



MATTER 2 EXAMINATION STATEMENT

CLAREMONT PLANNING ON BEHALF OF

EUROPEAN PROPERTY VENTURES
(GLOUCESTERSHIRE) LTD

OVERALL HOUSING IN THE TBP



This Statement for Matter 2 – Overall Housing Provision in the TBP will seek to address the Inspector’s Questions identified below:

Issue: Whether the TBP provides for the quantity and distribution of housing required by the strategic policies of the JCS.

- 2.1 What distinguishes non-strategic housing sites within the remit of the TBP from strategic sites within the remit of the JCS? What is the current anticipated timescale for preparation of the JCS review?
- 2.2 Given the provisions of the JCS, the current JCS review, and the subsidiary role of the TBP to allocate non-strategic sites, does the TBP make the required contribution towards meeting the housing needs of Tewkesbury borough over the plan period 2011-31? Will the remaining shortfall be provided through the JCS review, or in other ways, in the necessary timescale, and if not, is this a matter for the TBP?
- 2.4 The JCS states (on page 26) that the 2015 Settlement Audit will be refreshed prior to submission of the TBP. Has this been done, and if so what are the results of the refresh and would any changes to the settlement hierarchy be justified?
- 2.5 Is the methodology used for identifying housing sites in the TBP, as described in the Housing Background Paper (HBP), appropriate? (This is not an opportunity to discuss the merits of individual allocations which will be considered under Matter 3).
- 2.9 The JCS provides for about 880 dwellings at the Service Villages. Under Policy RES1, ten sites are allocated at six of these villages. As at April 2020, taking these allocations, existing commitments and completions into account, the TBP would provide for 1,088 dwellings, some 208 above the JCS figure. In this light, is the overall housing provision in the TBP for the Service Villages justified, consistent with the JCS and has the plan been positively prepared in this respect?
- 2.11 On adoption of the TBP and in advance of the JCS review, would there be a satisfactory five-year housing land supply position and if so, for how long? What are the implications of any shortfall and how far, if at all, is this a matter for the TBP?



Matter 2 – Overall Housing Provision in the TBP

1. Introduction

- 1.1 Claremont Planning Consultancy Ltd (Claremont Planning) previously provided responses to the Council's emerging Local Plan on behalf of European Property Ventures Gloucestershire Ltd (EPV). The representations were in respect of the Council's approach to allocations for housing, raising concerns that the Council had not allocated sufficient sites in the emerging Local Plan to appropriately deal with housing needs. In particular, they emphasised the potential to allocate additional sites at Shurdington including the site promoted by EPV, as suitable, available and deliverable to meet Tewkesbury's housing needs.

2. Joint Core Strategy Review (Q2.1)

- 2.1 According to the latest Tewkesbury Borough Council Local Development Scheme, the estimated timetable for the Review of the Joint Core Strategy is as follows:

- Preferred Options Consultation – Summer 2021
- Pre-Submission Consultation – Winter 2022
- Submission – Spring 2023
- Examination – Summer 2023
- Adoption – Winter 2023

- 2.2 The timescales set out in the 2021 LDS are ambitious and optimistic, and even if the Council's are able to work together constructively to achieve the submission as currently programmed, it is considered highly likely that the examination process itself will not be completed within the timescales set out. For context, the current version of the Joint Core Strategy was submitted for examination in November 2014, however, did not proceed to adoption until December 2017. Whilst it is hoped that the review of the JCS would not face such a protracted examination process, this cannot be ruled out. Where Development Plan Documents cover multiple authority areas, it is well documented that the process can be more complex and thus take longer to be completed than would otherwise be the case.

3. Meeting Tewkesbury's Housing Needs (Q2.2)

- 3.1 The adopted version of the Joint Core Strategy established a significant shortfall in terms of housing delivery in the Borough of Tewkesbury of approximately 2,450 dwellings. It was suggested that there may be opportunities to deliver some of this development at Ashchurch if infrastructure constraints could be overcome, as well as the potential for development to be accommodated at Fiddington. However, neither site could be allocated in the adopted version of the JCS because of uncertainties regarding delivery, and as a result the Council are reliant on the emerging TBP and JCS review to meet the shortfall. The JCS identified in Policy REV1 that the shortfall in Tewkesbury would be dealt with



through a partial review of housing supply, that would commence immediately upon adoption of the JCS, with the review to cover the allocation of sites to help meet the shortfall against the JCS requirement for the authority. Projections of housing delivery contained within the JCS confirm that the impact of the shortfall was not expected to affect delivery in the Borough until 2024/25.

- 3.2 Despite the requirement in the JCS to undertake an immediate review of the Plan to address the shortfall, the timescales set out in the January 2021 LDS establish that the Council do not expect the review of the JCS to be completed for at least 2 years. This will result in a delay of at least 6 years from the adoption of the JCS to the earliest likely day for adopting the JCS review, and there clearly remains a significant risk that the JCS review will not be adopted in time to deal with the shortfall by 2024/25 when housing delivery is anticipated to be negatively impacted by the shortfall. Furthermore, the JCS review will be focusing on larger, strategic sites, which are well documented to have long lead-in times that delay first completions for several years in many cases.
- 3.3 As such, it is considered that the emerging TBP should be seeking to allocate additional sites in the interim that will help the Council to maintain a deliverable supply of housing sites, in accordance with the requirements set out in the National Planning Policy Framework (Framework). Whilst the JCS review may identify additional strategic allocations, the delays associated with such developments mean that these sites are unlikely to contribute towards meeting the Borough's housing needs during this plan period and as such will not address the shortfall. The Council should therefore consider including additional sites in the emerging TBP, which should include the land promoted by EPV at Badgeworth Lane, Shurdington, as a deliverable site in a sustainable location that should be allocated for housing in the emerging TBP to help contribute towards meeting Tewkesbury's housing needs in the remaining 10 years of this plan period.

4. Settlement Hierarchy (Q2.4)

- 4.1 A settlement audit has been undertaken periodically by the JCS authorities in respect of the rural settlements located in the three authority areas in order to inform the Joint Core Strategy as well as the preparation of the TBP. Originally undertaken in 2010/11, updates were undertaken in 2013 and 2015 with the most recent assessment prepared in 2017. Despite the delay between this audit and the submission of the TBP in May 2020, no further updates have been undertaken in respect of the settlement audit.
- 4.2 With regards to the settlement hierarchy the 2017 Audit ranking appears to broadly reflect the tiers used in the JCS Settlement Hierarchy. All of the service villages are in the top half of the settlements assessed in the 2017 audit, reflecting the relatively good level of services at each of these settlements in comparison to other rural villages that do not benefit from the same level of services and facilities.



Settlement Hierarchy Table:

Settlement Tier in JCS	Settlement	Rank in 2017 Audit
Key Urban Areas	Cheltenham	N/A
	Gloucester	N/A
Market Town	Tewkesbury	1
Rural Service Centre	Bishop's Cleeve	2
	Winchcombe	3
Service Villages	Alderton	20
	Coombe Hill	22
	Gotherington	16
	Highnam	7
	Maisemore	16
	Minsterworth	22
	Norton	29
	Shurdington	12
	Stoke Orchard	10
	Toddington	25
	Twyning	12
	Woodmancote	10

- 4.3 The settlement audit undertaken in 2017 confirms the status of Shurdington in particular, as a middle order settlement that is more sustainable than other rural settlements that are not identified in the hierarchy provided in the JCS. This ranking reflects that the village benefits from a range of services, including a primary school, village social centre, a number of pubs, shops and various local employers including car services, commercial (offices) and horticultural centres, which combined will meet most immediate day to day needs of the village's its residents. These services and facilities are also supported by robust public transport links that the village benefits from by way of a bus service departing from bus stops within 50m of the site, every 10 minutes towards Cheltenham and Gloucester. Given the sustainability of Shurdington it is considered that the emerging TBP should have sought to allocate further residential development in order to allow further expansion to support the village's services and facilities and ensure that growth in the Borough is located at the most sustainable settlements.



5. Methodology for Identifying Housing Sites (Q2.5)

- 5.1 The Housing Background Paper is not considered to provide enough information to fully understand how the Council undertook the site selection process, what information was used, and how the scores given to each site were used. Whilst it is understood that it has been an ongoing process during the preparation of the Plan, the report does not make it clear how or when each stage happened, and how other parts of the Council's evidence base, namely the 2017 Green Belt review were taken into consideration.
- 5.2 It is therefore difficult to assess whether the site selection methodology for the TBP was appropriate, because it is unclear whether the Council assessed sites on an equal basis. The report fails to robustly justify the sites that were selected and allocated through the emerging TBP and why some sites were allocated whilst others were not.
- 5.3 In respect of the land promoted by EPV at Badgeworth Lane, Shurdington, the conclusions of the site assessment process appear to suggest that the conclusions of the Green Belt review should be awaited prior to determining whether or not the site is suitable for allocation. However, it appears that the Green Belt review undertaken in respect of the emerging TBP preceded the final decision-making process to inform the site selection for the Pre-Submission version of the Plan. Whilst the site may have been discounted for other reasons, the justification for this should have been made explicitly clear through the report.

6. Housing Provision at Service Villages (Q2.9)

- 6.1 The JCS provides approximate figures for housing delivery in each of the JCS authority areas for the plan period up to 2031. In relation to the Borough of Tewkesbury, the JCS established that 9,899 homes should be delivered across the plan period, whilst the JCS confirms that 'in the order of 880 dwellings' are to be delivered at settlements that were within the Service Villages tier of the settlement hierarchy as defined by Policy SP2c. It did not specifically seek to define how many dwellings were to be delivered at each Service Village, or how many were to be delivered at the Service Villages within the Borough of Tewkesbury when compared to Service Villages located within other authority areas. The supporting text in the JCS confirms that the distribution of development has been identified in order to ensure that the main settlements of Gloucester and Cheltenham remain the primary focus for growth, with Tewkesbury, Bishop's Cleeve and Winchcombe identified as suitable for some growth whilst service villages will also receive some growth in order to ensure existing services at these settlements remain viable.
- 6.2 The JCS was adopted despite a failure to fully identify the sources of housing supply that would enable the Borough of Tewkesbury to meet its housing needs fully. This resulted in a shortfall of 2,450 dwellings, that was to be met through an immediate review of the JCS. Despite the commitment by the Council to do this, as set out in Policy REV1, as set out in the Response to Q2.1 above, the Council anticipates that the JCS review will not be adopted until the end of 2023 at the earliest, over six years after the adoption of the JCS. Given the Council's challenges regarding housing supply, it is considered that the Council should be utilising the opportunity presented through the emerging TBP to seek to meet some of this shortfall. This is likely to result in higher numbers of dwellings being delivered at settlements included in the Service Villages tier of the hierarchy, as the additional



development is distributed around the Borough, thereby justifying departure from those approximate figures identified in the JCS.

6.3 The Plan as currently prepared however, does not seek to fully address the shortfall, therefore arguably is not positively prepared as further developments could have been allocated to Service Villages such as Shurdington. This would help to ensure that the Borough's housing needs are met in full within the plan period, rather than delaying the issue until the culmination of the JCS review which is unlikely to be adopted until the last quarter of the plan period. This delayed adoption of the review will make it challenging for additional housing sites allocated through the review to begin delivering housing to contribute towards this plan period. This is particularly the case given the strategic nature of sites that are to be allocated through the JCS review, and the delays in delivering development on such sites that will likely mean that any sites allocated through the review are unable to contribute to meeting the Borough's housing needs shortfall within this plan period.

6.4 It is therefore concluded that it is justified for the emerging TBP to allocate greater numbers of dwellings at Service Villages, given the shortfall resulting from the adopted JCS and the delays in preparing the JCS review. The emerging TBP should include additional allocations including land promoted by EPV at Badgeworth lane, Shurdington, in order to ensure that the Council can rely on a robust housing land supply that will fully address the Borough's housing needs to the end of the plan period. This will ensure that the emerging TBP appropriately addresses housing needs of the Borough and sound in that it is therefore positively prepared and consistent with national policy.

7. **Five Year Housing Land Supply Position (Q2.11)**

7.1 Appendix 4 to document EXAM001B provides Council's Housing Land Supply Position Statement as of December 2020. This includes calculations both excluding and including the emerging allocations in the TBP. In addition, the Council has published a document providing its current Five Year Housing Land Supply Position as of January 2021, which is provided as Appendix 3 to EXAM001B.

7.2 Without the emerging allocations, in the December 2020 Position Statement the Council acknowledge that it is unable to demonstrate a five year supply, with the calculation suggesting a position in the region of 4.35 years. Once the emerging allocations are taken into consideration however, the Council suggest that the supply calculation will be in the region of 7.27 years, in both cases including a 5% buffer.

7.3 However, the Council has wrongly sought to reduce the requirement used in both calculations, by deducting previous surplus housing delivery achieved during the preceding years of the plan period, thereby inflating the results of both calculations. It has sought to justify this in the Jan 2021 5YLS, stating that *"to ensure that this advanced delivery of housing is taken into account, the approach of the Council is to use this past supply to discount from the subsequent five year requirement"*. This approach is unusual, and does not accord with the Government's objective to significantly boost housing delivery as set out in the Framework, as it is suggesting that because of previous high



performance in terms of housing delivery, the Council should be absolved of its responsibilities to continue to deliver housing going forward.

- 7.4 This issue has been considered through a recent Section 78 appeal, in respect of Land off Ashmead Drive, Gotherington, with the decision published in January 2021¹. The Inspector eloquently describes the relevant guidance in the PPG and the Framework, confirming that no allowance is provided in policy or guidance for subtracting additional supply from the annual requirement. The Inspector referred to the Framework's definition of deliverable which provides that sites must be available now, offer a suitable location for development and be achievable with a realistic prospect that housing will be delivered within five years, and clearly housing that has already been delivered cannot possibly meet the definition. This reflected the conclusions of a previous appeal² published in December 2018 in respect of land south of Oakridge, Highnam, where both an Inspector and the Secretary of State similarly concluded that as the Framework requires authorities to demonstrate a 'minimum' of five years supply, this should not be reduced by over-supply, thereby concluding the authority was unable to demonstrate a five year supply of housing.
- 7.5 The conclusions of both Inspectors reflect the thrust of national policy which is to boost housing delivery, and as no specific provision is made in the guidance to reduce housing requirements due to previous surpluses in delivering housing, it is not considered appropriate for the Council to seek to reduce its requirement in this way. As such, the starting point for the Council's housing land supply calculations in terms of both with and without emerging allocations should be meeting the housing requirement in full, and with the addition of the 5% buffer as required by the Framework. This would result in a requirement of 2,599 (495 dwellings per year, multiplied by 5 years, plus 5% buffer) compared to the Council's current housing requirement figure of 1,419 utilised in the calculations provided as appendices to EXAM001B.
- 7.6 The implications of this for the Council are the clear shortfall in terms of housing supply, with the Council's expectations in terms of deliverable supply including emerging allocations, of just 2,063 dwellings, which would represent just 79% of the actual housing requirement, or 3.96 years supply. This confirms that despite the proposed allocations in the emerging TBP, the Council will still not be able to demonstrate a five year housing land supply, even if all of the allocations in the emerging TBP are found sound and allocated as currently proposed. In order to be found sound, the Council must seek to allocate more sites than those which are currently proposed, in order to ensure that following adoption of the Plan, the housing land supply position is robust and defensible. This plan should present a change in housing delivery to boost delivery, unlike the Council's experience in recent years which has left it open to challenge through speculative applications due to the significant shortfall demonstrated in a number of cases.
- 7.7 It is also noted that the Council is seeking to rely on the JCS housing requirement, despite this requirement being based on evidence prepared to support a Plan that was submitted for Examination in 2014, and adopted in 2017. Since that time, the Framework has been updated to include a requirement for authorities to use the standard method for calculating housing requirements, unless exceptional circumstances justify an alternative approach,

¹ Appeal Reference APP/G1630/W/20/3256319

² Appeal Reference APP/G1630/W/17/3184272



set out in Paragraph 60. The standard method housing requirement for Tewkesbury is 564 dwellings per year, whilst not a significant increase from the JCS requirement, utilising this figure would result in further reduction to the Council's deliverable housing supply, reducing the figure to approximately 3.48 years supply. The implications of this outdated evidence and deficient housing requirement are demonstrated through the recent appeal decision and the historic housing under delivery across the borough.

- 7.8 Furthermore, the Council should recognise that it is not appropriate to delay dealing with its housing supply shortfall until the JCS review, as this will not provide the opportunity to address it fully within the current plan period. Even if the Council is able to meet its ambitious targets and achieve adoption of the emerging JCS review by winter 2023, the strategic nature of sites to be allocated will make it challenging to ensure that delivery is achieved within the timescales required. This could likely result in further housing land supply deficits, as the emerging allocations are generally forecast to deliver housing in the earlier years of the plan period, with only one allocation predicted to be delivering housing for the last three years of the plan period. It is therefore considered in order for the emerging TBP to be found sound and represent a strategy that is positively prepared and consistent with national policy, the Council must seek to allocate additional sites. This should include land promoted by EPV at Shurdington, as it is located adjacent to one of the more sustainable settlements in the Borough this site would represent an opportunity to secure additional housing delivery in the short term to meet the Borough's needs.

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