

## **Appeal by Bloor Homes South West**

Land at Sodbury Road, Wickwar, South  
Gloucestershire

Appeal ref. APP/P0119/W/23/3323836

LPA ref. P22/01300/O

**Statement of Common Ground on Housing Delivery  
and Five Year Housing Land Supply**

October 2023

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October 2023

# 1. Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared jointly between Bloor Homes South West (the Appellant) and South Gloucestershire Council (the Council), in respect of the appeal on land at Sodbury Road, Wickwar.
- 1.2 The purpose of this SoCG is to confirm matters of agreement and remaining areas of disagreement between the Appellant and the Council in relation to Housing Delivery and Five Year Housing Land Supply Matters.
- 1.3 This SoCG is prepared jointly and agreed by:

Signed: 

**Date: 11 October 2023**

Jeff Richards, Senior Director, Turley (on behalf of Bloor Homes South West)

And

Signed:



**Date: 11 October 2023**

Liz Fitzgerald (on behalf of South Gloucestershire Council)

## 2. Matters of Agreement

2.1 The following matters are agreed between the Council and the Appellant.

### Housing Delivery

- 2.2 Whilst there is agreement that, for five year housing land supply purposes, LHN should be used in place of the housing requirement in the Development Plan, it is also agreed that the Development Plan remains the starting point for the determination of the Appeal.
- 2.3 It is agreed that Policy CS15 is out of date and as of 2018, the Local Planning Authority have been using the Standard Method, as required by Paragraph 74 and Footnote 39 of the NPPF.
- 2.4 The Council have delivered in excess of 100% against the Housing Delivery test in the 4 years in which it has been reported.

Year	Housing Delivery Test Result	Housing Delivery Test: Consequence
2018	131%	None
2019	134%	None
2020	125%	None
2021	133%	None

### The Council's latest Five Year Housing Land Supply Position Statement

- 2.5 The latest housing land supply position from the Council is set out in the 2022 AMR published in March 2023 (**Core Document 4.11**). This covers the period 2022/23 to 2026/27. The Council's claims that it can demonstrate a deliverable supply in the five year period of 7,673 homes against a requirement of 7,170 homes, a requirement which is based on a standard method derived Local Housing Need (LHN) and using a 5% buffer. This equates to a claimed supply of **5.35 years** (a **surplus of 503 homes**).

### The 5 Year Supply Period for Assessment

- 2.6 The latest housing land supply position presents completions data up to 31 March 2022 and uses a supply period of **1 April 2022 to 31<sup>st</sup> March 2027**. Given there is only data for completions up to the end of the monitoring year 2021/22 and only data for claimed deliverable supply in the period 1 April 2022 to 31<sup>st</sup> March 2027, it is common ground that this is the most appropriate period (1 April 2022 to 31<sup>st</sup> March 2027) on which to assess supply at this point in time.

### **Five Year Supply Period Requirement**

- 2.7 As the Core Strategy became five years old in December 2018, in accordance with paragraph 74 and footnote 39 of the NPPF, the correct figure for determining five year land supply is the Council's LHN figure calculated using the Government's Standard Methodology. This Council calculates its LHN to be **1,366 homes per annum** and it is agreed that this is the housing requirement for the purposes of calculating the Council's Five Year Housing Land Supply.

### **The Appropriate Buffer**

- 2.8 In accordance with paragraph 74 of the NPPF the appropriate buffer to be applied to the supply calculation is informed by the results of the latest Housing Delivery Test (based on delivery in the last 3 years only).
- 2.9 South Gloucestershire's latest HDT result for that period is 133% and, therefore, it is agreed a **5% buffer** should be applied to the calculation, to ensure choice and competition in the market for land.

### **The Overall Five Year Housing Land Supply Requirement**

- 2.10 Using the agreed standard method housing requirement and applying a 5% buffer, the Five Year Housing Supply Requirement is **7,172 homes**.

### 3. Matters of Disagreement

3.1 The following matters are disputed between the Council and Appellant:

#### **The amount of deliverable supply from sites in the Council's trajectory**

3.2 The Council's latest five year supply position statement claims there is a deliverable supply of **7,673 homes**.

3.3 The Appellant's position is that there should be a **deduction of 1,311 homes** from the Council's supply, equating to an overall supply of **6,362 homes**.

3.4 Appendix 1 to this Statement of Common Ground sets out a table detailing the sites that are disputed by the Appellant in the proof of evidence of Mr Richards on Housing Delivery and Housing land Supply and the Council's response.

#### **The relative positions on South Gloucestershire Council's five year housing land supply**

3.5 The Housing land supply figure, and associated number of deliverable homes over the next 5 years is not agreed. Using the deliverable supply figures set out above:

1. The Council's position is that there is **5.35 year supply, a surplus of 503 homes**.
2. The Appellant's position is that there is **4.44 year supply, a shortfall of 810 homes**.

## Appendix 1 - Disputed Sites Schedule

Site Address	Planning Status	Council Supply Figure	Appellant Supply Figure	Difference in Supply Figure	Council Commentary	Appellant Commentary
<b>South of Douglas Road, Kingswood (ref. 0035)</b>	Full planning permission	70	0	-70	Received confirmation that the land deal is nearing completion for the final phase of the overall scheme. Agent advises completions commencing in 2024/25 with overall completion by 2026/27.	This site has detailed consent and has delivered units to date, however, the last units to be completed were in the 2020/21 monitoring year and the Council suggests no delivery will now occur until 2024/25. Progression of development on the site has stopped and the company who were delivering the scheme have ceased trading. No reliance can be placed on the residual homes on this site being delivered in the five year period.
<b>Land at North Yate (ref. 0133)</b>	Outline planning permission and various reserved matters secured	1,438	800	-638	All parcels of the wider 2125 dwelling delivery across the site benefit from reserved matters consent. Infrastructure has been delivered and are moving at a pace to deliver. The trajectory has been formed from input from the developers along with historic performance.	There are a number of rows in the Council's supply position statement relating to this site. Whilst this site has various detailed consents in place for development, the Council predict very high levels of delivery overall, including delivery of over 300 homes in some years and an average of approximately 288 homes per annum across the five year period - the overall delivery rates suggested are wholly unrealistic, particularly considering current evidence on market conditions and expected lower delivery rates. The Appellant's figures represent more realistic delivery rates that should be adopted over the five year period.

<b>Land at Cribbs Causeway (Berwick Green) (ref. 0134aa)</b>	Outline planning permission and reserved matters secured	202	160	-42	Forms part of an RM for 256 dwellings, development is advancing on site at a pace. Nothing to suggest these figures are unrealistic. Confirmation from Bellway obtained. Appellant's rate is low when using Lichfields a site of between 100-499 will deliver circa 55 dwellings per annum.	This site has detailed consent and is under construction. The Council anticipates delivery throughout the five year period, including first delivery in 2022/23 (the last monitoring year). However, having visited the site to consider progress to date, it is our view that there would have been no housing completions in 2022/23. The annual delivery rate is also contested as being too high and, instead 40 homes per annum (in years 2-5) is considered more realistic.
<b>Parcels 14-19 Land at Cribbs Causeway (Berwick Green / Haw Wood) (ref. 0134ab)</b>	Outline planning permission and various reserved matters secured	244	160	-84	TW have confirmed delivery rates. LPA concede 4 dwellings.	This site has detailed consent and is under construction. However, the Council's anticipated annual delivery rates are too high and a delivery rate of 40 homes per annum (in years 2-5) is considered more realistic.
<b>Land at Wyck Beck Road And Fishpool Hill (ref. 0134ba)</b>	Outline planning permission and various reserved matters secured	184	160	-24	Developer agrees with LPA trajectory, with the exception of 35 not 40 dwellings in 2023/24. LPA conceded 5 dwellings.	This site has detailed consent and is under construction. However, a delivery rate of 40 homes per annum (in years 2-5) is considered more realistic.
<b>Land North of Iron Acton Way &amp; East of Dyers Lane (ref. 0257)</b>	Full planning permission	100	0	-100	Developer confirms this is not at Lands Tribunal. But delays in finalising land deal have delayed start on site. So delayed by 1yr. LPA concede 40 dwellings.	This site has detailed consent, for 118 homes, however we are aware that there is a dispute between the developer and landowner regarding the purchase of the land to enable the development to progress. This is currently the subject of consideration at a land tribunal.



						This site should not be included in the Council's supply at the current time.
<b>Hillside Court Bowling Hill Chipping Sodbury (ref. 0262)</b>	Prior approval	27	0	-27	Alternative proposal to be withdrawn. Only way development will come forward is by the PA.	This site had prior approval granted for change of use to 27 flats. However, there is evidence that this consent will not be progressed, and that the intention is to pursue alternative proposals for later living units subject to securing relevant permissions. As such, the 27 units permitted should not be relied on by the Council as part of its deliverable supply.
<b>Land at Chief Trading Post, Barry Road, Oldland Common (ref. 0266)</b>	Hybrid planning permission – outline permission for the 50 units	50	0	-50	Development has commenced on site. Infrastructure being undertaken. LPA seeking to determine RM asap. Delivery timescales are entirely realistic.	This site has hybrid consent for development with outline only for the 50 dwellings included in the Council's trajectory. It is a limb b site under the definition of deliverable and so requires the Council to provide clear evidence that first homes will be delivered in the five year period. A reserved matters application is pending determination for the homes, but this is not yet determined and there remain objections and requests for further information. There is not the necessary clear evidence that homes will be delivered on this site within five years.
<b>Land West of Park Farm, Thornbury (ref. 2070)</b>	Outline planning permission	91	0	-91	Sale of the site has progressed at speed. Conditional submission has been lodged and RM anticipated imminently.  Awaiting trajectory to confirm delivery, but likely to be earlier than set out in the appeal decision.	This site has a recent outline consent, allowed at appeal. It is a limb b site under the definition of deliverable and so requires the Council to provide clear evidence that first homes will be delivered in the five year period. There is no record of any reserved matters application pursuant to this outline nor any discharge of conditions. The site is not under the control of

						any housebuilder and there is no detail as to when any sale of the site may be completed, nor any information on when detailed proposals may come forward. The Council has not provided the requisite clear evidence to show that homes will be delivered on this site within five years.
<b>Land at Harry Stoke, Stoke Gifford – Crest (ref. 0021c)</b>	Outline planning permission	75	0	-75	Several sets of amendments received in 2023, progressing to decision this year.	This site has outline consent for development. It is a limb b site under the definition of deliverable and so requires the Council to provide clear evidence that first homes will be delivered in the five year period. A reserved matters application is pending determination for 263 homes, however this has been pending since December 2017. There is no clear evidence that homes will be delivered on this site within five years. It is a site that has been found not to be deliverable in a recent appeal <sup>1</sup> , with no material change in the site status or delivery evidence since that decision.
<b>Land North of The Railway, East of Harry Stoke (ref. 0135b)</b>	Outline planning permission	50	0	-50	The earthworks have been completed for this site and other infrastructure is already in place. The developer is currently progressing the initial 150 dwellings on site and there are in excess of 50 occupations. As such, the developer could move across to this site rapidly and without delay.	This site has outline consent for development. It is a limb b site under the definition of deliverable and so requires the Council to provide clear evidence that first homes will be delivered in the five year period. A reserved matters application is pending determination for 162 homes, but this is not yet determined and there remain objections and requests for further information. There is no clear evidence

<sup>1</sup> Appeal Ref. 3288019 (**Core Document 5.2**) – paragraph 85 and 86

						that homes will be delivered on this site within five years.
<b>Land at Hambrook Lane Stoke Gifford (ref. 0135e)</b>		60	0	-60	Trajectory from TW confirms LPA projections.	This site is a limb b site under the definition of deliverable. A full application (for 92 homes) is pending determination on this site, however the application has not yet been determined and there is no consent in place at the time of writing, some 18 months after the five year supply base date. There is no clear evidence that homes will be delivered on this site in the five year period and the site should not be included in the Council's supply at the current time.
<b>TOTAL</b>		<b>2,591</b>	<b>1,280</b>	<b>-1,311</b>		

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