

**TEWKESBURY BOROUGH PLAN:
EXAMINATION 2020**

MATTER 2 – OVERALL HOUSING PROVISION IN THE TBP

Statement on behalf of Richborough Estates (RE) ID. 337 and 341

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Approval for issue

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Matter 2 – Overall housing provision in the TBP

Main 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?

- 2.1.1 These questions are based on points raised by the Inspector under points 1 and 7 of his Preliminary Queries dated 7th September 2020 [EXAM001]. The Council published its response to these queries in November 2020 [EXAM001A, paragraph 2.2 and 5.2-5.4]. In relation to defining ‘strategic’ sites, the Council considers that a ‘strategic’ site would comprise a capacity of ‘circa 500 dwellings’ which was applied through the consideration of strategic allocations for the Joint Core Strategy (JCS). This position is itself based on information taken from advice issued by ATLAS in March 2010 [EXAM001A, Appendix 4: JCS Strategic Definition Note].
- 2.1.2 It is clear therefore that size matters when defining strategic sites within the JCS area. However, the JCS Strategic Definition Note also recognised that excluding sites of 500 dwellings or more “...allows for the Part 2 plans... to allocate land of a non-strategic scale thus respecting the principles of localism.” (EXAM001A, Appendix 4). This would suggest that in addition to having capacities of less than 500 dwellings, ‘non-strategic’ sites should also only relate to the local needs within the individual JCS authority in question (in this case, Tewkesbury). This would set such sites apart from ‘strategic’ sites whose remit would include seeking to address the unmet needs of their respective neighbours, a function performed by the strategic allocations and urban extensions identified in the JCS. Such an approach is key to the JCS Spatial Strategy under Policy SP2 [DP001] which distributes a proportion of Gloucester and Cheltenham’s identified need to locations on the edge of those respective built-up areas, but which are actually located in Tewkesbury administrative area.

- 2.1.3 In relation to the JCS review timetable, RE notes that the review has reached the Issues and Options stage to date albeit with some delay [EXAM001A, paragraph 2.1]. The December 2020 LDS timetable indicates Preferred Options Consultation in Summer 2021; Pre-Submission Consultation in Winter 2022; Submission to the Secretary of State in Spring 2023; Examination in Summer 2023; and Adoption in Winter 2023. Nonetheless, the review has begun in line as intended under the JCS Policy REV1, which states that “...*A partial review of the housing supply for Gloucester and Tewkesbury will commence immediately upon adoption of the JCS...*”.
- 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?**
- 2.2.1 Yes. At the time the JCS was adopted (December 2017), a shortfall of 2,455 dwellings existed in Tewkesbury up to 2031 [DP001, para 7.1.19]. To address this, Policy REV1 of the JCS directed the JCS authorities to review Tewkesbury’s housing land supply ‘*immediately after*’ the JCS was adopted [DP001, paragraph 7.1.20]. Policy REV1 states that such a review is intended, “...*to help meet any shortfall in housing supply against the JCS housing requirements...*”. Therefore, RE contend that it is clearly the role of the JCS review to address the full housing needs and any identified shortfalls in land supply in Tewkesbury up to 2031, [DP001, paragraph 3.2.18 and Policy REV1]. The role of the TBP is to deliver its ‘capacity’ of non-strategic sites [DP001 paragraph 3.2.8]. Therefore, there is clearly a need for non-strategic allocations as part of a plan-led approach and as a precursor to progress being made on the JCS review
- 2.2.2 Furthermore, the Council has now updated its housing monitoring up to end of March 2020 [EXAM001B, Appendix 4]. This suggests that the identified shortfall in supply for Tewkesbury, at this date, has now reduced from 2,455 to 1,525 dwellings (without the TBP allocations) or down to 530 dwellings (with the TBP allocations) up to 2031 [EXAM001B, Appendix 4, Table 1 and 3 respectively]. The reduction in the shortfall is most likely attributable to an increase in supply from unallocated land, including sites approved on appeal [EB013, para 2.4], however the residual shortfall is a matter for the JCS Review
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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?

2.4.1 Yes, an update to the 2015 Settlement Audit was published in July 2017 and forms part of the evidence base for this examination [EB011a]. In respect to Shurdington, the settlement is ranked 12 in the overall hierarchy of all 65 settlements assessed in the Borough [EB011a, table at section 4.8, and Appendix 1]. This clearly shows that in overall terms Shurdington remains a highly sustainable location for development relative to the other settlements in the Borough.

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).

2.5.1 In overall terms, yes. The approach set out in the Housing Background Paper [EB013] is broadly consistent with national policy and guidance on site assessment, recognising that the final selection of sites is a matter of planning judgement. The approach is broadly consistent with the adopted JCS (DP001, criterion 5] and has been subjected to a proportionate sustainability appraisal (subject to specific objections raised by RPS through representations to the TBP on specific issues).

2.5.2 However, RPS has made representations, at the Regulation 19 stage (in response to Policy RES1 and GRB1), regarding the approach taken by TBC to releasing sites at Shurdington which has resulted in a continuing shortfall in provision of housing in the face of a chronic under-supply of housing in the settlement over the last decade years (since 2011).

2.5.3 Whilst the Council is proposing to release land from the Green Belt at the settlement, which RPS supports, the remaining boundary is still very tightly drawn around the settlement, further inhibiting the ability of Shurdington to accommodate growth over the longer term, to the detriment of its intended role and function in the JCS settlement hierarchy. This will inevitably result in the need for the further review of the inner Green Belt boundary at Shurdington as part of subsequent plan reviews.

- 2.5.4 RPS therefore advocates further adjustments to the settlement boundary through the release of additional land as part of the TBP in order to ensure that the permanence of the Green Belt can be better safeguarded over the longer term, consistent with national policy [NPPF, para 136].
- 2.5.5 Further details on our response with respect to Shurdington settlement is set out under questions 2.9 and 2.11 below.
- 2.6 *JCS Table SP2a appears to require the TBP to identify further potential for 315 dwellings. Is this correct, and if so has this requirement been met?***
- 2.6.1 No, this figure has now been superseded by more recent information published by TBC set out the Housing Background Paper [EB013, para 15.1/Table 10; EXAM001B, Appendix 4, Table 5] which includes the housing site allocations proposed in the TB.
- 2.7 *The JCS provides for housing development at Tewkesbury town ‘in line with its role as a market town’ but sets no specific housing requirement for the town area. The HBP notes in paragraph 3.7 that smaller scale (non-strategic) sites within the TBP would contribute towards the shortfall in provision identified in the JCS but also states it is not appropriate for the plan to define a housing requirement for the town. Rather, the HBP states that the plan includes all the (non-strategic) sites within or adjacent to the town that are suitable for allocation given the site selection criteria. In this light, is the overall housing provision in the TBP for Tewkesbury town justified, consistent with the JCS and has the plan been positively prepared in this respect?***
- 2.7.1 Yes. The approach to identifying the quantum of non-strategic sites at Tewkesbury Town is consistent with the JCS, which recognises the ‘...*significant constraints and availability of land around the urban area..*’ that exists at the town [DP001, para 3.2.17] and which has therefore impacted on the amount of deliverable and developable land that can reasonably be expected to come forward up to 2031 through the TBP. This is in part the reason for the need to identify land at Mitton (for 500 dwellings) as a contribution towards meeting the needs of Tewkesbury.
- 2.7.2 Consequently, the quantum of land identified at the town is considered to be appropriate and, in the context of the constraints on growth acknowledged in the JCS, the TBP has been positively prepared.
- 2.7.3 Furthermore, given Tewkesbury Town is the principal urban area (PUA) in the Borough, any consideration of options for additional growth of a strategic scale at this location would be more appropriately dealt with as part of the JCS review process.
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- 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?**
- 2.9.1 Whilst the overall provision of housing in the TBP at the Local Service Villages (LSVs) numerically exceeds the expected level of provision in Policy SP2 of the JCS [DP001] this only represents 11% additional supply up to 2031. In the context of the need to significantly boost the supply of housing and to ensure a sufficient amount and variety of land can be forward where it is needed, in line with national policy [NPPF, para 59], this exceedance is not considered to be unreasonable and as referenced above the remaining residual shortfall of 530 dwellings [Exam001b, Appendix 4 Table 3].
- 2.9.2 The Pre-Submission TBP acknowledges that the site allocations for the Local Service Villages and Rural Service Centres will collectively provide in excess of the remaining SP2 requirement, but identifies three good reasons for why this is appropriate [CD001, para 3.20]. Notably, the TBP recognises that these requirements are not to be applied as caps or maximum limits on growth at the settlements, as well as the need to maintain the supply of sites on an annual basis, and to ensure sufficient flexibility. RPS broadly welcomes the approach taken by TBC in this regard.
- 2.9.3. However, it should be noted that the extent of this over-provision is not spread equally across the Borough. In fact, as set out in our Regulation 19 representations, some settlements have experienced significant under-provision of housing since the start of the plan period (2011), notably Shurdington.
- 2.9.4 The Council's updated evidence [EXAM001B, Appendix 4, Table 6] clearly illustrates the issue for Shurdington. This shows that of the 141 dwelling 'indicative' requirement for the period 2011 to 2031, there exists a supply of only 16 dwellings (sourced from completions and committed sites) in Shurdington settlement at end of March 2020. In fact, only 9 dwellings have been built in Shurdington settlement since 2011, equating to a single (net) dwelling built each year over the period (EXAM001B, Appendix 2, Table 6). This leaves a paltry 7 dwellings identified but yet to be built in Shurdington (without the TBP allocations) up to 2031.
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2.9.5 Furthermore, the delivery of 16 dwellings would represent just 11.3% of the indicative requirement for Shurdington, second lowest only to Woodmancote. When taking into account the quantum of delivery from the proposed site allocations, this proportion only increases to 72%¹.

2.9.10 Conversely, as shown in the Council's updated position at 2020 [EXAM001B] delivery since 2011 has significantly exceeded the indicative requirement across the majority of LSVs, notably Stoke Orchard (c. 926%²), and to a lesser extent Minsterworth, Alderton, and others (shown as the 'remaining balance' in Table 6 of the update). The primary cause of this phenomenon is the tightly-drawn Green Belt boundary that only affects Shurdington settlement, which does not restrict development at any other LSV in the Borough. This has led to the over-provision of housing now evident across the LSVs in overall terms, the direct opposite to the situation evident at Shurdington. This is despite Shurdington being ranked one of most sustainable locations for growth based on the Council's own rural settlement audit [EB011a].

2.9.11 Therefore, whilst considering any over-provision to be soundly-based, RPS suggest that if any over-provision is perceived as occurring then this should not be accounted for at the expense of the provision being made at Shurdington.

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?*

Housing Land Supply Update (April 2020)

2.11.1 The Council's updated evidence on housing land supply for Tewkesbury, and in particular the updated five-year land supply position, is set out in the Council's response to the Inspector's Preliminary Queries [EXAM001B, Appendix 3 and 4]. Appendix 3 (figure 1) of the updated assessment [EXAM001B] indicates that for period 2020/21-2024/25 the

¹ 101 is 72% of 141 dwelling 'indicative' requirement for Shurdington

² 926% represents the difference between the indicative requirement of 26 versus a total of 241 committed dwellings for Stoke Orchard.

supply position is **4.35 years** (representing a deficit of 186 dwellings, based on a 5% buffer). It is noted that this supply position excludes the TBP site allocations, but also discounts 1,124 dwellings from the five-year requirement figure based on what the Council describes as ‘advanced delivery’ of completions achieved between 2011/12 and 2019/20 [EXAM001B, Appendix 3, para 6.3/Figure 1].

2.11.2 The update then considers the potential impact of the proposed allocations in the emerging Tewkesbury Borough Plan if they are added to the housing supply [EXAM001B, Appendix 4]. Table 4 of Appendix indicates that the effect would be to increase the supply position to **7.27 years** (representing a surplus of 644 dwellings). It is noted, once again, that this supply position incorporates the same discount (1,124 dwellings) into the five-year requirement figure as described above. Consequently, based on this evidence the Council is claiming that a five-year supply position can be achieved at the point of adoption but only with the inclusion of the TBP allocations.

2.11.3 However, RPS considers the five-year supply calculation in the update to be incorrect, with particular regards to the incorporation of the ‘advance delivery discount’. This is because the Council’s approach misinterprets national policy and guidance, as well as conflating delivery and supply considerations. In terms of national guidance, the PPG states:

“How can past over-supply of housing completions against planned requirements be addressed?”

Where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years.” (Paragraph: 032 Reference ID: 68-032-20190722 Revision date: 22 July 2019)

2.11.4 This is the only reference in national policy to matters dealing with over-provision of housing completions against planned requirements. The guidance clearly states that any over-provision in later years can be applied to past under-delivery against requirements ‘from previous years’. This, however, is not the same as recommending using the over-provision to reduce the future (five-year) requirement. This was a matter considered in other recent local plan examinations in 2017 (notably, at Telford) where the Council sought to reduce the five-year housing requirement figure to account for over-provision during the

first five years of the plan period. The Inspector (Michael Hetherington) rejected this, describing this as ‘inappropriate’ (TWLP, IR, para 75)³.

2.11.5 Similarly, by subtracting past over-provision up to 2020 from the future housing requirement post-2020, the Council’s approach seeks to conflate the local plan housing requirement and a five-year land supply requirement. This is clearly wrong and is not consistent with the guidance referenced above.

2.11.6 Based on this, RPS contends that the past over-provision should not be discounted from the five-year housing requirement as is suggested by the Council. The impact of removing the discount from the supply calculation is summarised below (Table A), alongside the Council’s calculation for comparison purposes.

Table A

Housing Calculation – Tewkesbury	TBC		RPS
	Without TBP sites	With TBP sites	With TBP site; No ‘Surplus’
1. Previous Delivery (2011-2020)			
JCS Requirement	4,455	4,455	4,455
Actual Delivery	5,579	5,579	5,579
‘Surplus’	1,124	1,124	0
2. Requirement (2020/21 to 2024/25)			
JCS Requirement = 495 dw x 5 yrs	2,475	2,475	2,475
Minus ‘Surplus’	1,351	1,351	2,475
Buffer (5%)	68	68	124
Total Five-Year Requirement	1,419	1,419	2,599
3. Deliverable Supply total	1,233	2,063	2,063
4. Five-Year Calculation	4.35	7.27	3.96
Difference.	(-186)	(+644)	(-536)

³ Report on the Examination of the Telford & Wrekin Local Plan 2011-2031, November 2017

- 2.11.7 It can be seen that when properly accounting for past delivery up to the present (end of March 2020), in line with the PPG, the supply position for the period 2020-2025 is substantially worse than is being claimed by the Council. RPS contends that the measure of land supply is **3.96 years**. The lack of a demonstrable supply of deliverable land is evident even when taking into account the supply from TBP site allocations within next five-year period (to 2025).
- 2.11.8 Notably, a recent Inspector decision for Gotherington⁴ at paragraph 63, issued on 12th January 2021 indicates that TBC can only demonstrate 1.82 years' worth of deliverable land in Tewkesbury. This provides further justification for the need for short-term growth opportunities on suitable sites that can deliver homes in the next five-year period.
- 2.11.9 Any shortfall in five-year supply is a matter for the JCS review to address and not the role of the TBP, its role is merely to deliver Tewkesbury's 'capacity' of non-strategic sites. As noted above, the review is underway having reached the Issues and Options stage and is being brought forward in line as intended under the JCS Policy REV1, which states that *"...A partial review of the housing supply for Gloucester and Tewkesbury will commence immediately upon adoption of the JCS..."*.

⁴ APP/G1630/W/20/3256319
