

LAND OFF KIDNAPPERS LANE, CHELTENHAM

PROOF OF EVIDENCE ON HOUSING NEED AND SUPPLY MATTERS

ON BEHALF OF ROBERT HITCHINS LIMITED

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E. EXECUTIVE SUMMARY

- E.1 The balance of housing need and supply is material to the weight to be afforded to policies for the supply of housing and to the provision of housing. I present evidence on a number of matters which demonstrate that the supply presented to the Joint Core Strategy (JCS) examination has not come forward; that the policies of the JCS have been ineffective in delivering a sufficient supply of housing; and that there is now an overwhelming need for additional housing in Cheltenham Borough.
- E.2 The evidence of the Council demonstrates that as a result of the delays to the delivery of sites since the adoption of the Joint Core Strategy (JCS), the Council is now unable to meet the minimum housing requirement of the JCS over the plan period by a significant margin. The parties disagree on the extent of the shortfall, with the Council identifying a shortfall of 1,190 homes and myself a shortfall of 2,270 homes. Regardless of the extent of the shortfall, it will be necessary to identify a significant number of additional sites over the remainder of the plan period in order to meet the minimum housing requirement of the Development Plan.
- E.3 The evidence of the Council demonstrates that as a result of the delays, the Council is currently unable to demonstrate a five-year land supply, such that the 'tilted balance' of paragraph 11d of the NPPF is engaged. This is the position which arises even against a stepped housing requirement which defers meeting housing needs and through the use of the Liverpool approach which further defers meeting needs. Whilst the parties disagree on the extent of the shortfall, with the Council identifying a 3.7 year land supply and myself at most a 2.11 year land supply, I understand that it is agreed that there is a substantial shortfall.
- E.4 The evidence of the Council also demonstrates that the Council will never be able to restore a five-year land supply across the remainder of the plan period.
- E.5 The only available evidence indicates that there has also been a significant shortfall in the delivery of affordable housing.
- E.6 All of the evidence demonstrates that it is therefore necessary to support significant additional sources of supply to meet housing needs and to restore the effectiveness of the plan-led system.

1. BACKGROUND

- 1.1 My name is Neil Tiley. I am an associate member of the Royal Town Planning Institute and have worked in the private sector for over five years. I currently hold the position of Director having previously been an Associate Director and before that a Principal Planner at Pegasus Group.
- 1.2 Prior to this I was employed in Local Government for 11 years, including as a Planning Manager at Wiltshire Council for 5 years; as a Senior Planner at Wiltshire County Council for 2 years; as the Demographer at Wiltshire County Council for 2 years; and as a Senior Research Assistant responsible for monitoring and analysing housing completions for 2 years.
- 1.3 I have a wealth of experience in assessing housing land supply, having been responsible for the production of such assessments and acting as an expert witness at the majority of housing land supply appeals in Wiltshire over the period 2009 to 2014. I have continued to regularly act as an expert witness dealing specifically with housing need and supply matters for Pegasus Group.
- 1.4 The evidence which I have prepared and provide for this appeal (APP/B1605/W/19/3238462) is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2. INTRODUCTION

- 2.1 This Proof of Evidence relates to a planning appeal for the residential development of up to 25 dwellings, associated infrastructure, open space and landscaping, with the creation of new vehicular access from Kidnappers Lane.
- 2.2 This Proof of Evidence addresses the housing land supply position of Cheltenham Borough Council over the plan period, over the immediate five-year period and over subsequent five-year periods, in accordance with the recently revised NPPF¹.
- 2.3 Whilst the Council accepts that it is unable to demonstrate a five-year land supply, it has been established in case law that a decision-maker must establish not only whether there is a shortfall but also how big it is and how significant by reference to the length of time this shortfall is likely to persist². I therefore address this in the following Proof of Evidence.

¹ Published on 24th July 2018 and subsequently revised on 19th February 2019

² See paragraph 60 of the High Court Judgment of *Phides Estates (Overseas) Limited vs the Secretary of State for Communities and Local Government et al* [2015] EWHC 827 (Admin).

3. POLICY CONTEXT

New National Planning Policy Framework (NPPF)

3.1 The current NPPF was published on 24th July 2018. It was then subject to further minor revisions on 19th February 2019.

3.2 The Government's imperative to significantly boost the supply of housing to address the national housing crisis which currently exists, is set out in paragraph 59 of the NPPF, which requires local planning authorities:

"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."
(my emphasis)

3.3 Paragraph 73 of the NPPF maintains the requirement of the former NPPF that a Council maintain an assessment of the deliverable supply with an appropriate buffer. It identifies that the five-year land supply should be assessed by reference to the adopted housing requirement where this is less than five-years old, but in other cases it should be assessed against the local housing need.

3.4 Footnote 7 identifies that policies should be considered out-of-date in circumstances including:

"...for applications involving the provision of housing... where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73..."

3.5 The NPPF also identifies a new definition of deliverability in the Glossary, as follows:

"To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

- 3.6 Paragraph 67 of the NPPF indicates that planning policies should identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible for years 11-15.

National Planning Policy Guidance (PPG)

- 3.7 The PPG was updated on 13th September 2018, on 20th February 2019 and again on 22nd July 2019 to provide guidance consistent with the current NPPF.
- 3.8 Relevant extracts of the current PPG are included as Appendix 1.

APPENDIX 1: EXTRACTS OF THE PPG

Adopted Development Plan

- 3.9 The Development Plan in Cheltenham Borough includes the JCS (adopted December 2017).

Housing Requirement and Shortfall

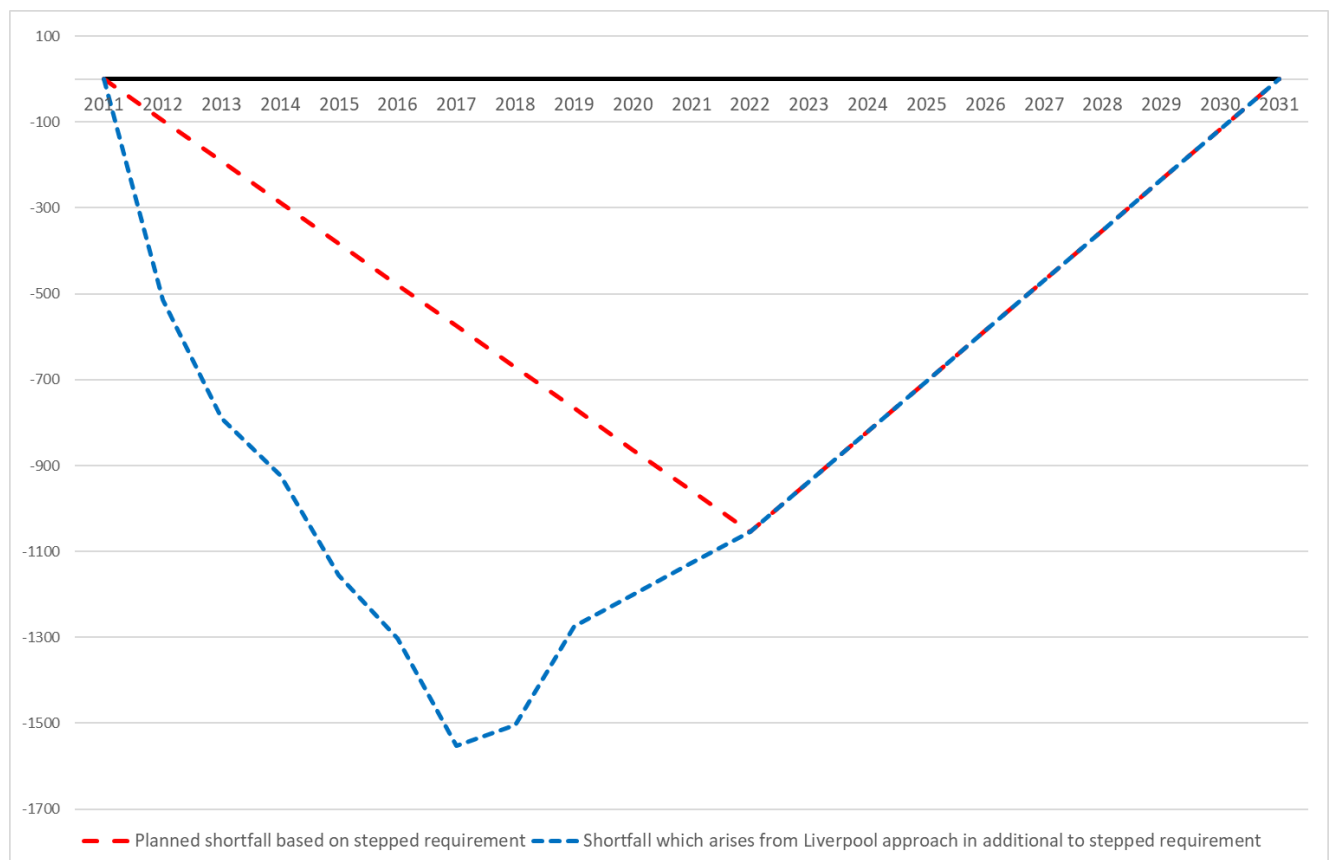
- 3.10 Policy SP1 identifies a housing requirement for Cheltenham Borough of at least 10,917 homes in the period 2011 to 2031, which equates to an annual requirement for 546 homes.
- 3.11 Policy SP2 of the JCS identifies that strategic urban extensions within Tewkesbury Borough³ will be considered to meet the needs of Cheltenham Borough. This is confirmed in paragraph 3.2.23 of the JCS. Therefore, the housing requirement of 10,917 homes relates to the administrative area of Cheltenham Borough as well as these specified strategic urban extensions. I subsequently refer to this area including the specified strategic urban extensions as Cheltenham Borough policy area to distinguish it from Cheltenham Borough administrative area.
- 3.12 The text and table on page 111 of the JCS identifies that the housing requirement would be stepped in Cheltenham Borough policy area to provide 450 homes per annum from 2011-2022 and 663 homes per annum thereafter. The effect of this stepped requirement is that housing needs would not be met over the early part

³ including part of North West Cheltenham and part of West Cheltenham.

of the plan-period but that it was intended that this would be addressed in the later part of the plan-period, such that the housing needs would be retrospectively met by the end of the plan period in 2031. Until this time, the number of homes planned would not meet the needs of the households in Cheltenham. Indeed, as a result of the stepped requirement, it was planned that by the end of 2022, 1,054 fewer homes would have provided than needed to meet the housing needs⁴.

3.13 The JCS Inspector also supported the use of the Liverpool approach in Cheltenham Borough, which served to further delay addressing needs. As a result of the combination of these, over 1,000 fewer homes would have been provided than are needed by the end of every year from 2015 to 2022 and the actual needs would not be fully met until 2031. The effect of this approach in combination with the stepped requirement based on the known completions at the time the JCS was adopted is presented in Figure 3.1 below.

Figure 3.1 – a comparison of the planned approach with the minimum annualised requirement



⁴ = (11 x 546) – (11 x 450)

4. FIVE-YEAR HOUSING LAND SUPPLY CONTEXT

- 4.1 The Council's latest assessment of the five-year land supply is contained in the Five Year Housing Land Supply Position Statement, December 2019 (CD E5). This identifies a 3.7 year land supply for the period 1st April 2019 to 31st March 2024, based on a five-year requirement for 3,031 homes and a supply of 2,265 homes which provides a shortfall of 766 homes.
- 4.2 The Council helpfully provided a draft version of the Five Year Housing Land Supply Statement to me prior to its official publication. This however contained an error which has been agreed by the Council. The draft version identified plan period supply of 9,787 homes in Figure 5 but it has been agreed that this should actually be 9,727 homes with 20 fewer homes in each of the years 2028/29, 2029/30 and 2030/31. It is assumed that the document to be included in CD E5 has corrected this error.

APPENDIX 2: BLANK - MOVED TO CD E5

5. THE FIVE-YEAR REQUIREMENT

The Housing Requirement

- 5.1 The JCS was adopted on 11th December 2017 and so it is less than five years old. In such circumstances paragraph 73 of the NPPF identifies that the housing land supply position should be calculated against the adopted housing requirement.

The approach to addressing the backlog

- 5.2 The JCS has a base date of 2011. In the intervening 8 years (2011-19), based on the stepped requirement for 450 homes per annum, there has been a requirement for 3,600 homes in Cheltenham Borough policy area. The Five Year Housing Land Supply Statement identifies that 3,093 homes⁵ have been built in this period, which means that there is currently a backlog of 507 homes against the housing requirement for Cheltenham Borough policy area.
- 5.3 The examining Inspector supported the use of the Liverpool approach in Cheltenham, notwithstanding the fact that this further delays meeting the housing needs which already exist. Accordingly, the backlog of 507 needs to be addressed across the remaining 12 years of the plan period, which equates to 42 per annum or 211 within five-years.

The buffer

- 5.4 The JCS Inspector⁶ had concluded that Cheltenham Borough should be subject to a 20% buffer given the record of persistent under-delivery. However, that conclusion was reached in accordance with the former NPPF.
- 5.5 Paragraph 73 of the NPPF identifies that where the position has not been agreed through an annual position statement or a recently adopted plan, a buffer of 20% should be applied where there is a record of significant under-delivery over the three previous years, but a 5% buffer should apply in all other cases.
- 5.6 Footnote 39 identifies that from November 2018 the record of delivery should be assessed using the Housing Delivery Test. The Housing Delivery Test results indicate that 108% of the number of homes required have been delivered in the

⁵ See Figure 2

⁶ See paragraph 91 of the Inspectors Final Report (CD D11)

period 2015-18 such that there is not a record of significant under-delivery and it is therefore appropriate to apply a 5% buffer.

The five-year requirement

5.7 Based on the preceding analysis, the five-year requirement is calculated in Table 5.1 below against the adopted housing requirement.

Table 5.1 – the five-year housing requirement

A = 450 x 8	Housing requirement 2011-19	3,600
B	Completions 2011-19	3,093
C = B - A	Backlog	-507
D = C/12 x 5	Backlog to be addressed in five-years	-211
E = (450 x 3) + (663 x 2)	Base five-year requirement 2019-24	2,676
F = E - D	Five-year requirement including backlog	2,887
G = F x 1.05	Five-year requirement including 5% buffer 2019-24	3,032 ⁷

5.8 For the purposes of paragraph 73 of the NPPF there is therefore a need for a deliverable supply of at least 3,032 dwellings in the period 2019-24.

⁷ This is minimally different to the 3,031 identified by the Council in Figure 3 of the Five Year Housing Land Supply Position Statement (CD E5) owing to a rounding error within the Council's calculations.

6. THE DELIVERABLE SUPPLY

6.1 The Five Year Housing Land Supply Position Statement (CD E5) identifies a deliverable supply of 2,265 homes comprising:

- i. 146 on small permitted sites (of less than 5 homes);
- ii. 213 homes as windfall development;
- iii. 710 homes on large permitted sites with detailed consent;
- iv. 11 homes on large permitted sites with outline planning permission although not for major development;
- v. 202 homes on emerging Cheltenham Plan allocations which benefit from detailed planning permission;
- vi. 133 homes on emerging Cheltenham Plan allocations which benefit from outline planning permission for major development;
- vii. 355 homes on emerging Cheltenham Plan allocations which do not benefit from planning permission⁸;
- viii. 420 homes at the strategic allocation of North West Cheltenham;
- ix. 75 homes at the strategic allocation of West Cheltenham.

6.2 The supply of the Council is therefore made up of:

- 1,069 homes (i, iii, iv and v) which fall in Category A of the definition of a deliverable site and should therefore be considered deliverable;
- 628 homes (vi, viii and ix) which fall in Category B and should therefore only be considered deliverable where there is clear evidence that completions will begin on site within five years;
- 355 homes (vii) which do not fall in Category A or B; and
- A windfall allowance of 213 homes (ii) which has been found sound during the examination of the JCS.

⁸ Comprising the sites at Leckhampton, Christ College Site B, Former Monkscroft Primary School and Land off Oakhurst Rise

- 6.3 As it is agreed that the Council is unable to demonstrate a five-year land supply and that the shortfall is significant, I confine the considerations within this Proof of Evidence to the matters of principle which I consider are material to the shortfall, rather than addressing the deliverability of every site.
- 6.4 I therefore only address the following matters in relation to the current five-year land supply position:
- The inclusion of sites which do not fall within Category A or B (vii); and
 - The deliverability of sites with outline planning permission where there is no clear evidence that completions will begin on site within five-years (vi);
 - The deliverability of the strategic allocations at North West Cheltenham (viii) and West Cheltenham (ix).

The inclusion of sites which do not fall within Category A or B

- 6.5 The definition of a deliverable site within the NPPF provides two closed lists of sources of supply which are capable of being considered deliverable. The sites included in this closed list comprise sites which have planning permission, which are allocated, or which have been identified as being suitable for development by the Council either through identification on the brownfield register or through the grant of permission in principle. The Council has concluded that such sites offer a suitable location for development now, including through the grant of planning permission, the adoption in a Local Plan⁹, the grant of permission in principle, or the identification of the site as being suitable on a brownfield register in light of the necessary consultation exercises which is one of the pre-requisites for a site being considered deliverable. Other sources of supply, such as emerging Local Plan allocations or other sites with no planning status have not been subject to the necessary rounds of consultation (including with statutory consultees) and a final conclusion reached on their suitability or otherwise, such that they cannot be considered to be suitable now and therefore they cannot be considered to be deliverable.
- 6.6 To consider other sources of supply would require the Inspector to invent their own test of deliverability as the tests identified in national policy do not relate to

⁹ Following receipt of an Inspector's Final Report which has considered the suitability or otherwise of the site.

such sources of supply; and it would also require the Inspector to conclude upon the suitability of these sites when the Council has currently been unable to (including through the grant of planning permission or through adopting a Local Plan which allocates these sites following an examination).

6.7 The fact that the definition of a deliverable site provides a closed list has been the consistent finding in numerous appeal decisions which have addressed this matter of principle following the publication of the new NPPF in July 2018¹⁰ including (but not limited to):

- The Woolmer Green appeal decision (Appendix 3) which confirms it is a closed list in paragraph 30, excludes sites subject to undetermined planning applications in paragraph 31 and excludes emerging allocations in paragraph 33;
- The Woolpit appeal decision (Appendix 4) which identifies that the definition relates to qualifying sites in paragraph 65, and excludes sites which were only the subject of a resolution to grant planning permission at the base-date in paragraph 67;
- The Bures Hamlet appeal decision (Appendix 5) which excludes sites which were only the subject of a resolution to grant planning permission at the base-date in paragraph 62;
- The Winsford recovered appeal decision (Appendix 6) in which the Inspector recommended that the definition did not provide a closed list and continued to include sites which were subject to undetermined planning applications at the base-date (including those with a resolution to grant planning permission) in paragraphs 365 to 367, but the Secretary of State excluded these as they did not fall in Category A or Category B and because with outstanding legal agreements and agreements on reserved matters there was not clear evidence that completions will be achieved.

APPENDIX 3: WOOLMER GREEN APPEAL DECISION

APPENDIX 4: WOOLPIT APPEAL DECISION

APPENDIX 5: BURES HAMLET APPEAL DECISION

¹⁰ See for example, paragraphs 30, 31 and 33 of APP/C1950/W/17/3190821; paragraphs 65 and 67 of APP/W3520/W/18/3194926; paragraph 62 of APP/Z1510/W/18/3207509; and paragraph 46 of APP/A1530/W/18/3207626

APPENDIX 6: WINSFORD APPEAL DECISION

- 6.8 These appeal decisions also repeatedly identify that it is the status of the site at the base-date which determines how the deliverability of the site should be assessed¹¹, namely that a site must have been available at the base-date, offered a suitable location for development at the base-date and been achievable within five-years from the base-date.
- 6.9 The fact that the definition of a deliverable site provides a closed list is consistent with the sources of supply identified as requiring clear evidence in the PPG (68-007) and with the sources of supply which are eligible for consideration in the PPG (68-014).
- 6.10 Nevertheless, Cheltenham Borough Council includes 355 homes from sites proposed to be allocated in the emerging Cheltenham Plan in the deliverable supply. Such sources of supply fall outside of the closed list. To consider such sites to be eligible for inclusion would require the Inspector to conclude that they are suitable now, notwithstanding the very limited weight¹² that could be afforded to the emerging Local Plan Part 2 at the base-date prior to submission and disregarding all outstanding objections which existed at that point. Even now, these emerging allocations have yet to be found sound and adopted in a Local Plan and so do not form part of the closed list and it is agreed that these should only be afforded limited weight.
- 6.11 Furthermore, even assuming that these sites are found sound and allocated in the emerging Cheltenham Plan, it will then be necessary to prepare planning applications, gain approval, discharge conditions, fulfil planning obligations, potentially prepare, submit and determine applications for the approval of reserved matters, undertake any pre-commencement works, and commence development, all of which will take a significant amount of time.
- 6.12 Accordingly, 355 of the homes identified in the Council's deliverable supply do not even fall within the sources of supply which are eligible for inclusion and should be discounted.

¹¹ See paragraph 31 of Appendix 3, paragraph 67 of Appendix 4, and paragraph 62 of Appendix 5.

¹² I understand that it is agreed that this can only be afforded limited weight at the current time.

Outline planning permissions

- 6.13 The Council include an additional two emerging allocations within the deliverable supply which benefit from outline planning permission only, namely Pittville School and Old Gloucester Road. The Council has not provided any evidence, clear or otherwise, that these sites will deliver within five-years as far as I have been able to identify.
- 6.14 In the absence of the necessary evidence, the NPPF identifies that these sites should not be considered to be deliverable. This reduces the deliverable supply of the Council by an additional 133 homes.

Strategic Allocations

- 6.15 The Council include two cross-boundary¹³ strategic allocations in the deliverable supply, namely North West Cheltenham and West Cheltenham. These were both allocated in the JCS in December 2017. Neither has planning permission and they can only therefore be considered to be deliverable where there is clear evidence that completions will be achieved within five-years.
- 6.16 At the time the JCS was adopted, the trajectory of the Council indicated that both sites would deliver their first completions in 2018/19¹⁴, with 450 dwelling completions at North West Cheltenham and 75 completions at West Cheltenham by 31st March 2020. However, this has clearly not happened as these sites still do not benefit from planning permission. These delays have resulted in the Council being unable to demonstrate a five-year land supply and will continue to compromise the ability of the Council to demonstrate a five-year land supply throughout the remainder of the plan period.
- 6.17 Another effect of these delays as acknowledged in paragraph 19 of the Five Year Housing Land Supply Position Statement (CD E5), is that the Council will be unable to meet the minimum housing requirement of the JCS across the plan period in the absence of additional sites to those identified in the emerging Cheltenham Plan.

¹³ With part of these allocations within Cheltenham Borough and part within Tewkesbury Borough.

¹⁴ See the table at the top of page 115 of the JCS.

6.18 One of the cross-boundary strategic allocations at West Cheltenham was not identified in the submission draft of the JCS but was instead proposed as an additional allocation during the examination process. The Councils assessed the transport implications of the proposed allocations including the additional allocation in the JCS Transport Evidence Base (Appendix 7). This assessment sought to ensure that in principle, suitable and viable transport solutions could be identified to accommodate the proposed allocations but as set out in paragraph 4.1.3, the modelling was insufficient to support a planning application.

APPENDIX 7: JCS TRANSPORT STRATEGY EVIDENCE BASE

6.19 A number of packages of transport measures to accommodate the proposed allocations in the final JCS were considered in scenarios DS5a, DS5, DS6, DS6a and DS7.

6.20 Scenarios DS5a to DS6a all resulted in significant harms to the highways network¹⁵ including to junctions in close proximity to one or both of the West Cheltenham and North West Cheltenham allocations particularly to junctions of the M5.

6.21 Scenario DS7 was identified as the preferred package of transport improvements. The package of transport measures included in this scenario is set out in Appendix K of the report. These include 57 separate transport measures. Appendix M estimates that the cost of these measures would total £361.5M much of which would be funded through developer contributions and ad-hoc funding opportunities.

6.22 Whilst the requirement for all of the measures will be influenced to a greater or lesser extent by each of the allocations, the measures include many that will be either directly necessitated by the allocations at Cheltenham or at least significantly influenced by them including scheme references 4, 29, 30, 31, 32, 33, 34, 35, 36, 39 and 41. In particular, the following measures are directly related to the Cheltenham allocations:

- 1) Upgrade motorway to a smart motorway from M5 J9 to M5 J11a, which Highways England identified was necessitated by the addition of the West Cheltenham allocation in the second and third paragraphs on page A8.4 if their response to the JCS Transport Strategy Evidence Base (Appendix 8);

¹⁵ See paragraphs 5.4.4, 5.5.9, 5.6.4, 5.7.4 and 5.8.5.

3) High capacity upgrade of M5 J10 junction providing an 'All Movements' junction including three lanes on slip roads and circulatory lanes on the roundabout to accommodate the associated Cyber Park access road/A4019 junction (Scheme ref 28) which will be a high capacity signal controlled junction. It is identified in the fifth bullet point on page A7.61 that this transport measure is necessitated by the addition of the West Cheltenham allocation and this is confirmed by Highways England in the second paragraph on page A8.4 of their Position Statement;

28) New 50mph dual carriageway two-lane link road providing access from A4019/M5J10 to the proposed West Cheltenham allocation; and

40) Expansion of the existing Arle Court Park and Ride parking facilities (100% increase in capacity) and new walking and cycling improvements to link the Park and Ride site with the new West of Cheltenham Employment site.

APPENDIX 8: HIGHWAYS ENGLAND POSITION STATEMENT

6.23 It is therefore evident that the additional allocations, notably at West Cheltenham, in combination with the originally proposed allocations, give rise to significant infrastructure requirements which need to be addressed alongside or prior to the delivery of housing. The transport measures are required to be subject to more detailed modelling in support of planning applications and are reliant upon appropriate funding being secured including through "ad-hoc" funding streams which have yet to be identified. I continue to assess the strategic sites individually taking account of the required infrastructure works below.

North West Cheltenham

6.24 An outline planning application was submitted to both Tewkesbury Borough Council and Cheltenham Borough Council in September 2016 for a mixed-use development including 4,115 homes. This planning application remains undetermined over 3 years later.

6.25 A Technical Note (Appendix 9) on the potential transport and traffic impacts was submitted in support of the planning application.

APPENDIX 9: TECHNICAL NOTE

6.26 The modelling is subject to numerous criticisms from Highways England which are in the process of being resolved. It is of particular note that Highways England identified that the modelling must consider the effects jointly with the West Cheltenham strategic allocation in an e-mail of 21st August 2017 (Appendix 10). This demonstrates that the North West Cheltenham planning application has been progressed in the absence of any consideration of significant infrastructure works necessary to facilitate this proposed development. Once these have been considered this may have significant implications for the ability of this proposed development to identify a suitable and viable solution. It also illustrates that the absence of a suitable and viable transport solution based on the detailed modelling required in support of a planning application represents a continuing barrier to the development of either the West Cheltenham or North West Cheltenham sites.

APPENDIX 10: HIGHWAYS CORRESPONDENCE

6.27 The reasons for the significant delays to the determination of this planning application include the fact that Highways England is unable to confirm the acceptability or otherwise of the traffic impact of the proposed development on the strategic road network (Appendix 11).

APPENDIX 11: HOLDING OBJECTION OCTOBER 2018

6.28 Whilst Highways England continue to work with the applicant to identify appropriate mitigation measures, the planning application remains subject to an indeterminate holding objection, the latest iteration of which was issued on 21st October 2019 (Appendix 12). The first of these holding objections was issued on 7th November 2016 and they have been maintained continuously for the subsequent 3 years. It therefore remains entirely unclear whether a satisfactory and viable transport solution can be identified and delivered to support this proposed development and if it can how long this is likely to take.

APPENDIX 12: HOLDING OBJECTION OCTOBER 2019

6.29 In paragraph 17 of the Five Year Land Supply Position Statement, it is identified that the Council is jointly pursuing a Housing Infrastructure Fund bid to secure one of the necessary road improvements necessary to enable the release of this site, the West Cheltenham strategic site and other sites.

6.30 Until such time as a suitable transport solution is identified following the completion of the highways modelling, incorporating the full range of transport

measures to make this development acceptable in highways terms, the costs of these are identified and the HIF bid is successful (or otherwise) and other funding streams are identified to deliver these transport measures, this site cannot be demonstrated to be suitable or viable for the proposed development. Additionally, there is no clear evidence as to how long these highways issues will take to resolve.

6.31 Even once these highways issues are resolved, it will be necessary for the Council to consider the remaining objections before deciding whether or not planning permission should be granted. These objections include those from 5 Parish Councils that will be affected by the proposed development not only on highways related matters but also on flood management and odour issues, a recommendation for refusal from the County Archaeologist, and an objection from Sports England. Once the application is determined, assuming it is approved, it will be necessary to agree a S106 package which in itself can often take many years. Even once that occurs and the planning application is approved by both LPAs, it will be necessary to:

- Undertake the detailed technical work necessary to gain technical approvals;
- Obtain approvals for these technical works;
- Discharge pre-commencement conditions;
- Fulfil pre-commencement obligations;
- Resolve land-related issues including exercising options;
- Commence any pre-commencement works and land preparation;
- Prepare and submit applications for the approval of reserved matters;
- Await the determination of these applications;
- Discharge any pre-commencement conditions associated with the reserved matters approvals;
- Fulfil any pre-commencement obligations associated with the reserved matters approvals;

- Commence development;
- Discharge any pre-occupation conditions; and
- Fulfil any pre-occupation obligations.

6.32 There is no clear evidence of the timescales required to achieve this, such that this site should not be considered deliverable according to the NPPF.

6.33 Furthermore, I do not consider that there is any prospect, realistic or otherwise, of the first completions being achieved within five-years given the amount of work that needs to be undertaken. Figure 4 of the Start to Finish Report (Appendix 13) indicates that for a development of this scale, it takes on average almost 7 years from the validation of the first planning application until the first completion. This would mean that if this site was average the first completions would not be expected until the late summer/early autumn of 2023 given that the application was validated in October 2016. However, the fact that on a strategic allocation, the transport modelling has yet to be completed over 3 years from the submission of the application is far from average in my experience, and I would therefore expect a longer lead-in time on this site, if indeed a satisfactory and viable transport solution is able to be identified which is entirely uncertain.

APPENDIX 13: START TO FINISH REPORT

6.34 The removal of this site would reduce the deliverable supply by 420 homes.

West Cheltenham

6.35 No planning application has been submitted on this strategic allocation for a mixed-use development including 1,100 homes. Figure 4 of the Start to Finish Report indicates that on average the first completion would not be achieved until between 5.5 and 6 years from the validation of the first planning application. Accordingly, unless this site was demonstrated to be able to deliver significantly more rapidly than the average, there is no prospect that this site would contribute to the deliverable supply.

6.36 Paragraph 20 of the Five Year Land Supply Position Statement indicates that a planning application is anticipated in Spring 2020. Even assuming that this is achieved, notwithstanding the absence of any planning application for the preceding 2 years since the adoption of the JCS, it will then be necessary for this

to be subject to consultation prior to being determined. As identified above, Highways England is unable to confirm the acceptability or otherwise of the traffic impacts which arise from North West Cheltenham in combination with this site. Accordingly, this site faces exactly the same barrier to development as does North West Cheltenham, the solution and timescales for which are uncertain but would take more than five-years in my opinion. Even if the lead-in time was unaffected by the continuing issues with highways infrastructure, this site wouldn't deliver it's first completion until early 2026 based on the average lead-in times identified in the Start to Finish Report.

6.37 Assuming that such a solution is able to be identified and all other objections are able to be resolved, such that this site gains resolution to grant planning permission, it will then be necessary to negotiate a S106 agreement. In the Winsford appeal decision, the Secretary of State has indicated that given the uncertainty associated with such negotiations, there cannot be clear evidence as to how long this would take to resolve. Even once a S106 is in place and planning permission is granted, it will still remain necessary for all of the works identified in the preceding bullet points (for North West Cheltenham) to be achieved prior to the first completion. Based on my experience, I do not consider that there is any prospect, realistic or otherwise, of this being achieved within five-years.

6.38 The removal of this site would reduce the deliverable supply by 75 homes.

The deliverable supply

6.39 In light of the preceding analysis, which is confined only to a limited number of matters, I consider that even if it is assumed that all sites with outline planning permission for major development are deliverable in the absence of the necessary clear evidence, the Council is able to demonstrate a deliverable supply of **1,282 homes**. I set out a schedule of these sources of supply in Table 6.1 below.

Table 6.1 – schedule of the deliverable supply

Source of supply	Council's position	My position
Category A: sites which should be considered deliverable unless there is clear evidence to the contrary		
Small permitted sites	146	146
Large permitted sites with detailed consent	710	710
Large permitted sites with outline planning permission although not for major development	11	11
Emerging allocations which benefit from detailed consent	202	202
Category B: sites which should only be considered deliverable where there is clear evidence that completions will begin on site within five years		
Emerging allocations with outline planning permission for major development	133	0
Pittville School	58	0
Old Gloucester Road	75	0
Strategic Allocations	495	0
North West Cheltenham	420	0
West Cheltenham	75	0
Windfall allowance		
Windfall allowance	213	213
Sites outside of the closed list		
Emerging allocations which do not benefit from planning permission	355	0
Leckhampton	230	0
Christ College Site B	50	0
Former Monkscroft Primary School	50	0
Land off Oakhurst Rise	25	0
Total	2,265	1,282

7. THE FIVE YEAR LAND SUPPLY

7.1 The preceding analysis identifies that Cheltenham Borough Council is able to demonstrate a deliverable supply of 1,282 homes¹⁶ at most against a five-year requirement for 3,032 homes. This equates to a **2.11 year land supply** as calculated in Table 7.1 below.

Table 7.1 – the five-year housing land supply

A (see Table 5.1)	Five-year requirement including 5% buffer 2019-24	3,032
B	Deliverable supply	1,282
C = B/A x 5	Five-year land supply	2.11
D = B-A	Shortfall/surplus	-1,750

¹⁶ As identified previously, I consider that the supply may be lower if a comprehensive assessment of all of the sources of supply had been undertaken.

8. THE PLAN PERIOD SUPPLY

The plan period shortfall

- 8.1 Table SP2a of the JCS identified that at the point of adoption, Cheltenham Borough Council has a sufficient supply of 11,092 homes across the plan period (including emerging Cheltenham Plan allocations) to meet the minimum housing requirement of 10,917 homes. This provided a surplus of 175 homes over the 20-year plan period.
- 8.2 However, since this time, the Council has acknowledged in paragraph 19 of the Five Year Housing Land Supply Position Statement (CD E5) that as a result of the delays to the strategic allocations, the Council no longer has a sufficient supply (including the emerging Cheltenham Plan allocations) to meet the minimum housing requirement of the JCS. The Appendix to the Five Year Land Supply Position Statement identifies that there would be a supply of 9,727 homes¹⁷, which equates to a shortfall of **1,190 homes**, even if the trajectories of the Council are achieved.
- 8.3 As identified throughout this Proof of Evidence, there is no prospect of the trajectories for North West Cheltenham or West Cheltenham being achieved and the result of this is that the shortfall across the plan period will be even greater. Indeed, even if it is assumed that a satisfactory and viable transport solution for the strategic sites is identified imminently and that as a result the average lead-in times identified by the Start to Finish Report are achieved, not that I consider this to be possible, then the trajectories for these sites would be reduced as set out in Table 8.1 below.

¹⁷ Taking account of the subsequent correspondence which acknowledges that the supply identified in Figure 5 of the Five Year Housing Land Supply Position Statement of 9,787 has been overinflated by 60 homes.

Table 8.1 - trajectories for the strategic allocations even assuming a suitable, viable transport solution can be identified

	Council's trajectory				My trajectory			
	North West Cheltenham	West Cheltenham	Other sources of supply	Total	North West Cheltenham	West Cheltenham	Other sources of supply	Total
2011-12	0	0	33	33	0	0	33	33
2012-13	0	0	268	268	0	0	268	268
2013-14	0	0	413	413	0	0	413	413
2014-15	0	0	315	315	0	0	315	315
2015-16	0	0	397	397	0	0	397	397
2016-17	0	0	297	297	0	0	297	297
2017-18	0	0	594	594	0	0	594	594
2018-19	0	0	776	776	0	0	776	776
2019-20	0	0	438	438	0	0	438	438
2020-21	0	0	425	425	0	0	425	425
2021-22	60	0	320	380	0	0	320	320
2022-23	120	25	363	508	0	0	363	363
2023-24	240	50	320	610	60	0	320	380
2024-25	360	50	258	668	120	0	258	378
2025-26	360	75	253	688	240	25	253	518
2026-27	360	100	162	622	360	50	162	572
2027-28	360	100	163	623	360	50	163	573
2028-29	360	120	86	566	360	75	86	521
2029-30	360	120	68	548	360	100	68	528
2030-31	360	120	78	558	360	100	78	538
Total	2,940	760	6,027	9,727	2,220	400	6,027	8,647

8.4 Based solely on the inevitable delays to the strategic sites¹⁸, the Council would therefore only be a supply of 8,647 homes across the plan period which provides for a shortfall of **2,270 homes** against the minimum housing requirement. This optimistically assumes that:

- North West Cheltenham achieves the first completions circa 7 years after the validation of the first planning application in mid-2023/24 notwithstanding the fact that 3 years after submission of the application a

¹⁸ This takes no account of the reductions to the deliverable supply from sites outside of the closed list or the outline planning permissions without clear evidence and therefore presents a best-case scenario for the Council.

suitable transport solution has yet to be identified and that the application remains subject to numerous objections in both LPAs; and

- A planning application is submitted in the Spring of 2020 at West Cheltenham, notwithstanding that there is no transport solution which would be necessary to support this scheme, and assuming that no other substantive objections are raised such that the first completions are achieved circa 5.75 years later in late 2025.

8.5 The Cheltenham Plan was intended to ensure that the minimum housing requirement would be met. However, it is now acknowledged by the Council that even without further delays to the strategic sites, the Cheltenham Plan will not meet the minimum housing requirement. Once these inevitable delays are taken into account, and assuming that the Cheltenham Plan is found to be sound and adopted there will still be a substantial shortfall of 2,270 homes. Without the emerging allocations, this shortfall would be even greater.

8.6 Given the substantial shortfall against the minimum housing requirement across the plan period, it is evident that the plan-led system is failing in Cheltenham Borough. It is therefore necessary to supplement the current and emerging supply of the Council to increase the supply by at least 2,270 homes through windfall development such as that proposed at the appeal site.

The annualised shortfall

8.7 The JCS identifies that even against the stepped housing requirement of 450 homes per annum, there would be a shortfall until 31st March 2020, but that after this the cumulative supply would begin to exceed the cumulative stepped requirement. This position has changed as a result of the new trajectory of the Council, such that there will be a continue to be a shortfall against the cumulative stepped requirement throughout the plan period. The table is recalculated on this basis in Table 8.2 below.

Table 8.2 – update to the table on page 111 of the JCS based on the Council’s trajectory

	Other Delivery	SA Delivery	Total Projected Completions	Cumulative Completions	Plan - Annual Housing Requirement	Plan - Cumulative Housing Requirement	Monitor - No. of dwellings above or below cumulative requirement ¹⁹
2011/12	33	0	33	33	450	450	-417
2012/13	268	0	268	301	450	900	-599
2013/14	413	0	413	714	450	1,350	-636
2014/15	315	0	315	1,029	450	1,800	-771
2015/16	397	0	397	1,426	450	2,250	-824
2016/17	297	0	297	1,723	450	2,700	-977
2017/18	594	0	594	2,317	450	3,150	-833
2018/19	776	0	776	3,093	450	3,600	-507
2019/20	438	0	438	3,531	450	4,050	-519
2020/21	425	0	425	3,956	450	4,500	-544
2021/22	320	60	380	4,336	450	4,950	-614
2022/23	363	145	508	4,844	663	5,613	-769
2023/24	320	290	610	5,454	663	6,276	-822
2024/25	258	410	668	6,122	663	6,939	-817
2025/26	253	435	688	6,810	663	7,602	-792
2026/27	162	460	622	7,432	663	8,265	-833
2027/28	163	460	623	8,055	663	8,928	-873
2028/29	86	480	566	8,621	663	9,591	-970
2029/30	68	480	548	9,169	663	10,254	-1,085
2030/31	78	480	558	9,727	663	10,917	-1,190

8.8 I also calculate the position taking account of the inevitable delays to North West Cheltenham and West Cheltenham. This demonstrates that the shortfall will now increase year-on-year relative to the housing requirement (let alone the need). It will therefore be necessary to supplement the supply throughout the plan period.

¹⁹ In the table on page 111 of the JCS, positive numbers represent a shortfall. However, in the interests of clarity, I present shortfalls as negative numbers in this Table.

Table 8.3 – plan-period shortfall with realistic trajectories for strategic sites

	Other Delivery	SA Delivery	Total Projected Completions	Cumulative Completions	Plan - Annualised Housing Requirement	Plan - Cumulative Housing Requirement	Monitor - No. of dwellings above or below cumulative requirement
2011/12	33	0	33	33	546	546	-513
2012/13	268	0	268	301	546	1,092	-791
2013/14	413	0	413	714	546	1,638	-924
2014/15	315	0	315	1,029	546	2,183	-1,154
2015/16	397	0	397	1,426	546	2,729	-1,303
2016/17	297	0	297	1,723	546	3,275	-1,552
2017/18	594	0	594	2,317	546	3,821	-1,504
2018/19	776	0	776	3,093	546	4,367	-1,274
2019/20	438	0	438	3,531	546	4,913	-1,382
2020/21	425	0	425	3,956	546	5,459	-1,503
2021/22	320	0	320	4,276	546	6,004	-1,728
2022/23	363	0	363	4,639	546	6,550	-1,911
2023/24	320	60	380	5,019	546	7,096	-2,077
2024/25	258	120	378	5,397	546	7,642	-2,245
2025/26	253	265	518	5,915	546	8,188	-2,273
2026/27	162	410	572	6,487	546	8,734	-2,247
2027/28	163	410	573	7,060	546	9,279	-2,219
2028/29	86	435	521	7,581	546	9,825	-2,244
2029/30	68	460	528	8,109	546	10,371	-2,262
2030/31	78	460	538	8,647	546	10,917	-2,270

9. THE FUTURE FIVE-YEAR LAND SUPPLY

9.1 From the table on the trajectory submitted to the examination of the JCS (in examination document MM10D), it is also possible to calculate the planned five-year land supply position of the Council at the time that the JCS was adopted. The detailed calculations are set out in Appendix 14 but are summarised in Table 9.1 below.

APPENDIX 14: FUTURE FIVE-YEAR LAND SUPPLY POSITIONS

Table 9.1 – planned five-year land supply position

	A (page 111 of the JCS)	B = sum of A for forthcoming 5 years	C	D = B/C x 5
	Housing trajectory	Deliverable supply	Five-year requirement	Five-year land supply position
2017/18	448	3,608	3,118	5.79
2018/19	724	3,834	3,407	5.63
2019/20	893	3,783	3,118	6.07
2020/21	790	3,618	3,158	5.73
2021/22	753	3,596	3,216	5.59
2022/23	674	3,563	3,258	5.47
2023/24	673	3,552	3,223	5.51
2024/25	728	3,482	3,179	5.48
2025/26	768	3,213	3,071	5.23
2026/27	720	2,917	2,879	5.07
2027/28	663	Cannot be calculated as the trajectory and the requirement post-2031 are unknown		
2028/29	603			
2029/30	459			
2030/31	472			

9.2 Table 9.15 illustrates that at the point the JCS was adopted, not only was there a sufficient supply to exceed the minimum housing requirement, it was expected that a five-year land supply would be maintained across the plan period.

9.3 This five-year land supply position at the point of adoption of the JCS in 2017 was reliant not only on the strategic allocations delivering completions in 2018/19 but also upon the early adoption of the emerging Local Plan to provide housing completions in 2017/18 as set out in Appendix 2 of the Housing Implementation Strategy (Appendix 15).

APPENDIX 15: EXTRACT OF HOUSING IMPLEMENTATION STRATEGY

9.4 Indeed, the Council identified to the JCS Inspector that the emerging Cheltenham Plan would be adopted in late 2018 (Appendix 16) which would indicate that the trajectory assumed in the JCS was already out-of-date at the point of adoption.

**APPENDIX 16: CHELTENHAM BOROUGH LOCAL DEVELOPMENT SCHEME,
OCTOBER 2017**

9.5 However, the Cheltenham Plan was only submitted for examination in October 2018 and remains at examination. This at least two-year delay will have had significant negative effects on the trajectory for any of the proposed allocations, such that the shortfall in housing land supply has arisen even sooner than anticipated by the JCS Inspector. This is now accepted to be the case by the Council.

9.6 Based on the current trajectory of the Council which has arisen as a result of the delays to the strategic sites and the Local Plan it is possible to calculate the five-year land supply across the remainder of the plan period. This is also calculated in Appendix 14 and summarised in Table 9.2 below. The trajectory used in this calculation is taken from Figure 5 of the Five Year Land Supply Position Statement (CD E5) which doesn't include any allowance for lapses as assumed within the deliverable supply of the Council²⁰. The actual trajectory of the Council in each year will therefore be slightly lower in every year once these lapses are taken into account to provide a realistic prospect of delivery²¹.

²⁰ Following detailed consideration throughout the JCS examination.

²¹ By way of illustration of the effect of this, the Council currently identify a deliverable supply of 2,265 homes which provides for a 3.74 year land supply. However, based on the trajectory in Figure 5, without lapses, there would be a supply of 2,361 homes which would equate to a 3.89 year land supply as set out in Table 9.10.

Table 9.2 – current anticipated five-year land supply position of the Council

	A (Figure 5 of CD E5)	B = sum of A for forthcoming 5 years	C	D = B/C x 5
	Housing trajectory	Deliverable supply	Five-year requirement	Five-year land supply position
2017/18	594	2,613	3,119	4.19
2018/19	776	2,527	3,340	3.78
2019/20	438	2,361	3,032	3.89
2020/21	425	2,591	3,281	3.95
2021/22	380	2,854	3,543	4.03
2022/23	508	3,096	3,839	4.03
2023/24	610	3,211	3,985	4.03
2024/25	668	3,167	4,097	3.86
2025/26	688	3,047	4,196	3.63
2026/27	622	2,917	4,312	3.38
2027/28	623	Cannot be calculated as the trajectory and the requirement post-2031 are unknown		
2028/29	566			
2029/30	548			
2030/31	558			

9.7 It is therefore evident from Table 9.2 that based on the Council’s current trajectory, the Council will be unable to restore a five-year land supply against the adopted housing requirement throughout the remainder of the plan period unless significant additional sources of supply are identified. I consider that the trajectories of the Council are unrealistic and that accordingly the future five-year land supply position will be worse than outlined in Table 9.2 above.

10. AFFORDABLE HOUSING NEEDS

10.1 The JCS Inspector identified in paragraph 59 of the Final Report that there was a need for 638 affordable homes per annum across the JCS area. This figure arises from the SHMA, Further Update, Affordable Housing document of September 2015, which identifies in Table A1.9 that of this, 231 affordable homes per annum are needed in Cheltenham Borough from 2015 onwards.

10.2 MHCLG Live Table 1008C identifies that in the four-years 2015-19, a total of 192 affordable homes have been provided in Cheltenham, or an annual average of only 48. A comparison of the need and supply is presented in Table 10.1 below.

Table 10.1 – comparison of affordable need and supply

	Affordable need	Affordable supply	Surplus/shortfall
2015-16	231	12	-219
2016-17	231	33	-198
2017-18	231	44	-187
2018-19	231	103	-128
Total	924	192	-732

10.3 This demonstrates that there has been a shortfall in delivery of 732 affordable homes over just this four-year period.

11. HOUSING NEEDS ACROSS THE PLAN AREA

11.1 The housing land supply shortfall is not limited to Cheltenham Borough but is instead experienced across the JCS plan area and is accepted by the LPAs as briefly summarised in Table 11.1 below. This means that housing needs which continue to go unmet in Cheltenham are not being accommodated in the broader area which further compounds the adverse impacts on households.

11.2 It should be noted that I consider that some of the respective positions are significantly lower than identified in Table 11.1. For example:

- Gloucester City Council's five-year land supply position has been prepared for the purposes of the Gloucester City Plan and therefore appropriately includes the supply from emerging allocations. However, until such time as these are allocated (if they are found to be sound), they cannot be considered suitable and so cannot be considered to be deliverable. Without these sites, the Council's five-year land supply position would reduce to 4.6 years;
- As identified throughout this Proof of Evidence, I do not agree with either the plan period shortfall or the five-year land supply position in Cheltenham Borough;
- Tewkesbury Borough Council's five-year land supply position adopts an approach which is contrary to that recommended by the Inspector and endorsed by the Secretary of State in a recent appeal decision²². Using the approach of the Secretary of State, the Council would only be able to demonstrate a 2.4 year land supply.

11.3 Based on these differences alone, I present my respective position in square brackets in Table 11.1. However, had I undertaken a detailed assessment of the individual components of supply in Gloucester City and Tewkesbury Borough, I consider that it is likely that the supply would be lower again.

²² At Land south of Oakridge, Highnam (APP/G1630/W/3184272).

Table 11.1 – housing need and supply across the JCS plan area according to the LPAs

	Gloucester	Cheltenham	Tewkesbury	JCS plan area
Housing requirement 2011-31 ²³	14,359	10,917	9,899	35,175
Plan period supply	13,084 ²⁴	9,727 [8,647]	6,160 ²⁵	28,971 [27,891]
Plan period shortfall	-1,275	-1,190 [-2,270]	-3,739	-6,204 [-7,284]

Five-year requirement according to the Council	4,534 ²⁶	3,031 [3,032]	1,442 ²⁷ [2,598]	9,007 [10,164]
Deliverable supply according to the Council	4,967 [4,130]	2,265 [1,282]	1,248	8,480 [6,660]
Five-year land supply position of the Council	5.4 [4.6]	3.7 [2.1]	4.3 [2.4]	4.7 [3.3]

Annual affordable housing need 2015-31 ²⁸	282	231	126	639
Affordable housing need 2015-19	1,128	924	504	2,556
Affordable housing supply 2015-19 ²⁹	412	192	1,027	1,631
Affordable housing shortfall 2015-19	-716	-732	+523	-925

²³ See Policy SP1 of the JCS.

²⁴ See Page 3 of the Gloucester City Housing Background Paper, September 2019 (CD E4).

²⁵ See Table 1, Page 7 of the Tewkesbury Borough Housing Monitoring Report, August 2019 (CD E1).

²⁶ See Figure 1, Page 6 of the Gloucester City Housing Background Paper, September 2019 (CD E4).

²⁷ See Figure 1, Page 6 of the Tewkesbury Borough Five Year Housing Land Supply Statement, August 2019 (CD E3).

²⁸ See Tables A1.9, A2.9 and A3.9 of the SHMA, Further Update Affordable Housing, September 2015 (CD D4).

²⁹ Taken from MHCLG Live Table 1008C.

12. CONCLUSIONS

12.1 Even relying upon the available evidence including the trajectory of the Council, which is considered unrealistic, a number of material matters arise, namely:

- Even with the emerging allocations of the Cheltenham Plan, there will be a significant shortfall against the minimum housing requirement over the plan period;
- The Council is currently unable to demonstrate a five-year land supply even against the stepped requirement and using the Liverpool approach;
- There is a significant shortfall in the current five-year land supply position;
- The Council is unable to restore a five-year land supply over the plan period without significant additional sources of supply being brought forward;
- There has been a significant under-delivery of 732 affordable homes over the period for which the affordable needs have been calculated;
- The housing land supply shortfalls are not limited to Cheltenham but are evident across the JCS plan area.

12.2 The only differences between the parties relate to the extent of the shortfall for a number of the above bullet points as follows:

- The Council consider that across the plan period there will be a shortfall of **1,190 homes** against the minimum housing requirement, whereas I consider that this will be **at least 2,270**;
- The Council consider that there is currently a **3.73 year land supply**, whereas I consider that there is currently at most a **2.11 year land supply**.

12.3 It will be a matter for the planning witnesses as to whether these differences are material and therefore whether or not they need to be resolved for the purposes of this inquiry.