

**APPEAL ON BEHALF OF REDCLIFFE HOMES LTD,
AGAINST THE REFUSAL OF PLANNING PERMISSION BY
SOUTH GLOUCESTERSHIRE COUNCIL FOR:**

**ERECTION OF 35 NO. DWELLINGS WITH GARAGES
AND ASSOCIATED WORKS**

LAND SOUTH OF BADMINTON ROAD, OLD SODBURY

LPA Ref: P21/03344/F

Statement of Common Ground (SoCG) – 5YHLS

November 2022

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REPORT CONTROL

Project:	Old Sodbury
Report Type:	Statement of Common Ground – 5YHLS
Appellant:	Redcliffe Homes Ltd
Our Reference:	477/A3/CC/MK
Date:	02.11.22
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1.0 INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) has been prepared by Grass Roots Planning Ltd on behalf of Redcliffe Homes (henceforth named ‘the appellants’) and has been agreed with the Local Planning Authority (LPA), South Gloucestershire Council (SGC).
- 1.2 This SoCG relates to the matter of five-year housing land supply (5YHLS) only, in respect to an appeal made in relation to land south of Badminton Road, Old Sodbury, for the development of 35 dwellings with garages and associated works (Appeal Ref: APP/P0119/W/22/3303905).
- 1.3 This statement sets out the agreed matters and positions between SGC and the appellants as well as the areas of disagreement between the parties, in respect to housing delivery and supply.
- 1.4 The final version of the SoCG is jointly agreed by:

Signed on behalf of the Appellant:



Matthew Kendrick

Director (Grass Roots Planning)

Date: 2nd November 2022

Signed on behalf of the Council:

David Stockdale

David Stockdale

Principal Planning Officer (South Gloucestershire Council)

Date: 2nd November 2022

2.0 PLANNING POLICY CONTEXT – IN RESPECT TO 5YHLS

National Planning Policy Framework

- 2.1 The National Planning Policy Framework (NPPF) sets the Government’s planning policies for England. With respect to five-year housing land supply (5YHLS), the following paragraphs are of relevance:

‘... 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’.

[Paragraph 74]

‘Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance’.

[Footnote 39]

‘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.’*

[Annex 2: Glossary]

National Planning Practice Guidance

- 2.2 Accompanying the NPPF is the National Planning Practice Guidance (NPPG). This provides more detailed guidance with regards to housing supply and delivery, and how this should be calculated by an authority.

2.3 The following guidance is of relevance to calculating 5YHLS:

‘Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year housing 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.’

[Paragraph: 005, Reference ID: 68-005-20190722]

‘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... 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 approved 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’.*

[Paragraph 007, Reference ID: 68-007-20190722]

‘To ensure that there is a realistic prospect of achieving the planning level of housing supply, the local planning authority should always add an appropriate buffer, applied to the requirement in the first five years (including any shortfall)... an authority should add one of the following, depending on circumstances:

- *5% - the minimum buffer for all authorities, necessary to ensure choice and competition in the market, where they are not seeking to demonstrate a 5 year housing land supply;*
- *10% - the buffer for authorities seeking to ‘confirm’ 5 year housing land supply for a year, through a recently adopted plan or subsequent annual position statement...; and*
- *20% - the buffer for authorities where delivery of housing taken as a whole over the previous 3 years, has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test.’*

[Paragraph: 022, Reference ID: 68-022-20190722]

- 2.4 Accordingly, authorities are expected to provide clear evidence to demonstrate that a site is deliverable, with a realistic prospect that homes will be delivered in the next five years.

3.0 CALCULATING THE 5YHLS REQUIREMENT

Calculating Housing Need

Step 1 – Setting the Baseline

- 3.1 The first step is to identify the baseline requirement for South Gloucestershire. In light of the development plan being more than five years old, the standard method for calculating housing need should be used.
- 3.2 The national household growth projects (2014-based projections, Table 406) anticipate the following growth over the next 10 years:

2022	2032	Difference
121,814	132,482	10,668

- 3.3 The basic annual projection is therefore 1,067 dwellings.

Step 2 – Affordability Adjustment

- 3.4 According to Table 5(c) of the House Price to Workplace-Based Earnings Ratio, the latest ratio is 8.82. As such, the adjustment factor used is 1.3. This results in an annual requirement of 1,388 dwellings.

Step 3 – Capping the Level of Increase

- 3.5 The strategic housing policies were adopted more than five years ago, as such it prudent to consider whether the level of housing need should be capped. Given that the overall increase is less than 40% of the housing requirement figure identified in the Core Strategy, it is considered that no cap needs to be applied.

Step 4 – Cities and Urban Centres Uplift

- 3.6 This does not apply to South Gloucestershire.
- 3.7 The overall housing requirement therefore is 1,388 dwellings per annum.

The Buffer

- 3.8 As relevant PPG sets out, either a 5%, 10% or 20% buffer should be applied to the housing requirement. In the minimum all authorities must apply a 5% buffer. 20% is applied where the delivery of housing has fallen below 85% of the requirement, as set out in the latest Housing Delivery Test results.
- 3.9 According to the latest results, South Gloucestershire achieved 133% of its requirement – therefore a 5% buffer will be applied to the 5YHLS requirement.

Overall 5YHLS Requirement

- 3.10 As such, the overall requirement to be used in five-year housing land supply calculations are as follows:

Element	Calculation
Annual Housing Need (based on the standard method for calculating housing need)	1,388
Over 5 years (*5)	6,940
+ 5% buffer (*1.05)	7,287
Annual requirement for 5YHLS	1,457

Table 1. Calculating the 5YHLS Requirement

- 3.11 It is agreed that the base date for the assessment of the supply is the 1st of April 2021.

4.0 EXTENT OF DELIVERABLE SUPPLY

The LPA's Position

4.1 South Gloucestershire Council (SGC) published their most recent five-year housing land supply (5YHLS) report in December 2021, and this covers the period 1st April 2021 to 31st March 2026.

4.2 The Local Planning Authority (LPA) anticipated delivering 8,724 dwellings over the next five years, as the table below sets out:

2021/22	2022/23	2023/24	2024/25	2025/26	Total
1,491	1,775	2,160	1,570	1,728	8,724

Table 2. SGC's Anticipated Housing Delivery over next five years

4.3 At the time that the Annual Monitoring Report was published (December 2021), the standard method for calculating housing need produced a need for 1,353 dwellings per annum. As such, the five-year housing land supply requirement was deemed to be 7,103 dwellings, or 1,421 dwellings per annum. This produced a 5YHLS position of 6.14 years.

4.4 The current position for calculating housing need, based on an up-to-date base date and new affordability ratios is 1,388 dwellings per annum. This produces a 5YHLS requirement of 7,287 dwellings (1,457.4 dwellings per annum), with the appropriate buffer. Therefore, the LPA considered they can demonstrate a 5YHLS position of **5.99 years**.

4.5 The LPA consider that the list of sites set out within the Annual Monitoring Report (AMR) December 2021 (Core Document **CD7**) are deliverable and sufficient evidence has been published alongside the AMR to demonstrate that there is a realistic prospect of these dwellings being delivered within five years.

4.6 However, the council and appellant have since both agreed that the council will concede on a net of -89 dwellings prior to the enquiry. This results in a supply of 8,635 dwellings as the below table sets out, and 5.92 years of supply which is the council's position for this Inquiry.

2021/22	2022/23	2023/24	2024/25	2025/26	Total
1,491	1,775	2,113	1,545	1,711	8,635

Table 3. Updated SGC's Anticipated Housing Delivery over next five years

The Appellant's Position

- 4.7 As set out in Section 3 of this statement, the appellant agrees with using the standard method for calculating housing need for the purposes of calculating the five-year housing land supply requirement.
- 4.8 The appellant's evidence has identified a list of sites set out in the LPA's Annual Monitoring Report that are in dispute and which they consider do not meet the definition of 'deliverable', as set out within relevant NPPF and NPPG guidance, as well as various case law and appeal decisions.
- 4.9 Based on the appellant's assessment they consider a more reasonable trajectory is as follows:

2021/22	2022/23	2023/24	2024/25	2025/26	Total
1,619	1,324	1,519	1,155	947	6,564

Table 4. The Appellant's Anticipated Housing Delivery over next five years

- 4.10 The appellant therefore considers that the 5YHLS position currently sits at **4.51 years**.
- 4.11 The list of sites that are disputed are set out in the following section.

Summary Calculations of the 5YHLS

- 4.12 Below is a summary of the position of each party of the 5YHLS calculations:

	Requirement	Council's Position in AMR	Appellant
A	Annual Local Housing Need	1,388	
B	Five Year Requirement (A X 5)	6,940	
C	Five Year Requirement plus the appropriate buffer (B + 5%)	7,287	
D	Average Annual Requirement (C / 5)	1,457	
E	Supply	8,635	6,564
F	Supply in Years (E/D)	5.92	4.51

Table 5. Summary of each party's position on 5YHLS

5.0 LIST OF DISPUTED SITES

- 5.1 The below table summarises the differences between the parties in respect to the delivery rates applied to disputed sites. When compared to the version 2 of the 5yr HLS SOCG, dated 17th October 2022, the below schedule removes some sites that the council and appellant now agree on, but also added in new sites (0133af, 0133ak and 0133an) that the appellant considers that the new data undermines the previous assumptions made in respect to their delivery.

Parcel Ref.	Site Name	LPA's Position in AMR	Appellant's Delivery Rates	Difference
0021b	Land at Harry Stoke	605	421	-184
0021c	Land at Harry Stoke	125	0	-125
0135a	East of Harry Stoke (South of Railway)	55	0	-55
0135b	East of Harry Stoke (North of Railway)	100	0	-100
0135da	East of Harry Stoke (Land off Old Gloucester Road, Hambrook)	100	0	-100
0135d	East of Harry Stoke (Residual Land)	53	0	-53
0036ca	Land at Lyde Green Farm	50	0	-50
0133	Land at North Yate	200	0	-200
0133ak	Land at North Yate (PL7, 8, 9 & 11)	183	100	-83
0133an	Land at North Yate PL19, 20, 28 and 29	100	40	-60
0133af	Land at North Yate (PL15a, PL16)	106	18	-88
0133al	Land at North Yate (PL15c & PL16)	157	105	-52
0134aa	Land at Cribbs Causeway	162	125	-37

	(Berwick Green / Haw Wood)			
0134ab	Parcels 14-19 Land at Cribbs Causeway	244	100	-144
0134b	Cribbs / Patchway NN – Wyke Beck Road/Fishpool Hill	100	0	-100
0134ba	Land at Wyck Beck Road and Fishpool Hill	235	136	-99
0134c	Cribbs/Patchway – Former Filton Airfield	300	0	-300
0251	University of the West of England – Phase 1	270	0	-270
0252	Block B Cheswick Village	37	0	-37
Total		3,182	1,045	-2,137

Table 6. List of Disputed Sites

6.0 AGREED ADJUSTMENTS TO THE COUNCIL'S TRAJECTORY

- 6.1 In summary, the following adjustments to the Council's trajectory are agreed and these sites have been removed from the list of disputed sites.
- 6.2 0256 - The Hoodlands, Hambrook Lane. Application P21/05128/F for the construction of 50 dwellings was submitted in July 2021 and during the assessment of the application the proposal was revised to 48 dwellings. The revised proposal was subsequently refused by the Council on 29th April 2022. The refusal of application P21/05128/F means that the 50 dwellings should be omitted from the Housing Trajectory.
- 6.3 0036az - Parcel 30 Emersons Green East – Application P21/06187/RM for 68 dwellings was lodged on 15 September 2021 by Persimmon Homes. Following on from discussions between the Council and the applicant, revised plans were submitted by Persimmon in February 2022, showing the number of dwellings reduced to 63. Application P21/06187/RM was approved by the Council on 16th May 2022. 4. The Council accepts the appellant's contention that 5 dwellings should be deleted from the Council's 5YHLS figure. This has been agreed through the Statement of Common Ground.
- 6.4 0226 – Watermore Junior School, Lower Stone Close. At this time there is no clear evidence to demonstrate that progress is being made towards a submission of a reserved matters & therefore the council accepts the appellant's contention that 22 dwellings should be deleted from the council's 5YHLS.
- 6.5 0227 - Cleve Park, Thornbury. To date the Council has not had any discussions with the owner of the site to progress the delivery of the 70-bed care home and is unable to provide evidence in line with the advice in paragraph 68-007 of the PPG. 4. On this basis I agree that 14 dwellings can be deducted from the Councils housing land supply.
- 6.6 0135aa – East of Harry Stoke (South of Railway). Application P20/17975/RM was approved for 144 dwellings on 22nd September 2021. The housing trajectory only states 142 dwellings and therefore the council would like to add 2 dwellings onto this site's forecasts.
- 6.7 Following receipt of the recent new completions data presented in the Council's proof of evidence the appellant accepts that site 0035 – Douglas Road Kingswood, is deliverable.

- 6.8 It is also agreed that the suggested delivery rates for Parcel 0133ah of the North Yate New Neighbourhood are reasonable and this is now also agreed by the appellant and reflected in their figures.