



CHELtenham
BOROUGH COUNCIL

Authority Monitoring Report

December 2014

Planning Policy Team

1. Introduction

Background

- 1.1. There have been significant changes in legislation and guidance relating to planning under the current government. Prominent are:
 - Introduction of the National Planning Policy Framework (NPPF);
 - Introduction of the Duty to Co-operate;
 - Abolition of Regional Spatial Strategies and Structure Plans;
 - Introduction of the Town and Country Planning (Local Planning) (England) Regulations 2012; and
 - Introduction of the Localism Act 2011.
- 1.2. Taken together these changes significantly affect how monitoring of planning performance should be reported. Part 8 of the Regulations fundamentally changes the previous Annual Monitoring regime, removing the requirement to report by 31st December each year and making the new Authorities Monitoring Report a simpler process.
- 1.3. The changes introduced within the Localism Act 2011 mean that the content of the Authorities' Monitoring Report is no longer prescribed by government, nor is there a requirement to submit the document to the Secretary of State.
- 1.4. These changes offer an opportunity to restructure the monitoring report to provide a simpler view of the work undertaken by the planning service at Cheltenham Borough Council and to reflect on the effectiveness of the policies adopted and the services offers.

What is the Authority Monitoring Report?

- 1.5. Part 8 of the Regulations stipulate that the purpose of this document is to:
 - Monitor the preparation of Cheltenham's development plan against timetables in the Local Development Scheme (Section 1);
 - Report actions taken under the Duty to Co-operate (Section 6);
 - Assess the extent to which existing planning policies are being implemented (Section 2);
 - Provide details of any Neighbourhood Development Orders or Neighbourhood Development Plans (Section 4); and
 - Report on Community Infrastructure Levy (CIL) receipts and expenditure.

No application for commencement of a Neighbourhood development plan or order has been made within the Borough to date, although a concept statement has been submitted with regards to Leckhampton. There has over 2014 been ongoing dialogue with parish councils and neighbourhood forums on the benefits of preparing neighbourhood plans.

- 1.6. This report covers the period April 2013 – March 2014.

2. Local Development Scheme Progress

Local Development Scheme

- 2.1. The Local Development Scheme (LDS) is the project programme for the preparation of the development plan. It sets out the milestones or key stages in the development plan preparation process, including stages of public consultation. The current LDS dating from 2009 is currently being updated and will be considered by Council February 2015. Gloucester Cheltenham and Tewkesbury Councils submitted the Joint Core Strategy on the 20th of November 2014 for Examination in Public. The LDS will be updated in light of this.
- 2.2. The 2009 LDS focuses on production of the Joint Core Strategy (JCS)¹. On adoption, the JCS will comprise the strategic element of the new Local Plan. It will identify the key strategic planning issues facing Gloucester, Cheltenham and Tewkesbury and set policies and proposals to tackle them. Alongside the JCS will be district plans – one for each of the partner authorities – that will deal with more detailed and/or locally-specific planning concerns. For Cheltenham that plan will be known as the Cheltenham Plan. The JCS and District Plans taken together will comprise the Development Plan for each area. District plans along with county and neighbourhood plans were not reported in the 2009 LDS. The timetable for the Cheltenham Plan and a report on progress to date is set out below.

The Joint Core Strategy

- 2.3. The Joint Core Strategy (JCS) is a joint development plan being prepared by Gloucester City, Cheltenham Borough and Tewkesbury Borough Councils for the period 2011 to 2031. There is a functional relationship between the three council areas which does not correspond with administrative district boundaries, it therefore makes sense for the three councils to work together to plan for the whole area in a consistent and coherent way.
- 2.4. The JCS sets out the identified need for housing, employment and supporting infrastructure across the area up until 2031. In addition, it sets out a spatial strategy for the distribution of new development as well as identifying strategic allocations to help meet the development needs, based on an assessment of consultation and evidence based work carried out to date.
- 2.5. The JCS was formally submitted to the Secretary of State on the 20th November 2014 following publication of the Pre-Submission JCS from 30th June to 11th August 2014. This publication fulfilled the three councils' requirement to consult on whether the plan complies with the necessary legal requirements and is considered sound. A sound plan is one that meets the required housing, employment and infrastructure needs given constraints, is the most appropriate strategy for the area, is able to be delivered over its time period, and importantly is consistent with national planning policy. Representations on these issues made during the publication period were considered and acted on appropriately, which led to minor changes in the document before submission.
- 2.6. As outlined, the Pre-Submission JCS was published for consideration by interested parties and stakeholders between 30th June and 18th August 2014. Approximately 3,000 responses were received

¹ www.gct-jcs.org

by the three councils. A consultation response report was published alongside the Submission document which summarises all of the responses we received and how these were fed in to the preparation of the Submission JCS. This report and all of the responses are available to view on the JCS website at www.gct-jcs.org

2.7. The timetable for the JCS programme:

STAGE	PERIOD
Formal Publication of the Pre-Submission	30 June – 11 August 2014
Submission to the Secretary of State	20 November 2014
Examination Period	Spring 2015
Adoption	Summer 2015

The Cheltenham Plan²

2.8. In response to the introduction of the Localism Act (2011) and NPPF (2012), along with changes brought forward by the JCS, there is a need for a revision and update of the local policies for Cheltenham Borough. Whilst one role for the plan is to “fill in the detail” of the JCS policies and proposals, the Cheltenham Plan will also deal with matters of specific concern to Cheltenham. Taken together with the JCS it will provide a comprehensive, robust and sound Local Plan for the borough.

2.9. Preparation of the Cheltenham Plan to date has focused largely on revision of the existing Local Plan policies and evidence base together with formulating the vision and objectives for the new plan. A statutory ‘Scoping’ public consultation was completed in the summer of 2013 and the responses taken into account in formulating the next stage of the plan’s development³.

Programme for the Cheltenham Plan:

STAGE	PERIOD
Scoping Consultation	July – Sept 2013
Draft Plan Consultation	Spring 2015
Pre-Submission Consultation	Winter 2015
Submission to Secretary of State	Spring 2016

3. Duty to Co-Operate

3.1. Local authorities are required to address strategic issues relevant to their areas through the Duty to Co-operate contained in section 33A of the Planning and Compulsory Purchase Act 2004 (as inserted by section 110 of the Localism Act (2011)) and further described in the NPPF.

² www.cheltenham.gov.uk/localplan

³ http://www.cheltenham.gov.uk/info/1004/planning_policy/1034/the_cheltenham_plan/2

3.2. The Duty to Co-operate:

- Relates to strategic planning matters where these entail:
 - Sustainable development or use of land that would have a significant impact on at least two local planning areas;
 - Where the development or use is a county matter or would have a significant impact upon a county matter;
- Relates to the preparation of development plan or other local development documents, and activities that prepare the way for that preparation including activities in support of those activities;
- Requires that councils and public bodies engage constructively, actively and on an ongoing basis in any process by which the activities in point one are undertaken;
- Requires councils to consider joint approaches to plan making; and
- Empowers the Inspector at the Examination in Public of the development plan to examine whether the Local Planning Authority has complied with the Duty to Co-operate.

3.3. Paragraph 156 of the NPPF sets out the strategic issues where co-operation might be appropriate. Paragraph 178 – 181 of the NPPF provides guidance on ‘planning strategically across local boundaries’, and highlights the importance of joint working on areas of common interest. The emphasis is on working collaboratively with other bodies to ensure that strategic priorities across boundaries are properly co-ordinated. Evidence will be required to demonstrate having successfully cooperated on issues with cross boundary impacts.

3.4. It should be noted that the Duty to Co-operate is not synonymous with public consultation on development plan preparation. The Duty is essentially about public-sector bodies working together. The council’s approach to public consultation is set out in the recently-revised Statement of Community Involvement (SCI)⁴.

Duty to Co-operate within JCS

3.5. In 2008, Gloucester City and Cheltenham and Tewkesbury Borough Councils agreed to prepare a single core strategy covering the entirety of the administrative areas of each of the councils. Many of the characteristics of the area and the issues which it faces, such as flooding, outstanding landscape and the need to plan for sufficient development to provide jobs and housing for future residents are common across the area. There are strong functional, economic, infrastructure, policy and cross-boundary relationships, which mean that working together on a JCS makes good planning sense.

3.6. The JCS is based on collaborative research into the three council areas’ characteristics, relationships (with each other and adjoining areas), past trends and future predictions. It makes sense for us to work together on a JCS, primarily because our communities share each other’s town centres, leisure facilities and amenities - no matter which local authority area they live in. By working together, we have been able to plan for the JCS area in a consistent way across boundaries.

3.7. In terms of the other Gloucestershire district councils, namely Stroud, Cotswold and Forest of Dean, whilst early discussions included these councils concerning joining, it was subsequently decided that

⁴ http://www.cheltenham.gov.uk/info/1004/planning_policy/1040/statement_of_community_involvement

they would 'go alone' and the JCS remain as the three councils – Gloucester, Cheltenham and Tewkesbury.

- 3.8. At the point that the duty to co-operate was introduced (November 2011), the JCS had been in the course of preparation for 3 years, therefore the JCS authorities were at the forefront of this requirement.
- 3.9. The duty to co-operate identifies activities that have taken place before the duty was introduced and others that are on-going. It should be emphasised strongly from the outset that the JCS Councils' approach is not confined to consultation just to meet the statutory Page 7 requirements. Rather, it is one based on building meaningful and productive partnerships at the local level, and ensuring that strategic solutions are reached at the appropriate scale with appropriate parties, wherever these can be of benefit in the delivery of infrastructure and services to the communities. When taken together, these activities help to demonstrate how the duty to co-operate has been fulfilled in preparing the JCS.

Duty to Co-operate outside the JCS

- 3.10. The Duty to Co-operate extends beyond the JCS boundaries and beyond local authorities. The Duty to Co-operate requires joint working with neighbouring local authorities and other prescribed bodies. It requires Local Planning Authorities to:
 - engage constructively, actively and on an ongoing basis with these authorities and bodies to develop strategic policies;
 - set out planning policies to address issues which arise from the process of meeting the Duty; and
 - consider joint approaches to plan making.
- 3.11. For further information on the JCS Duty to Co-operate and the cooperation between the joint authorities, neighbouring authorities and prescribed bodies; please see the recent "Submission JCS Duty to Cooperate Statement" November 2014⁵.
- 3.12. Over 2014 all Gloucestershire local authorities have been working together on a Memorandum of Understanding. The purposes of this document are to identify those strategic issues which extend beyond administrative boundaries and where co-operation is needed.

4. General Monitoring

Policies not being implemented

- 4.1. The authority is preparing the new Cheltenham Plan which, together with the JCS, will resolve any identified implementation issues. In the meantime the relevant provisions of the NPPF are in force, and as the JCS progresses towards adoption greater weight in decision-making terms will be accorded to its emerging policies.

⁵ <http://www.gct-jcs.org/Documents/Examination-Document-Library/Duty-to-Cooperate-CBC-TBC-GCC-Update-24-11-14.pdf>

Monitoring of key objectives and indicators

- 4.2. As part of preparing the new Cheltenham Plan the existing Cheltenham Borough Local Plan (adopted 2006) is being reviewed. This work is being led by the Planning and Liaison Member Working Group.
- 4.3. Targets were not set in relation to monitoring the majority of policies in the adopted 2006 Cheltenham Borough Local Plan. This is because preparation of that plan started before the Local Development Framework system which introduced the requirement to prepare an Annual Monitoring Report. Nevertheless, in the previous AMR some targets were included in relation to housing, business development & town centres and environmental quality. It should be noted that some of these targets may now be out of date in respect of the emerging development plan, changes in the evidence base and the introduction in 2012 of the NPPF.
- 4.4. Reference was also made in the previous AMR to monitoring targets from the Gloucestershire Structure Plan Second Review and the draft Regional Spatial Strategy for the South West (RSS). The Government revoked the RSS and Structure Plans in May 2013, therefore monitoring of these plans is no longer relevant.

JCS Monitoring

- 4.5. In addition to the Local Plan there is also a requirement to measure against the policies and objectives of the emerging JCS. To assess the performance of the JCS a separate monitoring framework will be prepared, setting out key indicators and contingencies that will be critical to the successful delivery of the plan strategy. In addition to annual monitoring, a five year cycle of comprehensive monitoring and review of the JCS will be established.
- 4.6. The three JCS councils will use the monitoring reports, as well as all necessary evidence sources including demographic and economic data and forecasts, to review the appropriate level of new homes and employment land to be delivered. If evidence suggests that additional provision of homes or employment land is required the review will consider the appropriate response.

Housing Land Supply

- 4.7. This housing land supply statement covers the period 31st March 2014 to 1st April 2019. It highlights those sites included within Cheltenham Borough's housing land supply which are subject to assumed build out rates.
- 4.8. Paragraph 47 of the NPPF requires local authorities to 'identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land'.
- 4.9. The supply data represents housing data collated as of 31st March 2014 with Strategic site delivery informed by trajectory work undertaken for the Submission JCS.

NPPF Buffer

- 4.10. To determine whether Cheltenham should add a 5% or 20% buffer to its requirement, it is necessary to analyse past trends against requirements to establish whether there has been 'persistent under delivery'. The table below sets out net completions against requirements over the last 10 year period to cover an economic cycle. The tables measure against a requirement figure and are provided for comparison with previous years AMRs, but the target figures are not relevant as both the targets measured against have now been formally legally revoked and do not relate to recent assessments of need.

Gloucestershire Structure Plan 2nd review (adopted but revoked in 2013)

	03/04	04/05	05/06	06/07	07/08	08/09	09/10	10/11
Requirement	368	368	368	368	368	368	368	368
Completions	559	590	452	926	558	280	275	136

Total Requirement: 2944

Total Completions: 3776

(Not adopted) SoS Proposed Changes: SW Regional Spatial Strategy

	06/07	07/08	08/09	09/10	10/11	11/12	12/13
Requirement	405	405	405	405	405	405	405
Completions	926	558	280	275	136	36	265

Total Requirement: 2835

Total Completions: 2476

- 4.11. During this period, overall delivery exceeds the cumulative requirement and delivery is only below target for the years following the economic downturn. Therefore, Cheltenham Borough's delivery is considered sufficient to merit the application of a 5% buffer. In the calculations presented as part of this monitoring report, a 20% buffer is also presented to provide a comparative figure.

Delivery Shortfall

- 4.12. In addition to the buffer, the five-year requirement needs to take account of any shortfall during the plan period to date. This has been done by taking the total shortfall over the plan period and adding it to the five-year requirement. This approach is commonly referred to as the 'Sedgefield' method.

Sources of Housing Supply

4.13. The supply components considered in the statement are:

- Sites with planning consent for housing at 1st April 2014 (Residential Land Availability Assessment 2014)
- A limited number of sites without planning consent which are considered deliverable within five years from April 2014 (identified through the 2013 Assessment of Land Availability)
- A windfall assumption which makes an allowance for delivery from small unidentified sites.
- Potential supply from the JCS Strategic Allocations within five years, in line with the Submission JCS Trajectory.
- Introduction of permitted development rights for Change of Use from B1 Office to Residential

Housing Delivery

4.14. The distribution of housing delivery over time has been informed in the first instance by monitoring contact with developers on larger sites carried out as part of routine annual monitoring of planning consents. This was last updated in December 2013 along with Cheltenham's Sites Assessment. In addition, information regarding potential build out rates has been gathered from the land availability assessment panel, submission to the land availability assessment, developer meetings undertaken to inform the JCS evidence base, development briefs, masterplanning, and planning officer information. Throughout 2014 this has been an ongoing discussion to inform the JCS allocations trajectory.

4.15. Where no information has been provided by land owners and developers, the following assumptions have been applied, as appropriate:

- **Delivery Rates** – 25 dwellings in the first year, and 50 dwellings per annum thereafter per developer.
- **Lead In Periods** – For sites of less than 100 dwellings there is a one year lead in from planning consent to completion of the first homes. For sites of over 100 dwellings there is an 18 month lead in period. For sites that did not have consent at April 2014 a two year lead in period is applied, with the exception of the proposed urban extensions to the North West & South Cheltenham.
- **Windfall Assumptions** – This projects past delivery trends forward for windfall sites of 0-4 dwellings, recognising that the majority of larger scale development will come forward through sites identified by Local Plans. The period of analysis is ten years to encompass the economic cycle (2003 to 2013). Windfall development occurring on garden land is excluded from the figure in accordance with NPPF Paragraph 48. The windfall allowance is phased in following the first three years of the plan period to ensure that double counting of extant permissions does not occur. The windfall allowance for Cheltenham is therefore 82 dwellings per year from 2015.

For further information on this please see the Submission JCS Housing Background Topic paper⁶.

⁶ <http://www.gct-jcs.org/Documents/EvidenceBase/Housing-Background-Paper-Submission.pdf>

5. Land Supply Position

5 Year Supply

- 5.1. The 5 year supply stated in paragraph 5.5 outlines Cheltenham Borough Councils housing supply against the submission requirement for the JCS. This has been used as the most recent and up to date housing figures produced and outlined within the Housing Background paper submitted to the Secretary of State in November 2014 along with the JCS.
- 5.2. Within this position statement the Sedgefield method has been used to calculate the 5 year supply. This shows shortfall being annualised within the first 5 years. The NPPF 5% buffer is measured against the initial requirement for Cheltenham within the JCS figures and not against the shortfall from previous years. This is in line with the submission JCS housing trajectory.

Position Statement

- 5.3. The Submission JCS has been submitted to the Secretary of State for independent examination as of November 2014. The derivation of the appropriate housing target for the JCS has been subject of independent assessment. The Cambridge Centre for Housing and Planning Research recommends that 9,100 dwellings best represents the objectively assessed need (OAN) for housing in Cheltenham Borough between 2011 and 2031 (455 dwellings per annum).
- 5.4. Through the JCS and exercising the duty to co-operate (DTC), Tewkesbury Borough will make a contribution to the housing land supply of both Cheltenham Borough and Gloucester City through the JCS. This contribution will help Cheltenham Borough meet our individual need for housing. Over the plan period Tewkesbury Borough will provide 2,150 dwellings. This equates to 215 dwellings per annum from 2016/17 until the end of the plan period. The DTC contributions will be found within the urban extensions to the North-West Cheltenham and South Cheltenham proposed within the JCS. Accordingly, the strategic allocations proposed by the JCS have been included in the supply. Details as to the sources of the ongoing supply are available through the appendices of the Housing Background Topic Paper 2014.
- 5.5. 5 Year supply calculations:

Total 5-year supply based on JCS Submission trajectory **3,055**

Requirements and delivery: annualised OAN (including strategic allocations)

A	JCS CBC OAN 2011 - 2031		9,100
B	Net completions 2011 - 2014		712
C	Residual requirement to 2031	A - B	8,388
D	JCS years passed	2011/2014	3
E	Requirement for JCS years passed	A / 20 x 3	1,365
F	Shortfall to April 2014	E - B	653

OAN five-year supply calculation

Sedgefield method		Buffers	0%	5%	20%
G	JCS CBC annual requirement	A / 20	455		
H	CBC 5-year requirement and buffers	G x 5	2,275	114	455
I	CBC 5-year requirement including buffers	(G x 5) + buffer	2,275	2,389	2,730
J	CBC 5-year requirement + buffers + shortfall	(G x 5) + buffer + F	2,928	3,042	3,383
K	CBC percentage of 5-year supply	Supply ÷ J	104%	100%	90%
L	CBC 5-year req + buffers + shortfall annualised	J / 5	586	608	677
M	CBC number of years of supply		5.2	5.0	4.5

- 5.6. Against the Submission JCS housing requirement, Cheltenham can identify a 5.2 year supply taking into account the strategic urban extensions planned within the JCS. When applying the 5% buffer, which is relevant for the authority, Cheltenham can identify a 5.0 year supply of housing.
- 5.7. These figures rely on the JCS evidence base to calculate need and delivery of JCS strategic sites after adoption to provide supply – the most up to date evidence available.

Employment Land Supply

- 5.8. The Regional Strategy for the South West (RSS) and the Gloucestershire structure plan (Second Review) were legally revoked on the 20th May 2013. As such employment requirements for Cheltenham will no longer be measured against these plans.
- 5.9. Gloucester City, Cheltenham Borough and Tewkesbury Councils, through the preparation of the JCS, have co-ordinated a strategy to guide development within the three authorities up until 2031. The JCS sets out the strategic requirements for employment land up to 2031, across the three authorities. Under Policy E1 within the Pre-Submission JCS, the strategic requirement for employment land within Cheltenham Borough is 23.4Ha.
- 5.10. The current employment land supply position (1st April 2014) is outlined below:

	Area (ha)
Land developed since 2011	8.86765
Land Not Started at 01/04/2014	11.327
Land Under Construction at 01/04/2014	1.8318
Local Plan Allocations to 2014	0
Gross Land Supply	22.02645

	Area (ha)
Losses since 2011	6.9018
Expected losses at 01/04/2014	4.306
Total Losses	11.2078

Net Land Supply	10.81865
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5.11. For further information regarding employment land within Cheltenham Borough please refer the Cheltenham Borough Employment Land Review 2014 (published August 2014).

5.12. The JCS acknowledges the importance of Job creation and looks to assist and promote employment land for the creation jobs. This will be done through the JCS allocations along with the current work being undertaken within Cheltenham Borough for the identification of employment sites for the Cheltenham Plan.