



## **Tewkesbury Borough Local Plan Examination**

### **Hearing Statement**

#### **Matter 2: Overall Housing Provision in the Tewkesbury Borough Plan**

Statement prepared on behalf of Persimmon Homes

#### **Introduction**

1. This Hearing Statement has been prepared on behalf of Persimmon Homes who have land interests throughout the Borough. LRM appeared extensively at the Examination of the Joint Core Strategy on behalf of Persimmon Homes and others including Sessions in relation to Spatial Strategy and Housing Provision.

#### **Question 2.1**

2. *Strategic and Non-Strategic Sites:* As the Council explain in EXAM001A the JCS drew a distinction between “strategic sites” that it sought to allocate and “non-strategic sites” that were to be identified in the respective and subsequent Local Plans on the basis of a threshold of 500 dwellings.

3. This was based in advice from ATLAS, which the Council has appended to EXAM001A, but in simple terms this threshold distinguished between large sites that could serve a strategic purpose and smaller sites which were locally significant. Examination of the seven strategic sites in the JCS reveal that these are mixed-use sites that generally deliver new housing, employment land and associated community infrastructure (retail, education etc) and transport infrastructure such as park and ride or highway improvements. In these terms they are sites that contribute variously to the area’s development needs.

4. Paragraph 3.1.17 of the JCS identifies that, whilst the JCS provides the strategic-level part of the development plan, there is a significant role for delivery at the non-strategic level through both the district and neighbourhood plans. It follows that the subsequent Local Plans are expected to allocate non-strategic sites and that this could be for sites of up to 500 new homes.

5. *Joint Core Strategy Review:* In finding the JCS Sound, the Inspector acknowledged that it would need to be the subject of an immediate review. In relation to Tewkesbury specifically, the Inspector frames this at paragraph 83 of the Report: *“Tewkesbury has not had sufficient time to respond to the significant changes to its housing land supply resulting from MOD Ashchurch. Consequently, I consider that, rather than prolonging the JCS examination further, an immediate review of Tewkesbury’s supply should take place upon adoption of this Plan to explore additional possibilities (see monitoring and review). This review should be informed by masterplanning of the Ashchurch area, part of which would assess*



*housing delivery options including an access and transport strategy. This review has already started and consultants were commissioned in June 2017."*

6. Policy REV1 of the JCS gives effect to this position, requiring a Local Development Scheme to be prepared immediately on adoption of the JCS and for this to include a timescale for its completion. This review was required to cover the allocation of sites to help meet any shortfall in housing supply against the JCS housing requirements for the respective authorities.

7. As EXAM001A refers to, the JCS Authorities published an Issues and Options consultation in late 2018. In the two years since then, no material progress has been made in respect of this Review, a fact readily apparent from the explanation given in EXAM001A which does not refer to any associated timescale with a Regulation 18 consultation document or any later stage of plan preparation.

8. What is evident however is that the Councils, who argued strongly in favour of the review process in order to enable the JCS to be found sound, and undertook to prepare the review with the necessary degree of alacrity to ensure the overall housing requirement could be met by 2031, simply have not taken this forward with the importance it deserved.

9. The October 2020 JCS Review Report (appended to EXAM001A) reveals that no completions have been achieved on any of the JCS strategic allocation across the three JCS authorities. Key Sites, such as North West Cheltenham and West Cheltenham do not yet have planning permission. Self-evidently, this fact, coupled with the absence of any meaningful progress with the Review clearly illustrates the unlikely prospect that the JCS's housing requirement will be met in its plan period.

## **Question 2.2**

10. *The required contribution towards meeting housing needs of Tewkesbury Borough over the plan period 2011-31.* Policy SP1 of the JCS defines Tewkesbury Borough's housing requirement as "at least 9,899" new homes over the plan period 2011-2031.

11. Table SP1a of the JCS identifies the demographic housing need for each of the constituent local authority areas and Tewkesbury's figure is 8,640. Added to the demographic base at that time were allowances to take account of economic growth and a "policy up lift" was added as shown in Tables SP1b and SP1c; the latter giving the requirement in Policy SP1.

12. The housing requirement in Policy SP1 equates to an annual average requirement of 495 new homes per annum over the plan period.

13. In December 2020, the Government announced its revision to the Standard Method which had been the subject of consultation earlier in the year. This indicates the indicative local housing need for Tewkesbury to be 564 dwellings per annum. This is material to considering whether the Local Plan meets the housing need of Tewkesbury Borough. Indeed, given that the JCS requirement is expressed



as “at least”, the level of housing need indicated by the Standard Method is germane to understanding how “at least” should be interpreted. Or put another way, as a matter of principle, the Tewkesbury Plan can and should meet this higher level of housing need and still accord with Policy SP1.

14. Table 1 of Appendix 4 to EXAM001B indicates that expected number of completions over the plan period in Tewkesbury. By 2031, there is expected to be a shortfall of 530. On this basis, the Local Plan does not achieve the “at least 9,899” required by Policy SP1. Moreover, the shortfall is even greater if the Standard Method is taken into account between 2021 and 2031; the estimated supply equates to 3,179 dwellings compared to a requirement over that 10 year period of 5,640 dwellings. This is more than an inconsequential shortfall and illustrates plainly that the Tewkesbury Borough Plan is not making a sufficient contribution to meeting local housing needs.

15. It is important to recognise that the calculation that the Standard Method employs takes account of past levels of housing through the affordability adjustment, in effect, the affordability ratio is in part a proxy for what might be higher or lower levels of housebuilding in previous years. In this regard, past completions in Tewkesbury, which are acknowledged to have been higher than the Standard Method’s 564, does not ameliorate the shortfall that arises over the remaining years when considered in these terms.

16. Given the apparent malaise with which the Councils have approached the Review of the JCS hitherto, no certainty whatsoever could be given to the notion that that process will yield additional housing land to enable the uplift in housing completions to achieve the housing requirement.

17. In addition, we are aware that the County Council are seeking education contributions from new development that are significantly in excess of assumptions made at the time the JCS was being prepared and the viability assessments that were conducted at that time. This draws into question the extent to which the viability of the proposed allocations in the pre-submission Local Plan have been assessed on this occasion and the potential that they will not yield the housing completions required.

18. It would fall therefore to this Local Plan to put in place additional land allocations to address and meet Tewkesbury’s identified level of housing need.

### **Question 2.3**

19. *Mitton:* Barratt David Wilson and Mactaggart and Mickel submitted an outline planning application for development at Mitton in April 2018. As EXAM100A indicates it has yet to be determined.

20. At the time of written it is instructive to note that the planning file records that the application is subject to a holding direction from Highways England preventing its determination. Similarly, there are objections from amongst others Worcestershire County Council as Local Education Authority and



Local Highway Authority, Gloucestershire County Council as the adjoining Local Highway Authority. It is also instructive that the planning file does not record any activity since January 2020.

21. It would appear, at least from the information that is publicly accessible, and noting that there is little explanation of the current position with the application in EXAM100A, that there is no imminent prospect of planning permission being granted for this development.

#### **Question 2.4**

22. *Settlement Audit:* We are aware that a Rural Area Settlement Audit was undertaken in 2017 across the JCS Area. Pages 14 and 15 provide the conclusions of that assessment and we note that this underscores the significance of Bishops Cleeve relative to other settlements and its role as a Rural Service Centre. It ranked 2<sup>nd</sup> to Tewkesbury but in comparative terms they are effectively equal, scoring 45 and 44 out of 48 respectively.

#### **Question 2.5**

23. *Methodology for identifying housing sites:* At the outset of the site selection process the Council has applied the distinction between the various tiers of settlements in the Borough: Tewkesbury Town, the Rural Service Centres and then Service Villages (EB013, para 2.9 refers). That is unobjectionable as a matter of principle.

24. However, it is important to recognise that this exercise was conducted in the context of the JCS Review being progressed "immediately" and that this would focus on additional housing at Tewkesbury/Ashchurch and the emerging Ashchurch Masterplan (EB013, para 2.4 refer). As explained in response to Question 1, there has been no material progress with this Review by the present time and, as such, there is no certainty of how the shortfall the JCS identified is in fact going to be met.

25. Accordingly, the extent to which the main rural settlements shown in Figure 1 of EB013 are able to provide additional housing to compensate for this circumstance is material. Bishops Cleeve is the main rural settlement in this regard and, as the Settlement Audit has identified, is indistinguishable from Tewkesbury town in terms of its role and function.

26. The Background Paper refers on several occasions to the extent of existing delivery and commitments at Bishop's Cleeve (and Winchcombe) as a basis to restricting future housing development.

27. EB013 acknowledges that there may be instances where a settlement can exceed its disaggregated requirement due to suitable, sustainable sites being available at the settlement (para 4.7 refers). In the context of the need to increase housing supply more generally, this is an important principle that would favour first and foremost additional development at the main rural centre of



Bishops Cleeve in accordance with its size and function and reflecting its accessibility to Cheltenham and its overall ranking in the Settlement Audit.

28. As an example, the SHLAA (EB015a) records land to the north of Bishops Cleeve GOT017 (SUB303) as Available, Suitable, and Achievable for housing development. However, despite its positive characteristic in this regard, its development potential is ultimately discounted and is not included in the Table 5 assessment of EB013. The explanation given for this is in para 11.4 of EB013 which asserts that, because of the scale of existing development and commitment at Bishops Cleeve, "*promoting further significant growth may have negative consequences for social wellbeing of the community*". No evidence is presented to substantiate this and it runs counter to the conclusions of the Settlement Audit. Rather, additional new development could provide social infrastructure that is needed at the town as is explained in our response to Matter 3.

29. Moreover, it is not clear how the Council has considered the test in para 137 of the NPPF that all other reasonable option for meeting the identified need for housing has been examined fully before amending the Green Belt. In this instance this would require a consideration of development on non-Green Belt land in the Borough (such as Bishops Cleeve) compared to the Green Belt allocations this Plan proposes.

#### **Question 2.6**

30. *A residual requirement of 315:* We believe this was an estimate of potential allocations that the Local Plan intended to make at that time.

#### **Question 2.7**

31. *Tewkesbury Town:* We do not have any comments in relation to this question.

#### **Question 2.8**

32. *Rural Service Centres:* Along with Tewkesbury Town, Bishops Cleeve is at the head of the Settlement Audit in terms of its role and function and for these reasons it has been a focus for new development. The JCS refers to "in the order of 1860" new homes at the Main Rural Centres and this must be interpreted with a degree of flexibility not least because Policy SP1 refers to minimum levels of housing. It is plain from the JCS' Spatial Strategy that Bishops Cleeve is a location for new development in addition to the dwellings recently built and approved to be built.

33. EXAM001B suggests that the level of new housing that will occur at Bishops Cleeve amounts to 2044, which is derived from 1894 existing completions and commitments and 150 proposed allocations.



34. The high levels of completions were substantially achieved because of planning permissions that were granted in the context of earlier shortfalls of housing supply relative to the last Tewkesbury Local Plan. For example, Homelands 1 at Bishops Cleeve was granted on Appeal in 2008 because of housing shortfalls at that time and both Homelands 2 and Cleevelands, which are each large sites, were also granted planning permission in 2012 at Appeal on the basis of shortfalls of housing supply in the preceding years. Whilst completions from those sites are being realised in this plan period, they are sites derived from shortfalls against earlier housing requirements.

35. EXAM001B reveals that, with the exception of the Stoke Road site, all other commitments and proposed allocations are expected to be complete by 2024/25. By that time, the residual of Stoke Road would be less than 100 dwellings, which would be the only additional housing at this main settlement over the remaining years of the Local Plan to 2031. Given Bishops Cleeve's role and function and the likely shortfall in delivery of the JCS housing requirement in overall terms, this is not justified, nor is it a positive position when, as indicated above at para 29, additional suitable housing land exists at Bishops Cleeve.

#### **Question 2.9**

*Service Villages:* We do not have any comments in relation to this question.

#### **Question 2.10**

36. *Urban Fringe Settlements:* New allocations are proposed at Brockworth to provide 276 additional houses on Sites BRO1 and BRO2. Paragraph 3.7 of the Local Plan records the fact that Brockworth is an urban fringe settlement "*closely associated with Gloucester*" and in strategic planning terms they are considered to form part of the urban fringe of Gloucester.

37. The JCS makes an important distinction between land allocated within Tewkesbury but associated with Gloucester and Cheltenham in meeting the needs of those principal urban areas and not the needs of Tewkesbury Borough.

38. The total number of houses allocated in Policy RES1 is 1105, of which 276 are at Brockworth; this amounts to some 25% of the housing provision being directed to the edge of Gloucester rather than the town and villages of Tewkesbury. This runs counter to the established strategic principle in the JCS.

#### **Question 2.11**

39. *Five year land supply:* There are various contrasting estimates of five year land supply circulating for Tewkesbury Borough:



- EXAM001B Appendix 2 refers to 4.33 years supply
- EXAM001B Appendix 3 refers to both 4.56 and 4.35 years supply
- Gotherington Appeal Decision of January 2021 APP/G1630/W/20/3256319 refers to 2.33 and 1.8 years supply

40. The key differentiating factor in these contrasting estimates is the way in which past housing completions have been taken into account. The Council seek to prey in aid the high level of housing completions earlier in the plan period to adjust the residential requirement over the remainder of the plan period and consequently the per annum requirement over the 5 year period is reduced correspondingly.

41. This approach was first rejected in the Highnam Appeal in 2018 (APP/G1630/W/3184272) and then again more recently at Gotherington (APP/G1630/W/20/3256319). Both Inspectors (and the Secretary of State) base their calculations on the per annum requirement in the JCS (i.e. not adjusting this to take account of past completions). In this instance, there are two reasons why this is appropriate:

42. Firstly, the high levels of completions simply compensate for shortfalls that had arising in earlier plan periods which manifested itself in planning permission being granted on appeal in 2008 and 2012.

43. Secondly, as set out in response to Question 2.2, the indicative level of local housing need is 564 dwellings per annum – by reference to the affordability ratio, this figure takes into account levels of housebuilding in preceding years. This supports, at the very least, the use of the JCS per annum figure of 495 as the basis of the calculation and an alternative and lower residual figure.

44. The implications of this shortfall is significant both at a local level and more widely across the JCS area. Whilst housing land supply is not measured across the JCS area as a whole, it is an unavoidable fact that housing supply across the plan area is below that anticipated by the JCS:

- Housing completions in Gloucester City have totalled 3,993 over the plan period so far (to 31st March 2019) failing to meet the annual requirements over the 8 years of the plan period so far – a shortfall of 1,750 dwellings.
- Housing completions in Cheltenham Borough totalled 3,093 to 31<sup>st</sup> March 2019 failing to meet the annual requirement of the 8 years of the plan period so far – a shortfall of 500 dwellings
- At Tewkesbury completions exceeded the cumulative total but only by 1200 dwellings and thus there is overall shortfall of 1000 dwellings.

45. In the context of the need to boost significantly the supply of housing land, increasing the material supply of housing land is especially beneficial. The Tewkesbury Borough Plan could include additional housing allocations, and with the selection of sites that are capable of delivering quickly



whilst providing identified infrastructure, this can improve the supply of housing land in the Borough and across the JCS more generally.

***LRM Planning, 28<sup>th</sup> January 2021.***