Town.

18. Having regard to question 2.9, again the plan is considered unsound as it is not positively prepared. There is scope for additional allocations across service villages without the necessity for development in the GB.
19. In respect of the question 2.11, history demonstrates that there can be no confidence for the Council's 5-year housing land supply position. The only remedy to establish confidence in this regard is to proactively and positively plan growth with additional allocations to help bridge the period until the eventual JCS review.