



Proof of evidence of Ben Pycroft BA (Hons), Dip TP, MRTPI in relation to housing land supply

Residential development of up to 100 no. dwellings – Land
rear of Oakdene, Chain House Lane, Whitestake,
Lancashire

for Wainhomes (North West) Ltd

Emery Planning project number: 18-294

PINS ref: APP/F2360/W/19/3234070

LPA ref: 07/2018/9316/OUT

Project : 18-294
Site address : Land rear of Oakdene,
Chain House Lane,
Whitestake, Lancashire
Appellants : Wainhomes (North West)
Ltd
Date : 15 October 2019
Author : Ben Pycroft

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1. Introduction and summary

- 1.1 This proof of evidence is submitted on behalf of Wainhomes (North West) Limited (i.e. the Appellant) in support of its appeal against the decision of South Ribble Borough Council to refuse to grant outline planning permission for the erection of up to 100 dwellings at land to the rear of Oakdene, Chain House Lane, Whitestake, Lancashire (LPA ref: 07/2018/9316/OUT).
- 1.2 This proof of evidence specifically addresses matters relating to housing land supply. It should be read alongside the proof of evidence prepared by Mr Harris, which deals with all other planning matters in relation to the appeal.

Qualifications

- 1.3 I am Benjamin Michael Pycroft. I have a B.A. (Hons) and postgraduate diploma in Town Planning from the University of Newcastle-upon-Tyne and am a member of the Royal Town Planning Institute. I am a Director of Emery Planning, based in Macclesfield, Cheshire.
- 1.4 I have extensive experience in dealing with housing supply matters and have prepared and presented evidence relating to five year housing land supply calculations at several Local Plan examinations and public inquiries across the country.
- 1.5 I understand my duty to the inquiry and have complied, and will continue to comply, with that duty. I confirm that this evidence identifies all facts which I regard as being relevant to the opinion that I have expressed and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion. I believe that the facts stated within this proof are true and that the opinions expressed are correct, and comprise my true professional opinions which are expressed irrespective of by whom I am instructed.
- 1.6 I provide a separate summary to this proof of evidence and set of appendices. I also refer to several core documents and the statement of common ground regarding housing land supply matters.

Executive summary

Five year housing land supply

- 1.7 The Council's latest Housing Land Position (HLP) has a base date of 31st March 2019 and was first published in June 2019 and then republished in August 2019¹. It states that the Council has a deliverable five year supply of 3,998 dwellings, which equates to a five year supply of 5.96 years against the adopted housing requirement plus a 5% buffer and 17.8 years against the local housing need calculated using the Government's standard method plus a 5% buffer. The HLP provides both calculations. This is because the HLP does not confirm whether the adopted housing requirement set out in Policy 4 of the Core Strategy has been reviewed or not. However, the Council has confirmed that its position is that the five year housing land supply should be measured against the local housing need and not the adopted housing requirement.
- 1.8 My evidence explains how the adopted housing requirement set out in Policy 4 of the Central Lancashire Core Strategy was reviewed by the three Councils in Central Lancashire (Chorley, Preston and South Ribble) in 2017 and found not to require updating. Whilst the review took place before the 2018 Framework was published, it did take place within the last five years. The PPG has been updated² to explain that in such circumstances the housing requirement can remain up to date if it is not significantly below the number generated using the standard method. Therefore, in accordance with paragraph 73 and footnote 37 of the Framework, the five year supply should be measured against the adopted housing requirement set out within Policy 4 of the Core Strategy. Indeed, Chorley and Preston both continue to measure their five year housing land supply against their respective housing requirements set out in Policy 4 of the Core Strategy on the basis that the policy has been reviewed and found not to require updating.
- 1.9 On the supply side, the Council claims to have a "deliverable" supply of 3,998 dwellings. However, 1,523 dwellings of the claimed supply are on allocated sites and sites with outline planning permission for major development. In accordance with the definition of "deliverable" set out on page 66 of the Framework, these sites should "only" be considered deliverable where there is clear evidence that housing completions will begin on site within five years. The Council has not provided the type of clear evidence as set out in paragraph 68-007 of the Planning Practice

¹ Core document 6.1

² Paragraph: 062 Reference ID: 61-062-20190315: "How often should a plan or policies be reviewed?"

Guidance (PPG)³. In my view, the evidence the Council has provided falls substantially short of that which it is expected to produce to demonstrate deliverability. I have assessed these sites and conclude that 951 dwellings should be removed because they do not meet the definition of deliverable.

- 1.10 I also consider that 450 dwellings should be removed from sites which have detailed consent but the lead-in time should be extended / build rate reduced for these sites.
- 1.11 In addition, the Council has failed to provide the “compelling evidence” required to include a windfall allowance of 600 dwellings in the five year supply. My evidence confirms that there is only evidence to support a windfall allowance of 177 dwellings, which is consistent with the position set out by the Council in previous HLP reports.
- 1.12 I conclude that the deliverable supply is therefore 2,174 dwellings (i.e. $3,998 - 951 - 450 - 423 = 2,174$ dwellings). Against the adopted housing requirement and a 5% buffer, this means that the Council has a deliverable supply of **3.24 years**.
- 1.13 The implications of this are addressed by Mr Harris.

³ Paragraph 007 Reference ID: 68-007-20190722: “What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?”

2. Planning policy context

2.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework ("the Framework") is a material consideration, which is discussed below.

National planning policy and guidance

The National Planning Policy Framework ("the Framework")

2.2 The Framework was published in March 2012. It was revised in July 2018 and again in February 2019. In relation to housing land supply, section 5 of the Framework: "*Delivering a sufficient supply of homes*" and the definition of "deliverable" set out on page 66 of the Framework are relevant to my proof of evidence.

Planning Practice Guidance (PPG)

2.3 The PPG was first published in March 2014 and has been updated since. It contains guidance on "*Housing and economic needs assessment*" at section 2a, "*Housing and economic land availability assessments*" at section 3, "*Housing supply and delivery*" at section 68 and "*Plan-making*" at section 61, which were all updated on 22nd and 23rd July 2019. I refer to paragraphs within these sections of the PPG in my proof of evidence.

Development Plan Context

2.4 The existing development plan is contained within the Central Lancashire Core Strategy (adopted July 2012) and the South Ribble Local Plan (adopted July 2015). The conformity of the appeal proposal with the development plan is addressed by Mr Harris.

2.5 Policy 4 of the Core Strategy: "*Housing Delivery*" is relevant to my proof of evidence. It sets out a "*minimum*" housing requirement over the period 2010 to 2026 of:

- 507 dwellings per annum for Preston;
- 417 dwellings per annum for Chorley; and
- 417 dwellings per annum for South Ribble.

2.6 Policy 4 of the Core Strategy also states that prior under provision of 702 dwellings since 2003 should also be addressed in the plan period 2010 to 2026.

Other material considerations

Housing Land Position incorporating update to Strategic Housing Land Availability Assessment (August 2019)⁴

2.7 The latest Housing Land Position (HLP) was published in June 2019 and re-published in August 2019 and has a base date of 31st March 2019. I also refer to the previous Housing Land Positions (base date 31st March 2018⁵ and 31st March 2017⁶) in my proof of evidence.

Local Development Scheme (LDS)

2.8 The latest LDS was published in February 2019 and sets out the following timescale for updating the Central Lancashire Local Plan:

- Issues and Options Consultation – July 2019 – September 2019;
- Consultation on draft plan (Regulation 18) – March 2020 to May 2020;
- Publication of the Submission Draft Local Plan (Regulation 19) – early 2021;
- Submission – May 2021;
- Adoption – June 2022.

2.9 The Issues and Option consultation did not take place between July and September 2019. I understand that the intention is for the consultation to take place between November 2019 and February 2020. The timescales set out within the LDS are therefore already out of date.

⁴ Core Document 6.1

⁵ Core Document 6.6

⁶ Core Document 6.7

3. South Ribble’s Five Year Housing Land Supply Position

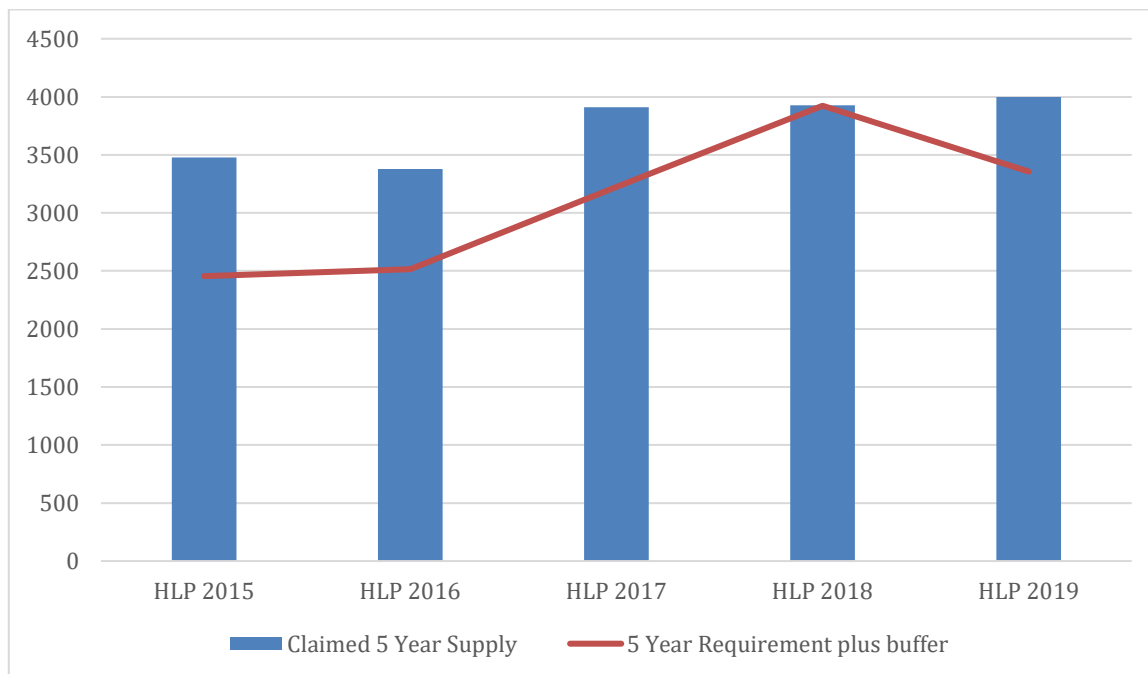
Previous positions

3.1 Since the South Ribble Local Plan was adopted in July 2015, the Council has claimed that it could demonstrate a deliverable five year supply of housing land against its adopted housing requirement. This is shown in the following table and chart.

Table 3.1: South Ribble’s Claimed Five Year Housing Land Supply Position 2015 – 2019

	01/04/15	01/04/16	01/04/17	01/04/18	01/04/19
Claimed five year housing requirement plus buffer (dwellings)	2,455 (491 p.a.)	2,515 (503 p.a.)	3,225 (645 p.a.)	3,923 (785 p.a.)	3,355 (671 p.a.)
Claimed five year supply (dwellings)	3,477	3,377	3,910	3,927	3,998
Claimed supply (years)	7.1	6.7	6.1	5.01	5.96

Chart 3.1: South Ribble’s Claimed Five Year Housing Land Supply Position against the adopted housing requirement 2015 – 2019



3.2 The Council has over estimated delivery over the respective five year period in each of the trajectories appended to its Housing Land Position reports as I show in the following charts and tables.

Table 3.2 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2015 compared to actual delivery

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
Total Estimated	294	626	991	859	725	3,495
Actual	371	189	318	491		
Difference (dwellings)	77	-437	-673	-368		

Chart 3.2 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2015 compared to actual delivery

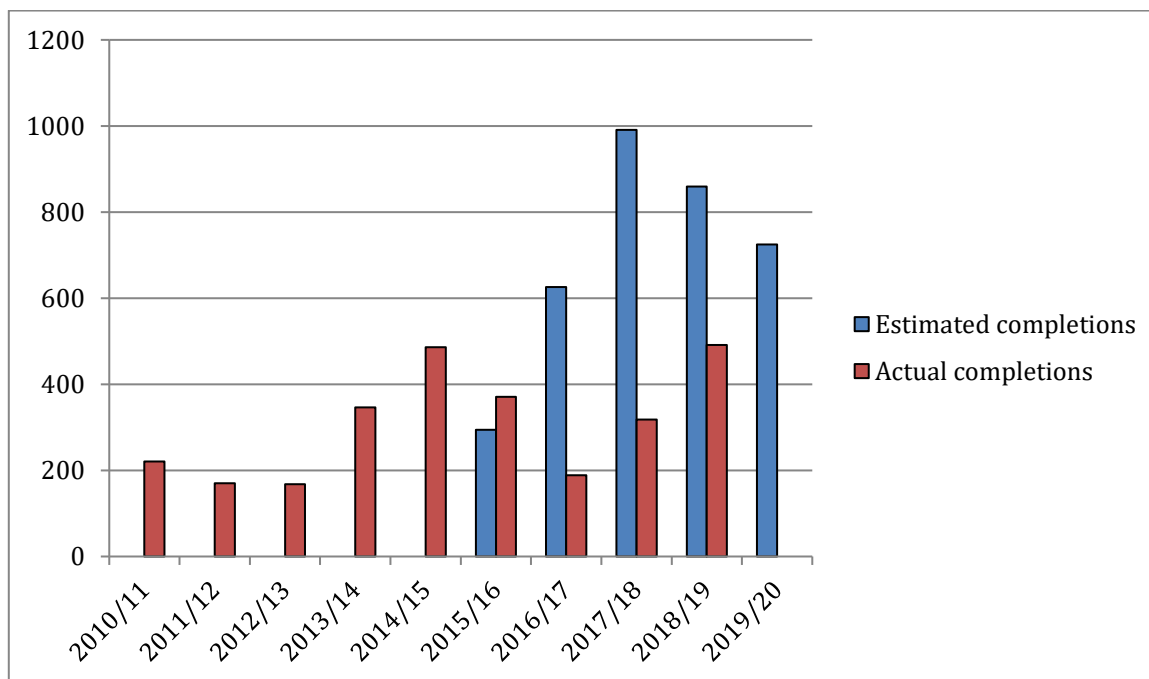


Table 3.3 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2016 compared to actual delivery

	2016/17	2017/18	2018/19	2019/20	2020/21	Total
Total Estimated	227	503	779	979	907	3,395
Actual	189	318	491			
Difference (dwellings)	-38	-185	-288			

Chart 3.3 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2016 compared to actual delivery

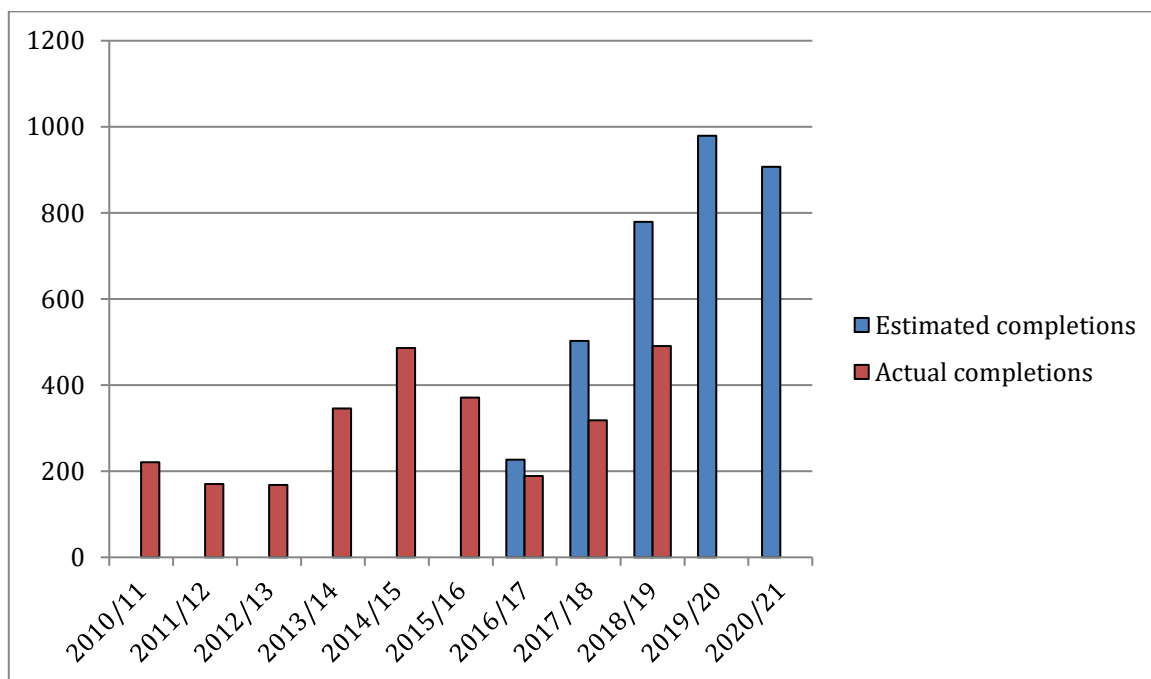
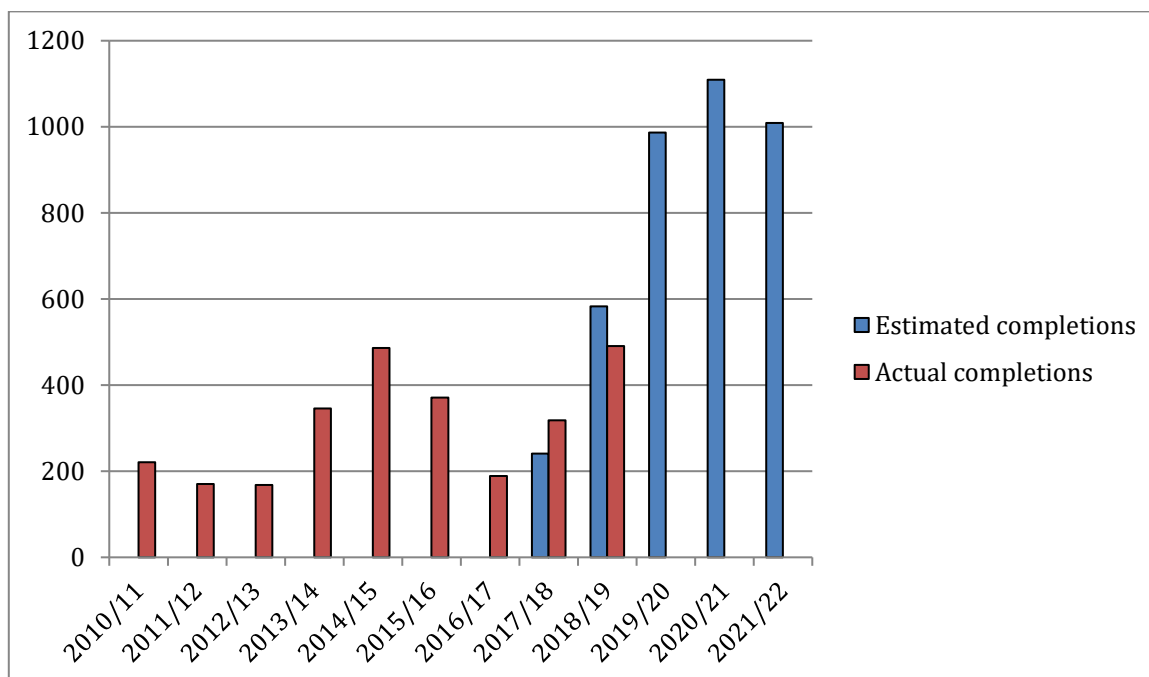


Table 3.4 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2017 compared to actual delivery

	2017/18	2018/19	2019/20	2020/21	2021/22	Total
Total Estimated	241	583	987	1,109	1,009	3,929
Actual	318	491				
Difference (dwellings)	77	-92				

Chart 3.4 – South Ribble’s Housing Trajectory of Estimated Dwelling Completions at 31st March 2017 compared to actual delivery



3.3 As can be seen from the above tables and charts, the actual completions have been substantially below what the Council has estimated would be completed in each of its trajectories. Delivery has not just fallen short of expectation by a small margin but by a significant amount. Each projection shows that delivery over the next five years will be significantly higher than it has been in previous years. Chart 3.4 above shows predicted delivery in 2020/21 of over 3 times the average completions experienced in the plan period (of 348 dwellings). This is important since those trajectories have been central to the basis upon which the Council has claimed to be able to demonstrate a five year supply of housing land over the last few years. In my view, the clear reason for the difference between delivery expectation and reality is because of the heavy reliance on sites without detailed planning permission on allocated sites, which have not come forward as the Council expected.

Current position

3.4 The Council's Housing Land Position (HLP) claims that it can demonstrate a 5.96 year supply at 31st March 2019 against the adopted housing requirement based on the following:

- A base date of 31st March 2019 and a five year period of 1st April 2019 to 31st March 2024;
- The annual housing requirement of 417 dwellings;
- A past shortfall of 1,110 dwellings, which the Council considers should be addressed in full in the five year period (i.e. the 'Sedgefield' method);
- A total five year requirement of 3,195 dwellings;
- The application of a 5% buffer; and
- A "deliverable" supply of 3,998 dwellings.

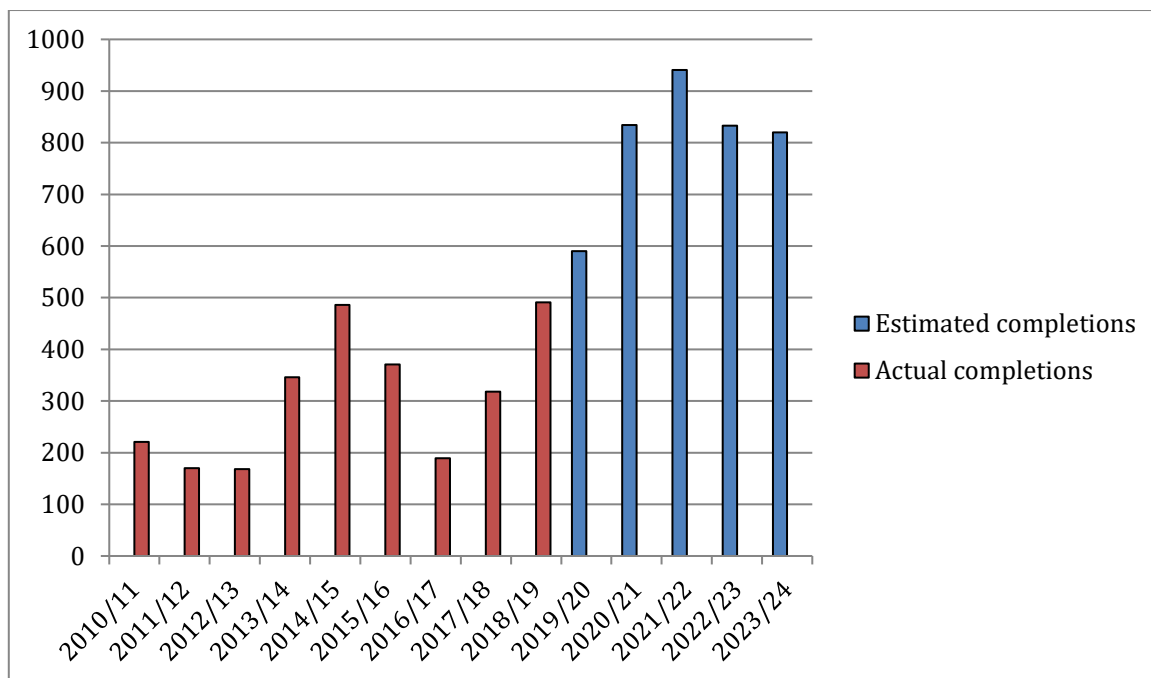
3.5 The HLP also shows the supply measured against the local housing need using the standard method. However, as I explain in section 7 of my proof of evidence, the HLP is ambiguous in terms of which figure its housing land supply should be measured against. Both of the positions are summarised in the following table:

Table 3.6 – South Ribble's claimed Five Year Housing Land Supply at 31st March 2019

	Requirement	Adopted housing requirement	Local housing need
A	Annual requirement	417	214
B	Past shortfall at 31 st March 2019	1,110	0
C	Amount of past shortfall to be addressed in the five year period	1,110	0
D	Total five year requirement (A X 5 + C)	3,195	1,070
E	Requirement plus 5% buffer (D + 5%)	3,355	1,124
F	Annual requirement plus buffer (E / 5 years)	671	225
	Supply		
G	Claimed five year supply 1 st April 2019 to 31 st March 2024	3,998	3,998
H	Years supply (G / F)	5.96	17.77

3.6 The five year supply trajectory is shown in the following chart compared to the past completions:

Chart 3.6 – South Ribble’s Five Year Housing Trajectory at 31st March 2019



4. Housing Delivery Test

4.1 The definition of the Housing Delivery Test (HDT) is provided in the Glossary to the Framework on page 67 as follows:

“Housing Delivery Test: Measures net additional dwellings provided in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November”

4.2 The HDT is measured as a percentage each year. The following implications apply where the HDT results confirm that delivery has fallen below specific thresholds.

4.3 Firstly, as explained in footnote 7 of the Framework, the tilted balance to the presumption in favour of sustainable development set out in paragraph 11(d) of the Framework applies where the HDT indicates that the delivery of housing was “substantially below” the housing requirement over the previous years. The transitional arrangements set out in Annex 1 of the Framework explain that “substantially below” means for the 2018 HDT results below 25%, for the 2019 HDT results below 45% and for the 2020 HDT and beyond below 75%.

4.4 Secondly, paragraph 73 and footnote 39 of the Framework explain that where the HDT result is below 85%, the 20% buffer will apply for purposes of calculating the five year housing land supply.

4.5 Thirdly, Paragraph 75 of the Framework explains that where the HDT result is below 95%, the local planning authority should prepare an action plan to assess the causes of under delivery and identify actions to increase delivery in future years.

4.6 The HDT Measurement Rule Book (July 2018) explains that HDT is calculated as a percentage of net homes delivered against the “number of homes required”. However, it then explains that where the latest adopted housing requirement figure is less than five years old or has been reviewed and found not to require updating (as is the case in South Ribble), “the number of homes required” means the lower of either the latest adopted housing requirement figure or the minimum annual local housing need figure. The transitional arrangements set out in paragraph 21 of the HDT Measurement Rule Book then explain that for the financial years 2015/16, 2016/17 and 2017/18, the minimum annual local housing need figure is replaced by household projections. Therefore, for the purposes of the HDT, housing delivery in South Ribble over the last 3 years has only been measured against household projections.

4.7 The HDT results for 2018 were published on 19th February 2019. The result for South Ribble is summarised in the table below:

Table 4.1 – Summary of the 2018 Housing Delivery Test Result for South Ribble

	2015-16	2016-17	2017-18	Total
Number of homes required	297	289	193	779
Number of homes delivered	430	237	312	979
HDT measurement				126%

4.8 As can be seen from the above, South Ribble delivered 979 new homes over the last three years against a "requirement" based on household projections only over the same period of 779 dwellings. This results in a HDT measurement of 126% and means that the Council has passed the HDT. This means that the 5% buffer applies.

4.9 However, it should be noted that whilst completions have been higher than the household projections, the Council significantly under delivered against its adopted housing requirement over the last three years. Without addressing any of the significant past shortfall, the minimum housing requirement over the last three years was 1,251 dwellings (i.e. 417 X 3 years). Against this, there has been a significant shortfall of 272 dwellings (i.e. 1,251 – 979). Therefore, rather than addressing any of the significant shortfall, which existed at 2015, the shortfall increased by a further 272 dwellings.

5. Assessment of the Council's housing supply

5.1 My assessment of the Council's five year housing land supply is based on six key stages:

1. Agreeing the base date and five year period;
2. Identifying the housing requirement;
3. Identifying the past shortfall;
4. Identifying the method of addressing the past shortfall;
5. Applying the appropriate buffer; and
6. Identifying a Realistic and Deliverable Supply.

5.2 Each stage is addressed below.

6. Stage 1: Agreeing the base date and five year period

6.1 The base date is the start date for the five year period for which both the requirement and supply should relate.

6.2 The current Housing Land Position (HLP) has a base date of 31st March 2019 and a five year period of 1st April 2019 to 31st March 2024. I have assessed the supply at 31st March 2019 as that is the most up to date position.

The base date as a “cut-off date”

6.3 Paragraph 73 of the Framework states that local planning authorities are required to identify and update their supply position “annually”.

6.4 The glossary to the Framework confirms that an annual position statement should set out the 5 year housing land supply position on 1st April each year. Paragraph 68-013 of the PPG⁷ states that for annual position statements, the Planning Inspectorate will:

“look at whether the evidence is sufficient to demonstrate a 5 year supply of deliverable housing sites (with the appropriate buffer), using 1st April as the base date in the relevant year. In doing so, they will consider whether the sites identified in the assessment are ‘deliverable’ within the next five years, in line with the definition in Annex 2 of the Framework.”

⁷ Paragraph: 013 Reference ID: 68-013-20190722: “How will an annual position statement be assessed?”

6.5 Therefore, the Framework and the guidance are clear that the deliverable supply should only include sites that are considered deliverable at the base date (i.e. 1st April 2019). Inspector Stephens discussed this issue in the Woolpit appeal decision, which I discuss later in my proof of evidence⁸. Paragraph 67 of the appeal decision states:

“The relevant period is 1 April 2017 to 31 March 2018. There is therefore a clear cut-off date within the AMR, which is 31 March 2018. The Council’s supply of deliverable sites should only include sites that fall within the definition of deliverable at the end of the period of assessment i.e. 31 March 2018. Sites that have received planning permission after the cut-off date but prior to the publication of the AMR have therefore been erroneously included within the Council’s supply. The inclusion of sites beyond the cut-off date skews the data by overflating the supply without a corresponding adjustment of need”.

6.6 The Council should not attempt to include any new sites, which did not meet the definition of “deliverable” at 1st April 2019. This would effectively mean changing the base date to beyond 1st April 2019. Within this context, there have been several appeal decisions, which have found such an approach to be inappropriate.

6.7 For example, in allowing an appeal for up to 150 dwellings at a site on Bath Road, Corsham, Inspector Prentis stated at paragraph 53 of the appeal decision⁹:

“Finally, I note that since the Inquiry the Council has permitted housing development on two sites at or near Corsham, amounting to 152 dwellings. However, it would not be appropriate simply to add that figure to the supply – that would be tantamount to changing the base date of the HLS exercise. Moreover, some of these units are already accounted for in the HLS figures. The Council and the appellant have agreed that the correct base date for this appeal is 1 April 2014. If any later base date were used it would be necessary to review all the elements of the HLS exercise”.

6.8 Similarly, in an appeal decision regarding land to the rear of former Dylon International Premises, Station Approach, Lower Sydenham, London¹⁰, the Inspector noted the following in paragraphs 17 and 18:

“17. The final site is the former Town Hall and car park that was granted planning permission for 53 units in November 2015, after the base date of 1 April 2015. The appellants submit that the appropriate estimate is the 20 units envisaged at the

⁸ PINS ref: 3194926 – Core Document 7.8

⁹ PINS ref: 2222641 – Core Document 7.9

¹⁰ PINS ref: 3144248 – Core Document 7.10

base date, whereas the Council considers that the latest position should be the one on which the figures are based.

18. Whilst there is more up-to-date information now available, it seems to me that if additional units granted planning permission after the base date are to be taken into account, so should any units that have been completed after the base date and consequently removed from the future supply availability, in order to present the most accurate overall picture. This exercise had not been completed for the Inquiry and I therefore conclude that for the purposes of this appeal, the position as agreed in the SoCGH should be adhered to."

7. Stage 2: Identifying the housing requirement

National planning policy and guidance

7.1 Paragraph 60 of the Framework states:

“To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.”

7.2 Paragraph 73 of the Framework states:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old.”

7.3 Footnote 37 of the Framework explains that unless the housing requirement set out in the strategic policy has been “*reviewed and found not to require updating*”, local housing need will be used for assessing whether a five year supply of specific deliverable sites exists using the standard method set out in the PPG once the strategic policy is more than five years old. The first sentence of the footnote is important because it means that the five year housing land supply will not be assessed against the local housing need using the standard methodology in all circumstances when the policies become five years old.

7.4 Paragraph 68-002 of the PPG¹¹ states:

“A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing (and appropriate buffer) against a housing requirement set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 73 of the National Planning Policy Framework.”

¹¹ Paragraph: 002 Reference ID: 68-002-20190722: “What is a 5 year land supply?”

7.5 Paragraph 68-003 of the PPG¹² explains:

“The purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years. Where strategic policies are more than 5 years old, or have been reviewed and found in need of updating, local housing need calculated using the standard method should be used in place of the housing requirement.”

7.6 Paragraph 68-005 of the PPG¹³ states:

“Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year land supply figure where:

- the plan was adopted in the last 5 years, or*
- the strategic housing policies have been reviewed within the last 5 years and found not to need updating.*

In other circumstances the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method.”

7.7 Consequently, it is clear that the five year supply should be measured against the housing requirement set out in strategic policies when those policies are less than five years old and when they are more than five years old, the local housing need figure should be used unless the housing requirement has been reviewed and found not to require updating.

Assessment

7.8 Policy 4 of the Core Strategy: “Housing Delivery” sets out the housing requirement for South Ribble for the period 2010 to 2026 of 417 dwellings per annum. The Core Strategy was adopted in 2012 and is therefore more than five years old. It follows that the adopted housing requirement should continue to be used to measure five year housing land supply if it has been reviewed and found not to require updating.

¹² Paragraph: 003 Reference ID: 68-003-20190722: “What is the purpose of the 5 year housing land supply?”

¹³ Paragraph: 005 Reference ID: 68-005-20190722: “What housing requirement figure should authorities use when calculating their 5 year housing land supply?”

Has Policy 4 of the Core Strategy been reviewed?

The Council's position

7.9 The HLP (published August 2019) itself is unclear as to whether policy 4 has been reviewed and therefore whether the Council's five year housing land supply should be measured against the adopted housing requirement. It states:

*"Following publication of the new Central Lancashire Strategic Housing Market Assessment, South Ribble entered into a joint Memorandum of Understanding and Statement of Co-operation relating to the provision of housing land with Chorley and Preston councils in September 2017. This endorsed the requirements set out in Policy 4 of the Central Lancashire Core Strategy. This was to ensure the three authorities continued to meet their respective Objectively Assessed Needs and also meet the aspirations of the South Ribble, Preston and Lancashire City Deal and the governments' aspirations to increase the supply of housing. **This could be considered to have been a review of the policy in terms of footnote 37 of the NPPF.**"*

7.10 It then states:

*"If we consider Policy 4 of the Central Lancashire Core Strategy to have been reviewed, we would continue to calculate the housing supply in the same way as previous years. This would result in a 5.93 **year land supply, including a 5% buffer and making up the shortfall within five years.**"*

7.11 The HLP then states:

*"However, if we believe Policy 4 of the Central Lancashire Core Strategy not to have been reviewed, we should use the standardised methodology to calculate the housing land supply. This calculation demonstrates a **five year supply of 17.7 years including a 5% buffer.**"*

7.12 On 23rd August 2019, I wrote to the Council to confirm whether it considers policy 4 to have been reviewed and found not to require updating in accordance with paragraph 37 of the Framework and which requirement is to be applied by the Council for the purposes of paragraph 73 of the Framework¹⁴.

7.13 On 10th September 2019, the Council responded¹⁵ by stating:

"Our position with regard to whether Policy 4 of the Core Strategy has been reviewed and found not to require updating in accordance with footnote 37

¹⁴ Appendix **BP2A**

¹⁵ Appendix **BP2B**

of the Framework has not changed since the publication of the Housing Land Position Statement. However, it should be noted that the Memorandum of Understanding is currently under review."

7.14 I responded on the same day to ask again for confirmation as to which housing requirement figure the Council considers should be used for the purposes of assessing its five year housing land supply against in the context of paragraph 73 and footnote 37 of the 2019 Framework. I did not receive a response. However, on 13th September 2019, the Appellant received an amended version of the Statement of Common Ground, which provided the following comment:

"The Council's draft Statement of Case argues for a requirement based on the standard methodology (but also states that an assessment against the core strategy requirement has been carried out)"

7.15 The general Statement of Common Ground was then amended to state that the housing requirement to assess the five year land supply against is not agreed. It states:

"The LPA applies the standard methodology although also carries out an assessment against the core strategy requirement"

7.16 This appeared to suggest that the Council now considered the five year housing land supply should be assessed against the local housing need calculated by the standard method.

7.17 On 16th September 2019, the Appellant then received the Council's statement of case. Paragraph 7.1 of the Council's Statement of Case states that it signed a Memorandum of Understanding (MoU) with Chorley and Preston Councils to agree a housing position in September 2017 but this was over 12 months before the 2018 Framework and revised Guidance was published. The Council then draws attention to the second part of paragraph 2a-003 of the PPG¹⁶, which states that:

"there is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances".

7.18 Notably, the Council does not refer to the full paragraph, which answers the question: *"Is the use of the standard method for strategic policy making purposes mandatory?"* by stating:

"No, if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination. There

¹⁶ Paragraph: 003 Reference ID: 2a-003-20190220: *"Is the use of the standard method for strategic policy making purposes mandatory?"*

is an expectation that the standard method will be used and that any other method will be used only in exceptional circumstances."

- 7.19 This paragraph is contained within section 2a of the PPG: "Housing and economic needs assessment" and is clearly relevant in relation to policy-making rather than decision-making.
- 7.20 Paragraph 7.2 of the Council's Statement of Case then explains that following the appeal decision dated August 2018 regarding land off Brindle Road, Bamber Bridge, the "established position" was that the Council was not able to demonstrate a five year housing land supply at that time. As I explain below, in this appeal decision, the Inspector concluded that the five year housing land supply should be assessed against the adopted housing requirement in the Core Strategy – despite policy 4 in the Core Strategy being more than five years old.
- 7.21 Paragraph 7.3 of the Council's Statement of Case then states that there have been a "number of significant changes in terms of policy and the housing supply position for the borough" since the Brindle Road decision in August 2018. It states that whilst the MOU referred to above is still extant, *"the Government has now confirmed the standard methodology for calculating housing need"*.
- 7.22 Whilst this is correct – the guidance on "housing need assessment" was first updated on 13th September 2018 – the draft PPG set out how local housing need was to be calculated. Indeed, the Council was already aware as to what its local housing need figure using the standard methodology would be at the time of the Brindle Road public inquiry (which opened on 14th August 2018), because it claimed the housing land supply should be measured against the local housing need figure of 209 dwellings¹⁷.
- 7.23 Paragraphs 7.4 and 7.5 of the Council's Statement of Case then provide the wording of paragraph 73 and footnote 37 of the Framework. Paragraph 7.6 of the Council's Statement of Case then states:

"The Council's strategic policies for calculating the housing requirement are contained within the Central Lancashire Core Strategy (adopted July 2012) and those policies are more than 5 years old. Furthermore, neither the South Ribble Local Plan (adopted July 2015) nor the Central Lancashire Authorities' 'Memorandum of Understanding' (dated September 2017) comprises a review

¹⁷ Please refer to paragraph 40 of the appeal decision

of the Core Strategy's strategic policies. Both simply commit to the delivery of the Strategic Policies within the Core Strategy."

7.24 The Council's statement of case therefore now claims that policy 4 has not been reviewed by the MOU. This is surprising for the following reasons.

7.25 Firstly, as above, the HLP itself, which was only published in June and re-published in August does not state that policy 4 has not been reviewed. Indeed, when referring to the MOU it includes and highlights the words: "*This could be considered to have been a review of the policy in terms of footnote 37 of the NPPF*".

7.26 Secondly, for an appeal regarding land at Olive Farm and land north of Methuen Drive, Hoghton, which was considered at an informal hearing on 2nd October 2019, the Council's statement of case (dated 2nd September 2019¹⁸) states:

"The following is an excerpt from the council's Housing Land Position statement for year end 2018/19. At the time of writing, the method of calculation to be used is still unclear. However, it should be borne in mind that the Memorandum of Understanding with Chorley and Preston Councils referred to in the Statement of Common Ground (5 Year Housing Land Supply) is currently under review. This review may result in a reduced housing requirement." (my emphasis)

7.27 Thirdly, Preston and Chorley Council assess their five year housing land supply against the adopted housing requirement set out in Policy 4 of the Core Strategy on the basis that it has been reviewed and found not to require updating.

7.28 Paragraphs 1.8 and 1.9 of Preston's Housing Land Position Statement (base date 31st March 2019, published 19th June 2019¹⁹) state:

"In February 2019 the Government published a revised National Planning Policy Framework. The revised National Planning Policy Framework requires Local Planning Authorities to assess the minimum number of homes needed through a local housing need assessment conducted using a standard methodology. Furthermore, the revised National Planning Policy Framework states that where strategic housing requirement policies are more than five years old, the five year supply of deliverable housing ought to be assessed against the local housing need assessment.

¹⁸ Appendix **BP2C**

¹⁹ Appendix **BP2D**

Whilst the housing requirement policy (Policy 4) is now almost seven years old, Preston are still using this requirement rather than the local housing need figure due to a 'review' of this policy which took place in 2017. At this time, following the publication of the new Central Lancashire Strategic Housing Market Assessment, Preston entered into a Memorandum of Understanding with its neighbours South Ribble and Chorley Council's endorsing the requirements set out in Policy 4. This decision was taken to ensure the three authorities continued to meet their own respective Objectively Assessed Needs, but also to meet the aspirations of the Preston, South Ribble and Lancashire City Deal and Government's aspirations to increase the supply of housing."

- 7.29 This is important because Preston accepts that it cannot demonstrate a five year housing land supply against its adopted housing requirement of 507 dwellings per annum. Its own position statement considers that it has a five year housing land supply of 3,204 dwellings, which against the adopted housing requirement (and backlog and buffer) equates to 3.8 years. As a result, Preston has recently approved planning applications for residential development beyond its settlement boundaries on the basis that the tilted balance is engaged due to the lack of a five year housing land supply. Preston's local housing need calculated through the standard method would be 234 dwellings per year (i.e. significantly lower than the adopted housing requirement of 507 dwellings) and therefore against its local housing need it would be able to demonstrate a five year housing land supply. However, for the reasons set out in its housing land position statement, it measures its housing land supply against its adopted requirement because the policy has been reviewed and found not to require updating.
- 7.30 At the Olive Farm Hearing, South Ribble Council explained that in August 2018, Preston Council had spoken to MHCLG who had confirmed that the five year housing land supply should be measured against local housing need²⁰. Since then however, Preston has published its housing land position statement which confirms that Policy 4 has been reviewed and found not to require updating. In a press release in January 2019, Preston Council's Director of Development (Chris Hayward) issued a statement which explained that the Council had sought legal advice which confirmed that its approach to assessing the five year housing land supply is correct²¹.
- 7.31 Chorley's Five Year Housing Supply Statement is dated June 2019²². It explains that it measures its five year housing land supply against the Core Strategy requirement of 417 dwellings per annum.

²⁰ Appendix **BP2E**

²¹ Appendix **BP2J**

²² Appendix **BP2F**

Chorley considers that it has a five year supply of 1,966 dwellings, which against its core strategy requirement (minus oversupply and including a buffer) equates to 9.0 years.

7.32 In its Statement of Case for a recent appeal regarding land at Carrington Road, Adlington, Chorley Council explained that it measures its five year housing land supply against the Core Strategy housing requirement because whilst the Core Strategy is more than 5 years old, the requirement for Chorley was reviewed during the examination of the Chorley Local Plan²³.

7.33 Chorley's local housing need using the standard method is 634 dwellings per annum. Against this figure, it would not be able to demonstrate a five year supply of housing land. However, it continues to measure its five year housing land supply against its adopted housing requirement because its requirement has been reviewed and found not to require updating.

7.34 Therefore, whilst contrary to the wording within its own HLP, South Ribble Council now claims that policy 4 has not been reviewed. Preston and Chorley Councils however consider it has been. Both Preston and Chorley Councils only assesses their housing land supply against the adopted housing requirement and do not even provide the calculation against the local housing need.

The Appellant's Position

7.35 My view is that Policy 4 has been reviewed and found not to require updating for the reasons set out below.

7.36 Paragraph 33 of the 2019 Framework states:

"Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Reviews should be completed no later than five years from the adoption date of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy. Relevant strategic policies will need updating at least once every five years if their applicable local housing need figure has changed significantly; and they are likely to require earlier review if local housing need is expected to change significantly in the near future".

7.37 Paragraph 31 of the 2019 Framework states:

"The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate,

²³ Appendix **BP2G** – paragraphs 40 and 41

focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals."

7.38 Paragraph 61-062 of the PPG²⁴ provides further guidance in terms of the review of policies. It states:

"To be effective plans need to be kept up-to-date. The National Planning Policy Framework states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary.

Under regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) local planning authorities must review local plans, and Statements of Community Involvement at least once every 5 years from their adoption date to ensure that policies remain relevant and effectively address the needs of the local community. Most plans are likely to require updating in whole or in part at least every 5 years. Reviews should be proportionate to the issues in hand. Plans may be found sound conditional upon a plan update in whole or in part within 5 years of the date of adoption. Where a review was undertaken prior to publication of the Framework (27 July 2018) but within the last 5 years, then that plan will continue to constitute the up-to-date plan policies unless there have been significant changes as outlined below.

There will be occasions where there are significant changes in circumstances which may mean it is necessary to review the relevant strategic policies earlier than the statutory minimum of 5 years, for example, where new cross-boundary matters arise. Local housing need will be considered to have changed significantly where a plan has been adopted prior to the standard method being implemented, on the basis of a number that is significantly below the number generated using the standard method, or has been subject to a cap where the plan has been adopted using the standard method. This is to ensure that all housing need is planned for as quickly as reasonably possible." (my emphasis)

7.39 In this case, policy 4 was reviewed in 2017. To inform the review, the three Central Lancashire Councils appointed consultants GL Hearn to prepare a Strategic Housing Market Assessment (SHMA). A report to the meeting of the Central Lancashire Strategic Planning Joint Advisory Committee on 27th June 2016 explained why it was necessary to instruct consultants to prepare a new SHMA²⁵. It stated at paragraph 7:

"The three Central Lancashire authorities have up to date and National Framework compliant development plans consisting of the Joint Central Lancashire Core Strategy, adopted July 2012, and the three respective site

²⁴ Paragraph: 062 Reference ID: 61-062-20190315: "How often should a plan or policies be reviewed?"

²⁵ Appendix **BP2H**

allocations plans, adopted by the respective authorities on varying dates but all in July 2015. The Core Strategy is, therefore, reaching the point where, government guidance suggests that there should be some review as to whether policies need updating." (my emphasis).

7.40 The report also stated at paragraph 13:

"For the reasons set out above this work is necessary and timely. In particular, taking into account the fifth anniversary of the adoption of the Central Lancashire Core Strategy in 2017, the revocation of RSS on which the Core Strategy figures are based and the latest population and household projection figures all point to the need to review this part of the local plan evidence base." (my emphasis).

7.41 The SHMA was therefore commissioned as part of a review of Policy 4 to see whether it needed updating within the context of the latest assessment of housing needs.

7.42 The 2017 SHMA reviewed the housing needs in Central Lancashire but the three Councils concluded that the housing requirement did not need updating. This position is set out in a report to the meeting of the Central Lancashire Strategic Planning Joint Advisory Committee on 2nd March 2017, which explained that across the Central Lancashire Housing Market Area there is not a significant difference between the current plan requirement of 1,341 and the full objectively assessed need (FOAN) figure of 1,313²⁶. Paragraph 20 of the report states:

"the FOAN for Central Lancashire is only marginally lower (2%) than the housing requirement figure set out in the Core Strategy. It is, therefore, recommended that the Core Strategy requirements should be retained rather than proceed to a partial review of the Core Strategy at this time."

7.43 Following this, a joint Memorandum of Understanding and Statement of Co-operation relating to the provision of housing land was signed in October 2017²⁷. The MOU confirms that the Councils agree to continue to use the housing requirements in Policy 4 of the Core Strategy until the adoption of the new Local Plan. The Council is now attempting to depart from the agreement with the other two councils set out in the MoU.

7.44 As highlighted above the Framework explains that if there is a "significant change" in local housing need, relevant strategic policies "will need" updating. Relevant strategic policies would include policies such as policy 4 of the Core Strategy, which sets out the housing requirement.

²⁶ Appendix **BP21**

²⁷ Core document 6.9

However, the guidance explains that local housing need will have changed significantly where a plan has been adopted based on a figure that is “significantly below” the number generated using the standard method.

7.45 This is not the case in South Ribble where the housing requirement in the Core Strategy is higher than the local housing need figure calculated using the standard method. There is no requirement in such circumstances for policy 4 of the Central Lancashire Core Strategy to be updated. Indeed, this would be contrary to the Government's aim of significantly boosting housing land supply as set out in paragraph 59 of the Framework. Furthermore, there would be no need for the first sentence of footnote 37 of the Framework.

7.46 Whilst the review of policy 4 took place before the July 2018 Framework was published and the standard method for calculating local housing need was introduced, the PPG provides guidance in such circumstances. As above paragraph 61-062 of the PPG explains that because the review took place within the last five years, the policy can still be regarded as up to date because the adopted housing requirement is not below the local housing need figure. It is only in circumstances where the local housing need figure is higher than the adopted housing requirement that means there has been a “significant change” in housing need.

7.47 At the Olive Farm hearing, the Council explained that they now relied on guidance notes for providing the 2019 Housing Delivery Test return, which states:

“Note – For the purposes of the Housing Delivery Test, a review is defined in Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). A Strategic Housing Market Assessment (SHMA), or adoption of a Spatial Development Strategy (such as the London Plan) does not constitute a review of policies in a Local Plan. Further guidance on plan reviews can be found in planning practice guidance: <https://www.gov.uk/guidance/plan-making#plan-reviews>”

7.48 Clearly the note is for the purposes of calculating the Housing Delivery Test and not five year housing land supply calculations. The link provided is to paragraph 61-062 of the PPG, which as I have explained above explains that in circumstances such as here where the housing requirement was reviewed before the 2018 Framework was published but within the last five years, the housing requirement for South Ribble can still be up to date because it is not significantly lower than the local housing need.

7.49 I am aware that paragraph 41 of the Brindle Road, Bamber Bridge appeal decision²⁸ explains that the Inspector did not consider the MOU to represent a review of the policies. It states:

“ Firstly, the figure suggested by the Council would be significantly lower than a ‘plan based’ housing requirement of 785 dpa which has been arrived at through the CLCS full objectively assessed need. Although the policies are more than 5 years old, this housing requirement was endorsed by the three Central Lancashire Authorities, that include the South Ribble Borough Council, in a signed Memorandum of Understanding, dated September 2017. As such, the appellant has argued that the strategic policies have been reviewed and not found to require updating, in accordance with footnote 37 to paragraph 73 of the 2018 Framework, but I am not convinced that this represents a review of the policies.”

7.50 The Brindle Road public inquiry opened on 14th August 2018 and the appeal decision was published on 31st August 2018. This was after the 2018 Framework had been published in July 2018 but before the PPG was updated in September 2018. Since the appeal decision, the PPG has been updated. Section 61 of the PPG: “Plan-making” provides guidance on the review of policies. This section of the PPG was first introduced on 13th September 2018 and has since been updated on 15th March 2019 and more recently on 23rd July 2019. As I have explained above, the review of policy 4 through the SHMA is in accordance with paragraphs 31 and 33 of the Framework and section 61 of the updated PPG.

7.51 In summary, policy 4 of the Core Strategy was reviewed within the last five years (in 2017). The SHMA found that the adopted housing requirement for Central Lancashire did not need to be updated because it was only marginally above the objectively assessed housing need. Consequently, all three Councils agreed to continue to use the adopted housing requirement. The Council’s five year housing land supply should be measured against the adopted housing requirement in accordance with paragraph 73 and footnote 37 of the Framework.

South Ribble, Preston and Lancashire City Deal

7.52 The Preston and Lancashire City Deal is referred to in Preston’s housing land position statement, the Brindle Road decision and the MoU. It is relevant in terms of the number of homes South Ribble has agreed with the Government that it is going to deliver.

7.53 The City Deal is an agreement between the Government and four local partners; Lancashire County Council, Lancashire Enterprise Partnership, Preston City Council and South Ribble Borough

²⁸ PINS ref: 3198822 – Core document 7.11

Council. A total of £434m new investment will lead to the expansion and improvement of the transport infrastructure in Preston and South Ribble at an unprecedented rate, enabling a forecast 20,000 new jobs and 17,420 new homes to be created over a 10 year period²⁹.

7.54 Between 2014 and 2019, it was agreed that 6,067 dwellings would have been delivered within the City Deal area. However, only 4,835 dwellings had been delivered. Therefore, at April 2019, completions were already 1,234 dwellings behind the number of homes the authorities had agreed to deliver as shown in the following table:

Table 7.1 – Delivery against City Deal agreement

Year	Number of homes to be delivered in the City Deal area	South Ribble	Preston	Total delivered in City Deal area	Progress against City Deal agreement
2014/15	338	486	488	974	636
2015/16	868	371	282	653	-215
2016/17	1,391	189	791	980	-411
2017/18	1,579	318	634	952	-627
2018/19	1,891	491	785	1276	-617
	6,067			4,835	-1,234

7.55 One of the reasons for this is because several of the very large sites in South Ribble have not progressed³⁰. I discuss these sites in appendix **BP1**.

7.56 Across the five year period, Preston and South Ribble are committed to ensuring the delivery of 11,299 new homes as set out below:

- 2019/20 = 1,659 dwellings
- 2020/21 = 2,814 dwellings
- 2021/22 = 2,814 dwellings
- 2022/23 = 2,441 dwellings
- 2023/24 = 1,571 dwellings

²⁹ Appendix **BP2K**

³⁰ Appendix **BP2L**

7.57 Therefore, the Council is committed to delivering many more new homes than even the adopted housing requirement requires. Within this context, it is surprising that South Ribble Council now considers that its five year housing land supply should be measured against a figure of just 206 homes per year.

8. Stage 3: Identifying the past shortfall

8.1 Paragraph 68-031 of the PPG³¹ explains that:

“Where shortfalls in housing completions have been identified against planned requirements, strategic policy-making authorities may consider what factors might have led to this and whether there are any measures that the authority can take, either alone or jointly with other authorities, which may counter the trend.”

8.2 Paragraph 68-031 of the PPG also explains that:

“The level of deficit or shortfall will need to be calculated from the base date of the adopted plan”.

8.3 The base date of the adopted plan is 1st April 2010. However, as policy 4 of the Core Strategy explains, the backlog since 1st April 2003 should be taken into account. The planned housing requirement set out in the Core Strategy is 417 dwellings. By 31st March 2019, 6,672 dwellings should have been completed based on an annual requirement of 417 dwellings. According to the Council's data, only 5,562 dwellings were completed in the same period and therefore the backlog is 1,110 dwellings as shown in the table below.

Demolitions / loss of residential units

8.4 I noticed that the Council's housing monitoring data does not include demolitions or other losses of residential dwellings. I asked the Council to provide me with a list of sites where there had been the demolition of residential dwellings or the loss of residential dwellings to other uses (i.e. change of use to non-residential) since 2003. This was not provided, but the Council did state that the gross figure of completions is 23 dwellings higher than the net figure. Without the data requested I am unable to comment on this issue further. However, the shortfall is likely to be even higher once demolitions of residential dwellings and the loss of residential units to other uses has been considered.

³¹ Paragraph: 031 Reference ID: 68-031-20190722: “How can past shortfalls in housing completions against planned requirements be addressed?”

Table 8.1: Accumulated backlog of housing in South Ribble since 2003

Year	Requirement (dwellings p.a.)	Completions (net)	Over / under provision	Cumulative
2003/04	417	538	121	121
2004/05	417	657	240	361
2005/06	417	520	103	464
2006/07	417	284	-133	331
2007/08	417	320	-97	234
2008/09	417	312	-105	129
2009/10	417	171	-246	-117
2010/11	417	221	-196	-313
2011/12	417	170	-247	-560
2012/13	417	168	-249	-809
2013/14	417	346	-71	-880
2014/15	417	486	69	-811
2015/16	417	371	-46	-857
2016/17	417	189	-228	-1,085
2017/18	417	318	-99	-1,184
2018/19	417	491	74	-1,110
Total	6,672	5,562	-1,110	
Average	417	348		

- 8.5 The past shortfall against the housing requirement is very significant and reflects the fact that delivery has been on average 348 dwellings in 16 years of the plan period. The past shortfall equates to over 2.5 years of the annual number of housing required (i.e. $1,110 / 417 = 2.66$ years).
- 8.6 It is also relevant that in several of the years, the Council underachieved by a very significant margin. The under delivery in housing has been persistent in South Ribble and continued after the Local Plan was adopted in July 2015.

9. Stage 4: Identifying the method of addressing the past shortfall

- 9.1 If the adopted housing requirement is to be used, the Council agrees that the past shortfall should be addressed in full in the five year period³². This is known as the “Sedgefield” method.
- 9.2 The Framework does not specifically state how the backlog should be addressed; however it does set out the Government’s objective of “significantly boosting the supply of homes” (paragraph 59). Addressing the backlog as soon as possible would be consistent with this paragraph.
- 9.3 Paragraph 68-031 of the PPG³³: “How can past shortfalls in housing completions against planned requirements be addressed?” states:

“Where shortfalls in housing completions have been identified against planned requirements, strategic policy-making authorities may consider what factors might have led to this and whether there are any measures that the authority can take, either alone or jointly with other authorities, which may counter the trend. Where the standard method for assessing local housing need is used as the starting point in forming the planned requirement for housing, Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum annual local housing need figure. Under-delivery may need to be considered where the plan being prepared is part way through its proposed plan period, and delivery falls below the housing requirement level set out in the emerging relevant strategic policies for housing.

Where relevant, strategic policy-makers will need to consider the recommendations from the local authority’s action plan prepared as a result of past under-delivery, as confirmed by the Housing Delivery Test.

The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied. If a strategic policy-making authority wishes to deal with past under-delivery over a longer period, then a case may be made as part of the plan-making and examination process rather than on a case by case basis on appeal.

Where strategic policy-making authorities are unable to address past shortfalls over a 5 year period due to their scale, they may need to reconsider their

³² Please see the statement of common ground on housing land supply

³³ Paragraph: 031 Reference ID: 68-031-20190722: “How can past shortfalls in housing completions against planned requirements be addressed?”

approach to bringing land forward and the assumptions which they make. For example, by considering developers' past performance on delivery; reducing the length of time a permission is valid; re-prioritising reserve sites which are 'ready to go'; delivering development directly or through arms' length organisations; or sub-dividing major sites where appropriate, and where it can be demonstrated that this would not be detrimental to the quality or deliverability of a scheme."

- 9.4 Therefore, the guidance is clear that the past shortfall should be addressed within the five year period. The Sedgefield method is therefore agreed.

10. Stage 5: Applying the appropriate buffer

National policy and guidance

10.1 Paragraph 73 of the Framework states:

"The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- *5% to ensure choice and competition in the market for land; or*
- *10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
- *20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply."*

10.2 Footnote 39 of the Framework explains that from November 2018 "significant under delivery" of housing will be measured against the Housing Delivery Test, where this indicates that delivery was below 85% of the housing requirement.

10.3 As set out in section 4 of my proof of evidence above, the Council passed the 2018 HDT and therefore the 5% buffer applies in South Ribble. A summary of the housing requirement is set out in the following table:

Table 10.1: Summary in relation to the housing requirement

	Requirement	
A	Annual requirement	417
B	Past shortfall at 31 st March 2019	1,110
C	Amount of past shortfall to be addressed in the five year period	1,110
D	Total five year requirement (A X 5 + C)	3,195
E	Requirement plus 5% buffer (D + 5%)	3,355
F	Annual requirement plus buffer (E / 5 years)	671

11. Stage 6: Identifying a Realistic and Deliverable Supply

What constitutes a deliverable site?

- 11.1 Under the 2012 Framework, all sites with planning permission, regardless of their size or whether the planning permission was in outline or in full were to be considered deliverable until permission expired unless there was clear evidence that schemes would not be “implemented” within five years. The previous version of the PPG³⁴ went further by stating that allocated sites “could” be deliverable and even non-allocated sites without planning permission “can” be considered capable of being delivered.
- 11.2 Since then, the definition of “deliverable” has changed significantly and is set out on page 66 of the Framework as follows:

“Deliverable: 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 (for example because 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.” (my emphasis)

- 11.3 The PPG was most recently updated on 22nd July 2019. Paragraph 68-007 of the PPG³⁵ provides some examples of the types of evidence, which could be provided to support the inclusion of sites with outline planning permission for major development and allocated sites without planning permission. It states:

³⁴ Paragraph 3-031 of the previous PPG (dated 6th March 2014): “What constitutes a ‘deliverable site’ in the context of housing policy?”

³⁵ Paragraph 007 Reference ID: 68-007-20190722: “What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?”

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. Annex 2 of the National Planning Policy Framework defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;*
- are allocated in a development plan;*
- have a grant of permission in principle; or*
- are identified on a brownfield register.*

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
- firm progress with site assessment work; or*
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

Plan-makers can use the Housing and Economic Land Availability Assessment in demonstrating the deliverability of sites.”

11.4 There are two key issues as result of the revised Framework and the updated PPG:

- Firstly, there has been a radical change in terms of what constitutes a deliverable site; and
- Secondly, the Government’s view as to what this means has been set out in the PPG.

11.5 Whilst the previous definition in the 2012 Framework considered that all sites with planning permission should be considered deliverable, the revised definition is clear that only sites with detailed consent for major development should be considered deliverable and those with outline

planning permission should only be considered deliverable where there is clear evidence that housing completions will begin in five years.

- 11.6 The revised definition of “deliverable” effectively sets out when sites at various stages of the planning process are realistically expected to deliver dwellings. This was made clear in the Government’s response to the consultation on the then draft revised Framework, which was published in July 2018 and stated:

“The Government has considered whether the definition of ‘deliverable’ should be amended further, but having assessed the responses it has not made additional changes. This is because the wording proposed in the consultation is considered to set appropriate and realistic expectations for when sites of different types are likely to come forward.” (my emphasis)

- 11.7 As above, the PPG has been updated to provide the type of evidence required to be able to consider that sites with outline planning permission for major development, allocated sites and sites identified on a brownfield register are deliverable. Whatever form the “clear evidence” takes, this must clearly be prepared and made available at the same time as the housing land supply position statement.

Has the Council provided the “clear evidence” required for allocated sites without planning permission and sites with outline planning permission for major development to be considered “deliverable”?

- 11.8 The change to the definition of deliverable is particularly relevant to South Ribble Council because only 46% of the Council’s claimed supply falls under category a) of the definition of “deliverable” as shown in the following table:

Table 11.1 – Breakdown of South Ribble’s Five Year Housing Land Supply

Description	Category a) Should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered in 5 years	Category b) Should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years	Compelling evidence required	Total
(A) Large sites with full planning permission	1,640			1,640
(B) Large sites with outline planning permission		384		384
(C) Allocated sites without planning permission		1,139		1,139
(D) Small sites with planning permission	182			182
(E) Windfall allowance			600	600
Total	1,822	1,523	600	3,945
Percentage of supply	46%	39%	15%	

11.9 As shown in the table above, 39% of the Council's supply (1,523 dwellings) are on sites which only have outline planning permission for major development, are allocated or are identified on a brownfield register. The onus is on the Council to provide “clear evidence that housing completions will begin on site within five years” for the sites listed in the following table:

Table 11.2 – Sites that fall within the category b) of definition of “deliverable”

SHLAA Ref:	Local Plan Ref:	Site Address	Status at 31/03/19	Capacity	No. of dwellings in 5YHLS
BBW02	T	Land off Browndge Road (Site T)	Allocated	100	70
FE06	J	Cuerden Strategic Site (Site J)	Outline pp	128	128
FW02a(i)	W	Land between Moss Ln & rear of 392 Croston Road, Farington Moss (aka Croston Rd Nrth aka North of the Northern Section) (Homes England)	Outline pp	400	106
FW03a	EE	Pickering's Farm (north of farm track running east west) - Homes England & Taylor Wimpey	Allocated	1,230	330
LHU02a	V	Land off School Lane/Old School Drive, Longton	Allocated	40	40
LHU10	X	Land adjoining Longton Hall Farm, South of Chapel Lane, Longton (aka Kitty's Farm)	Allocated	65	65
LHU11	M	Land to south/rear of Longton Hall, Chapel Lane, Longton	Allocated	95	95
MF02a	H	Vernon Carus Site/Penwortham Mills, Factory Lane - Phase 1	Outline planning permission	181	150
MS02	FF	Moss Side Test Track, Aston Way/Titan Way	Pending decision	950	400
SS04	U	Rear of Dunkirk Mill, Slater Lane, Leyland	Allocated	47	47
TG05	Z	Lostock Hall Primary School, Avondale Drive	Allocated	20	10
TG07b	CC	East of Leyland Road/Land off Claytongate Drive/Land at Moor Hey School	Allocated	60	60
TG08	DD	Gas Holders Site (Morris Homes) (aka land off Wateringpool Lane)	Allocated	22	22
				Total	1,523

11.10 Within this context, I refer to the following appeal decisions.

Land to the south of Cox Green Road, Rudgwick, Surrey³⁶

11.11 As part of its case in seeking to defend an appeal made by Parkes Ltd against its decision to refuse to grant outline planning permission for up to 53 dwellings at land to the south of Cox Green

³⁶ PINS ref: 3227970 – core document 7.12

Road, Rudgwick, Waverley Council claimed it could demonstrate a supply of 5,708 dwellings, which equated to just under 5.2 years against its housing requirement and buffer.

11.12 The Inspector concluded that the supply should be reduced by 928 dwellings and therefore that Waverley Council could only demonstrate a “deliverable” supply of 4.3 years. The reasons why the Inspector considered the supply should be reduced are set out in paragraphs 10 to 27 of the appeal decision. I note the following points:

- Firstly, whilst Waverley Council's assumptions of delivery on a site at Dunsfold Park relied on estimated numbers of delivery from a pro-forma returned by the site's lead developer, the Inspector considered that the details contained within it were “scant”. There was no explanation as to how the timings of delivery could be achieved including the intended timescales for submitting and approving reserved matters, applications of discharge of conditions, site preparation and installing infrastructure. As explained in my appendix **BP1**, this position is like many of the sites in South Ribble where the Council has received estimated delivery rates from those promoting sites but has failed to provide any detail as to how the timings are to be achieved.
- Secondly, 24 sites without full planning permission were removed for the reason set out in paragraphs 21 to 24. Paragraph 23 of the appeal decision states:

“To justify including sites of these types it would be necessary to produce clear and specific evidence, in sufficient detail, to show that the sites were available, suitable, and achievable, with a realistic prospect of delivery within the required timescale. I appreciate that this would be a large task, but self-evidently the size of that task is related to the number of sites without full planning permission that the Council seeks to rely on. On the evidence before me now, none of the sites in the second section of the schedule can currently justify being included in the 5-year supply.”

Land off Popes Lane, Sturry, Kent³⁷

11.13 As part of its case in seeking to defend an appeal against its decision to refuse to grant outline planning permission for up to 140 no. dwellings at land off Popes Lane, Sturry, Canterbury City Council claimed that it could demonstrate a 6.72 year supply. For there to be a shortfall in the supply, Canterbury Council claimed that some 1,654 dwellings (out of 6,455 dwellings) would need to be removed from the “deliverable” supply.

11.14 The Inspector however found that the Council could not demonstrate a five year housing land supply. The Inspector concluded that the deliverable supply was 4,644 dwellings, which equates to 4.8 years. The reason why the Inspector concluded that the deliverable supply was 1,811

³⁷ PINS ref: 3216104 – core document 7.13

dwellings (28%) less than the Council claimed was because he found that 10 sites should be removed from the supply because:

“there is insufficient clear evidence to show that they meet the NPPF’s definition of deliverable. Sites which are not deliverable cannot be counted as part of the supply for the purposes of meeting the 5-year requirement.” (paragraph 23)

11.15 In this case, Canterbury Council had provided statements of common ground between the Council and the developer or landowner to support the inclusion of several of the disputed sites. However, the Inspector found that the statements of common ground did not demonstrate that the development prospect was realistic. Paragraph 23 of the appeal decision states:

“For a number of the disputed sites, the Council’s evidence is founded on site-specific SCGs which have been agreed with the developer or landowner of the site in question. I appreciate that the PPG refers to SCGs as an admissible type of evidence, and I have had full regard to that advice. But nevertheless, the evidential value of any particular SCG in this context is dependent on its content. In a number of cases, the SCGs produced by the Council primarily record the developer’s or landowner’s stated intentions. Without any further detail, as to the means by which infrastructure requirements or other likely obstacles are to be overcome, and the timescales involved, this type of SCG does not seem to me to demonstrate that the development prospect is realistic. In addition, most of the site-specific SCGs are undated, thus leaving some uncertainty as to whether they represent the most up-to-date position.”

11.16 Again, this position is like many of the sites in South Ribble where the Council has received estimated delivery rates from those promoting sites but has failed to provide the detail as to how the timings are to be achieved.

Land north and south of Fritch Way, Pods Brook Road, Braintree³⁸

11.17 As part of its case in defending an appeal for 1,600 dwellings at land north and south of Fritch Way, Braintree, Braintree Council claimed that it could demonstrate a 5.29 year supply. In determining the appeal, the Secretary of State concluded that the Council could only demonstrate a 4.15 year supply. The reason for this is set out in paragraph 24 of the decision letter, which states:

“Having reviewed the housing trajectory published on 11 April, the Secretary of State considers that the evidence provided to support some of the claimed supply in respect of sites with outline planning permission of 10 dwellings or more, and sites without planning permission do not meet the requirement in the Framework Glossary definition of “deliverable” that there be clear evidence

³⁸ PINS ref: 3197293 – core document 7.14

that housing completions will begin on site within five years. He has therefore removed ten sites from the housing trajectory”

11.18 Of the ten sites removed from Braintree's supply, 9 had outline planning permission and the remaining site was an allocated site with a hybrid planning application pending determination. For these sites, Braintree Council had submitted completed forms and emails from landowners, developers and their agents providing the timescales for the submission of reserved matters applications and anticipated build rates. However, the Secretary of State removed these sites because he did not consider they met the definition of “deliverable” as set out in the Framework. It is of note that the Secretary of State did not remove any of the sites with outline planning permission for major development where a reserved matters application had been made.

Green Road, Woolpit, Suffolk³⁹

11.19 In allowing the appeal for 49 dwellings at land off Green Road, Woolpit, Inspector Harold Stephens concluded that Mid Sussex Council could not demonstrate a five year supply. The Inspector concluded the following:

- Sites with outline planning permission made up a very large proportion of Mid Sussex Council's claimed supply (paragraph 68);
- The onus is on the LPA to provide clear evidence that housing completions will begin in the next five years for sites with outline planning permission for major development and allocated sites (paragraph 65); and
- Mid Sussex Council's AMR fell substantially short of producing the evidence that sites with outline planning permission for major development are expected to have as set out in paragraphs 3-035, 3-047 and 3-048 of the PPG (paragraphs 68 and 69).

Entech House, London Road, Woolmer Green⁴⁰

11.20 In allowing an appeal for 72 dwellings, Inspector George Baird concluded that Welwyn Hatfield Borough Council could not demonstrate a five year supply. The Inspector concluded the following:

- The definition of “deliverable” in the revised Framework goes significantly further than the 2012 Framework (paragraph 30);
- The definition of “deliverable” identifies 2 closed lists. Whilst sites with outline planning permission, with permission in principle, allocated in the development plan or identified on a brownfield register can be included within the supply, there is no presumption of

³⁹ PINS ref: 3194926 – core document 7.8

⁴⁰ PINS ref: 3190821 – core document 7.15

deliverability and it is for the LPA to justify their inclusion with clear evidence that housing completions will begin on-site within 5 years (paragraph 30);

- The PPG provides a non-exhaustive list of examples of the type of evidence that can be used to justify the inclusion of such sites within the 5 year supply (paragraph 30); and
- The information produced by Welwyn Hatfield to support sites with outline planning permission was on data sheets, which the Inspector found to be short of the “clear evidence” required by the Framework to justify the inclusion of these sites within the housing land supply (paragraph 32).

Land off Colchester Road, Bures Hamlet, Essex⁴¹

11.21 In dismissing an appeal for up to 98 dwellings at land off Colchester Road, Bures Hamlet (due to the harm to the landscape character and visual amenity of the area), Inspector Robert Mellor concluded that Braintree Council could not demonstrate a deliverable five year supply of housing land within the context of the revised Framework and the updated PPG. The Inspector concluded the following:

- The clear evidence to support category b) sites should be published alongside the position statement. It can be provided in summary form but there needs to be some means of identifying the basis for the conclusion reached (paragraph 66); and
- The information Braintree Council published in its AMR was “minimal” and relied “heavily on unsupported assertions that a site will be delivered.” That does not amount to clear evidence (paragraph 67).

Land to the rear of the former Dylon International Premises, Station Approach, Lower Sydenham, London⁴²

11.22 In allowing an appeal for 151 dwellings at the above site, Inspector George Baird concluded that contrary to its claims, Bromley Council could not demonstrate a five year supply of land. The Inspector concluded that the information Bromley Council provided was nowhere close to the clear evidence required for sites that were in category b) of the definition (paragraph 18).

Land south of Kislingbury Road, Rothersthorpe⁴³

11.23 In dismissing the appeal (due to its accessibility by public transport), Inspector Philip Major agreed with the Appellant that South Northamptonshire Council could not demonstrate a deliverable

⁴¹ PINS ref: 3207509 – core document 7.16

⁴² PINS ref: 3206569 – core document 7.17

⁴³ PINS ref: 3206346 – core document 7.18

five year housing land supply. In terms of the clear evidence required, the Inspector concluded the following:

- It is insufficient to rely on the fact that outline planning permission exists. The PPG indicates that the assessment of housing land supply should go further and seek evidence that completions are likely to be forthcoming (paragraph 16); and
- Whilst the LPA had assumed that further phases of development on large sites would come forward in the five year period on the basis of delivery of current phases, there was no real evidence to back up the position (paragraph 17); and
- A short email from a developer confirming build rates on one of the sites does not amount to the clear evidence of deliverability, which is now required (paragraph 17).

11.24 In summary, the above appeal decisions found that sites with outline planning permission for major development and allocated sites should not be included in the deliverable supply where the respective Councils had failed to provide the clear evidence required. This is also the case in terms of South Ribble's housing land supply.

11.25 Even where Councils had produced some evidence, Inspectors and the Secretary of State found that the evidence provided was not enough to include some of the category b) sites as deliverable. In the Rothersthorpe case, this was in the form of an email from a developer. In the Braintree case at Flitch Way, this was in the form of proformas and emails from developers with details of who the developer was, when the reserved matters application would be made and what the anticipated build rates would be. In the Rudgwick and Sturry cases, this was in the form of statements of common ground between the Council and the developer.

11.26 I note that in the Flitch Way case, the Secretary of State included sites in Braintree Council's supply which had outline planning permission and a reserved matters application had been made and was pending determination.

11.27 For the reasons set out in appendix **BP1**, the Council has not provided clear evidence for the inclusion of 951 dwellings in its supply on allocated sites without planning permission or sites with outline planning permission for major development. In most cases the Council has simply accepted the build rates put forward by those promoting sites without considering whether there is:

- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s)

which confirms the developers' delivery intentions and anticipated start and build-out rates;

- firm progress with site assessment work; and / or
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

11.28 The sites are listed in the table 11.3 below and I discuss the sites further in in appendix **BP1**.

Table 11.3 – Discounts to sites in the Council's supply that do not meet the definition of deliverable

Local Plan Ref:	Site Address	Status at 31/03/19	Council's 5YHLS	Appellants' 5YHLS	Difference
T	Land off Browndge Road (Site T)	Allocated	70	0	70
EE	Pickering's Farm (north of farm track running east west) - Homes England & Taylor Wimpey	Allocated	330	0	330
V	Land off School Lane/Old School Drive, Longton	Allocated	40	0	40
X	Land adjoining Longton Hall Farm, South of Chapel Lane, Longton (aka Kitty's Farm)	Allocated	65	0	65
M	Land to south/rear of Longton Hall, Chapel Lane, Longton	Allocated	95	0	95
U	Rear of Dunkirk Mill, Slater Lane, Leyland	Allocated	47	0	47
Z	Lostock Hall Primary School, Avondale Drive	Allocated	10	0	10
CC	East of Leyland Road/Land off Claytongate Drive/Land at Moor Hey School	Allocated	60	0	60
J	Cuerden Strategic Site (Site J)	Outline pp	128	0	128
W	Land between Moss Ln & rear of 392 Croston Road, Farington Moss (aka Croston Rd Nrth aka North of the Northern Section) (Homes England)	Outline pp	106	0	106
		Total			951

11.29 In addition, for the reasons set out in appendix **BP1**, the build rates and lead-in times should be amended on the following sites, which results in a further deduction of 450 dwellings.

Table 11.4 – Discounts to sites in the Council's supply in relation to build rates and lead-in times.

Local Plan Ref:	Site Address	Status at 31/03/19	Council's 5YHLS	Appellants' 5YHLS	Difference
S	Brindle Road, Bamber Bridge (Persimmon)	Full pp	145	75	70
FF	Moss Side Test Track, Aston Way / Titan Way	Pending determination	400	100	300
H	Vernon Carus – Phase 1	Full pp	150	60	90
		Total			450

Is there “compelling evidence” to justify the inclusion of a windfall allowance?

11.30 The Council includes a windfall allowance of 600 dwellings in the five year supply (50 dwellings in 2019/20, 100 dwellings in 2020/21 and 150 dwellings in each year 2021 to 2024). The windfall allowance assumes that currently unknown sites will become available, secure planning permission and deliver housing in the five year period.

11.31 A windfall allowance of 600 dwellings is a significant increase compared to the previous HLP reports with base dates of 31st March 2017 and 31st March 2018, which both included a windfall allowance in the respective five year period of 177 dwellings. The Council's housing land supply position at 31st March 2015 and 31st March 2016 did not include a windfall allowance at all in the five year period.

National Planning Policy and Guidance

11.32 Paragraph 70 of the Framework states:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.”

11.33 The definition of “windfall sites” is provided on page 73 of the Framework as follows:

“Sites not specifically identified in the development plan”.

11.34 Paragraph 3-023 of the PPG⁴⁴ states:

“A windfall allowance may be justified in the anticipated supply if a local planning authority has compelling evidence as set out in paragraph 70 of the National Planning Policy Framework.”

11.35 Paragraph 68-014 of the PPG⁴⁵ states that annual position statements will be expected to include (amongst other things):

“Permissions granted for windfall development by year and how this compares with the windfall allowance”

Compelling evidence

11.36 The Council has not provided compelling evidence to justify a windfall allowance of 600 dwellings in the five year supply for the following reasons.

11.37 Firstly, the only evidence the Council has provided relates to past trends. The Council has not provided any evidence to justify why historic windfall completion rates should be projected forward. It is unclear where any windfall opportunities are located or why they are expected to come forward in the short term.

11.38 Secondly, the HLP explains that completion rates on windfall sites have been 156 dwellings per annum over the past 16 years. However, the average windfall completion rate cannot be relied on because the HLP explains that the completions on windfall sites includes sites that are identified in the development plan and therefore by definition are not windfall sites. Examples include:

- Arla Foods (80 dwellings in total) – 13 dwellings completed in 2018/19; and
- Roadferry Site (209 dwellings in total) – 41 dwellings completed in 2018/19.

11.39 Thirdly, the Council's supply already includes 258 dwellings in the five year supply on windfall sites as shown in the following table:

⁴⁴ Reference ID: 3-023-20190722: *“How should a windfall allowance be determined in relation to housing?”*

⁴⁵ Reference ID: 68-017-20190722: *“What information will annual position statements need to include?”*

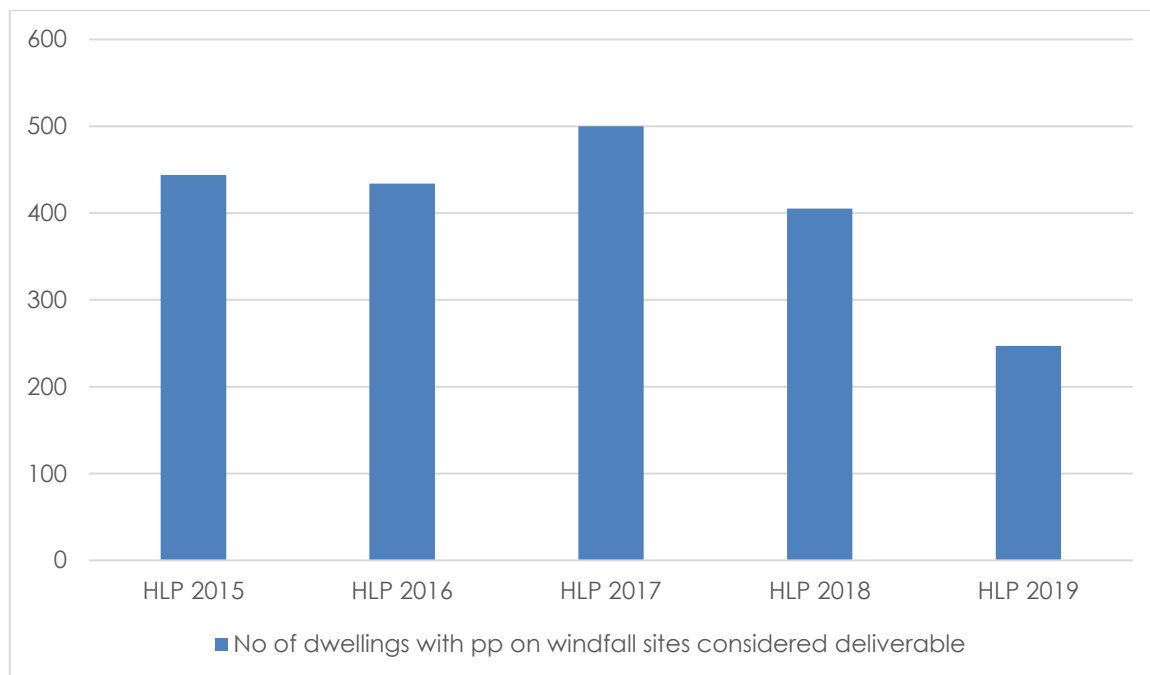
Table 11.5 – Number of windfall sites included in the five year supply

Source	Number of dwellings with planning permission on windfall sites at 31 st March 2019
Small sites (-10% reduction)	182
Brookhouse Farm, Stanifield Lane, Lostock Hall	9
The Maltings, Hill Road South, Middleforth	20
Land at Orchard Avenue, New Longton	4
105 Slater Lane, Leyland	7
Roach Bridge Paper Mill, Salmesbury & Walton	8
The Crest, 121 Duddle Lane, Walton-le-Dale	6
Land to the rear of 123 Duddle Lane, Walton-le-Dale	11
	247

11.40 On this basis, the Council is therefore claiming that 847 dwellings will be delivered on windfall sites in the five year period (i.e. 247 + 600), which is far in excess of past trends and therefore there is no compelling evidence to support this.

11.41 Fourthly, the past delivery on windfall sites should not simply be projected forward. This is because the number of dwellings with planning permission on windfall sites at 31st March 2019 is significantly below that of recent years as shown in the following chart:

Chart 11.1: Number of dwellings on windfall sites with planning permission 2015 – 2019



11.42 Fifthly, no new large windfall sites (i.e. over 10 dwellings) were granted planning permission in 2018-19.

11.43 Sixthly, the definition of “deliverable” set out on page 66 of the Framework requires the Council to provide “clear evidence” that housing completions will begin in the next five years for sites identified on a brownfield register. Therefore any windfall sites that are expected to come forward from this source can only be considered deliverable if the Council firstly identifies the site and secondly provides the required clear evidence.

11.44 I accept that small windfall sites will come forward and deliver dwellings in the five year period. The number of small sites with planning permission has largely remained the same in each HLP monitoring report:

- 31st March 2019 = 182 dwellings;
- 31st March 2018 = 146 dwellings;
- 31st March 2017 = 172 dwellings;
- 31st March 2016 = 159 dwellings; and
- 31st March 2015 = 163 dwellings.

11.45 This reflects the fact that as small sites are built out, they are replaced by other small sites which secure planning permission in the monitoring year.

11.46 On this basis, the windfall allowance of 177 dwellings in the previous HLP reports should be included. This results in a deduction of 423 dwellings.

Summary of deductions

11.47 In summary, I conclude that the Council's supply should be reduced by **1,824 dwellings** (i.e. $951 + 450 + 423 = 1,824$).

11.48 As a result, I conclude that the deliverable supply is therefore **2,174 dwellings** (i.e. $3,998 - 1,824 = 2,174$ dwellings).

12. South Ribble's Five Year Housing Land Supply

12.1 I conclude that the deliverable supply is therefore 2,174 dwellings (i.e. $3,998 - 951 - 450 - 423 = 2,174$ dwellings). Against the adopted housing requirement and a 5% buffer, this means that the Council has a deliverable supply of **3.24 years**.

Table 12.1 – South Ribble's Five Year Housing Land Supply at 31st March 2019

	Requirement	
A	Annual requirement	417
B	Past shortfall at 31 st March 2019	1,110
C	Amount of past shortfall to be addressed in the five year period	1,110
D	Total five year requirement (A X 5 + C)	3,195
E	Requirement plus 5% buffer (D + 5%)	3,355
F	Annual requirement plus buffer (E / 5 years)	671
	Supply	
G	Five year supply 1 st April 2019 to 31 st March 2024	2,174
H	Years supply (G / F)	3.24

12.2 The implication of this is addressed by Mr Harris.

13. Appendices

- BP1 Assessment of sites
- BP2 Information relating to the requirement:
A – Letter to the LPA dated 23/08/19
B – Response from the LPA to letter of 23/08/19
C – LPA Statement of Case for Olive Farm
D – Preston Council's Five Year Housing Land Position Statement
E – E-mail from Preston re: correspondence with MHCLG
F – Chorley Council's Five Year Housing Land Position Statement
G – Chorley Council's Statement of Case for Adlington
H – Report to the Joint Advisory Committee – 27/6/16
I – Report to the Joint Advisory Committee – 2/3/17
J – Preston Council press release – January 2019
K – City Deal Infrastructure Delivery Plan 2017-20
L – City Deal Homes England Disposal Plan 2017-20
- BP3 Information relating to Browndedge Road
A – Response from Network Rail to the LPA
B – Land registry information regarding land at Browndedge Road
- BP4 Information relating to Pickering's Farm
A – Response from agent regarding Pickering's Farm
B – Draft Masterplan for Pickering's Farm
C – Extracts from Taylor Wimpey's website
D – Press article re: change of administration
E – Map showing the different ownerships at Pickering's Farm
- BP5 Information relating to School Lane
A – Response from promoter regarding School Lane
B – Land registry search for land at School Lane
C – Land registry search for the access to the site at School Lane
- BP6 Information relating to Longton Hall
A – Longton Hall response
B – Decision notice for the access to land adjacent to Longton Hall
C – Land registry search for land rear of Longton Hall
D – Land registry search for the access at land rear of Longton Hall
- BP7 Information relating to land south of Longton Hall
A – Response to LPA re: land south of Longton Hall
B – Land registry details re: land south of Longton Hall
- BP8 Information relating to land to the rear of Dunkirk Mill
A – Land registry details
- BP9 Information relating to land at Lostock Hall Primary School
A – Response from Lancashire County Council

- BP10 Information relating to land east of Leyland Road / land off Claytongate Drive, Lostock Hall
A – Response from Lancashire County Council
B – Second response from Lancashire County Council
- BP11 Information relating to Cuerden Strategic Site
A – Response from Lancashire County Council
B – E-mail from LCC
C – Extracts from LCC website in relation to Cuerden
- BP12 Information relating to Brindle Road, Bamber Bridge
A – E-mail from agent re: sale of land
- BP13 Information relating to Vernon Carus Phase 1
A – Draft masterplan
B – Photo of proposed access
- BP14 Information relating to land between Moss Lane and land rear of 392 Croston Road
A – E-mail response from Homes England