

**PROOF OF EVIDENCE OF JOHN ROWLEY BA(Hons), MSc**

**PLANNING APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY  
PLANNING ACT 1990**

**Appeal Site:** Land at Oakley Farm, Cheltenham, GL52 6PW

**Appeal by:** Robert Hitchins Ltd

**Against:** Non-determination of Outline Planning Application

**LPA Ref:** 20/01069/OUT

**PINS Ref:** APP/B1605/W/21/3273053

## 1. Qualifications & Experience

- 1.1. My name is John Rowley and I hold the position of Planning Policy Team Leader at Cheltenham Borough Council. I have worked for this local authority since 2016. I hold an MSc in Town and Country Planning from Newcastle University and I have worked in the planning sector for 13 years.

## 2. Planning Policy Context

- 2.1. The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) (CD E1) was adopted in December 2017 and provides the strategic policies of the Development Plan for Cheltenham Borough, including mixed-use strategic allocations at North West Cheltenham and West Cheltenham.
- 2.2. The JCS sets out the housing requirement for the area as a whole, but includes a breakdown for each local authority. The five-year housing land supply for each local planning authority is calculated separately rather than as a whole JCS area.
- 2.3. In line with the JCS development strategy and set out within policy SP2 of the JCS, the delivery of housing provided on the two cross boundary strategic allocations will be attributed in full to meeting Cheltenham Borough's housing need.
- 2.4. Cheltenham Plan (CD E2) was adopted in July 2020. At the time of the examination hearings the council were unable to demonstrate a five year housing land supply (5YHLS).
- 2.5. Cheltenham Borough Council are not presently able to demonstrate a 5YHLS, as shown in the 5YHLS statement (July 2021) (CD F8A); at the time of this inquiry the Council are able to demonstrate 3.9 years of supply.

## 3. JCS Review

- 3.1. The adopted JCS contains a commitment to undertake an immediate review on the issues of housing supply for Gloucester and Tewkesbury and the retail/ town centre policies for the whole area. In July 2018 the Government published a revised National Planning Policy Framework (NPPF) which placed new requirements on local plan making. This meant that the scope of the review was expanded to ensure that it is conformity with national policy.
- 3.2. The wider review now includes the delivery of strategic allocation sites identified in the JCS to ensure that each authority is able to meet its housing and employment requirements, including maintaining a 5YHLS. Fundamentally, the JCS Review is looking again at the future growth needs, what the best strategy is for delivering that growth, and the allocation of strategic sites to help meet these needs up to 2041.
- 3.3. The adopted JCS also includes a review mechanism trigger for under delivery at Strategic Allocations. Paragraph 7.1.11 says the following:

*In the event of the Strategic Allocations cumulatively delivering less than 75% of their projected housing completions (considered annually), over three consecutive years (based on the trajectories set out in the Housing Implementation Strategy), this will trigger the need for the consideration of a partial or full JCS review.*

- 3.4. This trigger has been overtaken by the events mentioned above. However, if a full plan review had not started yet it would most likely be triggered once the monitoring data for the year 2020/21 has been published.

- 3.5. The full review of the JCS is in progress with an Issues and Options consultation (CD E5) taking place at the beginning of 2019, and a Preferred Options (Regulation 18) consultation expected later in 2021. This will include revision of housing requirements, allocations to meet both housing and employment needs and all policies.
- 3.6. The boundary of Cheltenham Borough is tightly drawn to the existing urban area. Additionally, the urban area is bounded by Green Belt on the north, west and south sides and the Cotswolds National Landscape on the east. Additionally, there are only limited infilling or redevelopment opportunities within the urban area. Allocating land within the Cotswolds National Landscape or removing land from the Green Belt to address the shortfall must be plan led due to the special protection afforded to both land categories by the NPPF. Speculative applications are not appropriate for a plan led system.
- 3.7. These were major reasons for the creation of the JCS and remain critical issues. Strategic planning is required to navigate these difficult issues, avoid speculative development in inappropriate locations and ensure sustainable patterns of growth.

## 4. Housing Supply

- 4.1. A key component of supply for Cheltenham Borough is the strategic allocations provided for through the JCS, which accounts for 38% of the total supply over the period of the plan.
- 4.2. It is because of delays to the two Strategic Allocations that the trajectory shows Cheltenham is no longer able to meet its full housing requirement across the plan period or demonstrate a 5YHLS. Both issues will be addressed as part of the plan review of the JCS.
- 4.3. To inform the five year housing land supply calculation a trajectory of all sites is used. The table below gives a summary of the trajectory in terms of completions and expected completions.

<b>Year</b>	<b>Requirement</b>	<b>Completions/ Expected</b>	<b>Cumulative Completions</b>	<b>Over/Under Supply</b>
2011-12 Net Delivery	450	33	33	-417
2012-13 Net Delivery	450	268	301	-182
2013-14 Net Delivery	450	413	714	-37
2014-15 Net Delivery	450	315	1029	-135
2015-16 Net Delivery	450	397	1426	-53
2016-17 Net Delivery	450	297	1723	-153
2017-18 Net Delivery	450	594	2317	+144
2018-19 Net Delivery	450	776	3093	+326
2019-20 Net Delivery	450	462	3555	+12
2020-21 expected	450	425	3980	-25
2021-22 expected	450	380	4360	-70

2022-23 expected	663	508	4868	-155
2023-24 expected	663	610	5478	-53
2024-25 expected	663	668	6146	+5
2025-26 expected	663	688	6834	+25
2026-27 expected	663	622	7456	-41
2027-28 expected	663	623	8079	-40
2028-29 expected	663	566	8645	-97
2029-30 expected	663	548	9193	-115
2030-31 expected	663	558	9751	-105

4.4. The table below presents the five year housing land supply calculation for Cheltenham Borough using the Liverpool method.

	Component	Calculation	Sum
f	5 Year Requirement (2020/21 to 2024/25)	$f = a \times 5$	2889
g	Remainder of plan period		11
h	Plan Period Shortfall to be met within the five year period	$h = (e/g) \times 5$	224
i	NPPF Buffer (5%)	$i = (f+h) \times 5\%$	156
j	Total no. of dwellings required over 5 years	$j = f + h + i$	3269
k	Total anticipated supply 2020/21 to 2024/25		2577
l	Percentage of total requirement met	$l = k/j$	<b>78.8%</b>
m	Supply in Years	$m = k/j \times 5$	<b>3.9</b>

## 5. Strategic Allocation delivery

- 5.1. The trajectory for the strategic allocations is updated each year to account for any changes relating to each of the sites in terms of planning/development status. This is produced in conjunction with site promoters/developers to ensure the trajectory for these sites are realistic and have the potential of being fulfilled. The results of this work also feed into the annual Strategic Assessment of Land Availability (needs ref).
- 5.2. As mentioned above, the Strategic Allocations make up a significant proportion of the housing trajectory for Cheltenham in the existing JCS. The reasons for delays at these sites are set out below. Neither site has insurmountable problems and are still expected to deliver the same number of dwellings as is set out in the JCS. The Council therefore consider the shortfall in housing across the current JCS plan period and in the 5YHLS to be temporary issues which require plan-led solutions.

### North West Cheltenham Strategic Allocation

- 5.3. There is currently an outline planning application (16/02000/OUT) pending consideration on the majority of the site at North West Cheltenham (known as "Elms Park" in the application). This site has been delayed because of concerns about highway capacity. The concerns were centred around impacts on Junction 10 of the M5. When the JCS was originally submitted the site known as 'West Cheltenham' was included as safeguarded land rather than as an allocation. Through the JCS examination, however, West Cheltenham was

included as an allocation for approximately 1,100 dwellings and 45 hectares of employment land. The added traffic generated from the new allocation had to be added in to the transport modelling and new solutions developed to address this.

- 5.4. This Council, together with Gloucestershire County Council and Tewkesbury Borough Council were successful in pursuing a Housing Infrastructure Fund (HIF) bid with Homes England to secure improvements to M5 J10, to enable the release of this site, West Cheltenham and further growth. The junction is anticipated to open in 2024. The certainty of the improvements together with updated modelling and mitigation strategy has allowed Highways England to remove their objection to the North West Cheltenham planning application subject to conditions.
- 5.5. Another part of the Strategic Allocation is also subject to a planning application (20/00759/FUL). This proposal is for 265 dwellings in the south-east corner of the allocation.
- 5.6. The first delivery date for this allocation is now expected to be in 2021/22, meaning that it will deliver the 2,940 dwellings within the plan period. The remaining 1,345 dwellings will be delivered by 2037.

#### **West Cheltenham Strategic Allocation**

- 5.7. Cheltenham Borough Council has acquired 45ha of land within the West Cheltenham strategic allocation, part of which together with neighbouring landowners will deliver a minimum of 1,100 homes. Work is progressing, with a Supplementary Planning Document adopted in 2020 and an application anticipated soon. Following correspondence with site promoters, the trajectory for this site has also been amended from what was in the JCS. Delivery will start in 2022/23, with 760 dwellings likely be delivered within the current plan period. The remaining 340 dwellings will be delivered by 2034.
- 5.8. Although the number of dwellings at this site is significantly smaller than North West Cheltenham there is an opportunity as identified through the Supplementary Planning Document to increase efficiency in density and increase the capacity.

## 6. Delivery outside of Strategic Allocations

- 6.1. The assertion that the 5YHLS shortfall is an issue restricted to the Strategic Allocations is also evidenced by the healthy delivery rates in Cheltenham Borough outside of the Strategic Allocations.
- 6.2. Since the JCS was adopted Cheltenham Borough has over-delivered on dwellings vs. both the JCS annual requirement and the original JCS trajectory (see table below).

Year	JCS annual requirement	Original JCS Trajectory delivery (non-SA)	Actual delivery (non-SA)	Delivery vs. trajectory	Delivery vs. requirement
2017/18	450	448	596	146	148
2018/19	450	564	776	326	212
2019/20	450	528	462	12	-66
<b>Total</b>	<b>1350</b>	<b>1540</b>	<b>1834</b>	<b>+484</b>	<b>+294</b>

- 6.3. In order to remedy the 5YHLS shortfall Cheltenham Borough Council is also actively involved in the delivery of housing development outside of the planning system, to cater for the needs of our community and to accelerate the delivery of much needed housing. 'Live' examples of that involvement include:

- The Cheltenham Plan, adopted in July 2020, supports the JCS. This provides more

localised, detailed policies and smaller-scale housing, employment and mixed-use allocations.

- Award of £22million to GFirst Local Enterprise Partnership to deliver transport improvements on the A40 corridor to enable the opening up of West Cheltenham strategic allocation. Works to start on site 2021.
- Award of Garden Community status by Ministry of Housing and Local Government together with funding of £150,000 to help drive forward garden community principles through the future planning consents at West Cheltenham strategic allocation
- Acquisition of 45ha by Cheltenham Borough Council of allocated mixed-use land in West Cheltenham. By working in collaboration with adjacent landowners, West Cheltenham strategic allocation has the capacity to deliver a minimum of 1,100 homes
- In collaboration with Tewkesbury Borough Council, preparation of a strategic masterplan for West Cheltenham strategic allocation. This SPD has tested the opportunity for increasing the efficiency of land and sets out a strategic framework for the delivery of approximately 3,000 new homes, including affordable housing and diverse living options
- The successful joint preparation of a Housing Infrastructure Fund Bid (with Gloucestershire County Council and Tewkesbury Borough Council) to seek £220m funding to create a new all-ways junction at J10 M5, to enable the development of allocated and future safeguarded land for housing and employment at West and North West Cheltenham.
- Active engagement with North West Cheltenham developer consortium to support progression of outline application and detail of the first delivery phase
- Full Council approval of £100m investment in affordable and private market rental stock in the borough
- Ongoing HRA and commuted sums106 development through Cheltenham Borough Homes
- Ongoing property asset assessment to enable the release of council assets for housing development
- Proactive engagement with the landlords and operators within the town centre to encourage residential use above retail

## 7. Summary

- 7.1. Cheltenham Borough's current shortfall in 5YHLS is the result of delays at the two Strategic Allocations in the existing JCS. These delays are temporary and specific to those allocations. The shortfall will be addressed in the review of the JCS that is already underway and additional sites will be identified to supplement the existing allocations.
- 7.2. The JCS was written to accommodate these sorts of unforeseeable issues. It contains review mechanisms that have been triggered. This plan-led system should be allowed to proceed. The constraints in and around Cheltenham Borough require a strategic approach in order to avoid speculative development in inappropriate locations.