

Town and Country Planning Act 1990 – Section 78  
Town and Country Planning (Development Management Procedure) (England) Order 2013  
Town and Country Planning (Inquiries Procedure) (England) Rules 2000

**Appeal by Formula Land Ltd**

**Land at Orchard Farm, north of Defford Road, Pershore**

Against the failure of Wychavon District Council to determine within the relevant timescales an outline planning application for:

***“the demolition of existing farmhouse, agricultural buildings and structures, the erection of a phased development of up to 300 residential dwellings (Use Class C3) and associated public open space, drainage, infrastructure and engineering works with all matters reserved except access.”***

**Appeal Ref: APP/H1840/W/24/3347643**

**Statement of Common Ground on Housing Land Supply**

**between**

**Wychavon District Council**

**&**

**Formula Land Ltd**

Signed

Date 04/10/2024

*John Rowley*

On behalf of Wychavon Council

Signed

Date 04/10/2024

*Ben Pycroft*

On behalf of Formula Land Ltd

## I. Matters of agreement

### *The base date for the 5 year housing land supply calculation*

- I.1. The Council's most recent assessment of 5 year housing land supply (5YHLS) is set out in the South Worcestershire Five Year Housing Land Supply Report (December 2023) and the Addendum to the South Worcestershire Five Year Housing Land Supply Report (April 2024). It sets out the 5YHLS at 1<sup>st</sup> April 2023. Therefore, both parties agree that the relevant 5-year period for the determination of this appeal is 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2028.

### *The figure the 5YHLS should be measured against*

- I.2. Policy SWDP 3 of the South Worcestershire Development Plan sets out that between 2006 – 2030, 10,600 dwellings will be provided in Wychavon (excluding the part of the Wider Worcester Area which falls within Wychavon). This equates to a housing requirement of 442 dwellings per annum. The Local Plan (adopted February 2016) is more than five years old and both parties agree that the housing requirement set out within it is out of date.
- I.3. In accordance with paragraph 77 and footnote 42 of the Framework, both parties agree that for the purposes of this appeal, the 5 year housing land supply should be measured against the local housing need calculated using the standard method. This is currently 488 dwellings per annum.

### *Over-supply / past shortfall*

- I.4. Because the housing land supply in this case is to be measured against the local housing need, it is agreed that there is no past over-supply or shortfall to address. This is because it is already factored in to step 2 of the standard method as explained in paragraph 68-031 of the PPG.

### *The buffer*

- I.5. It is agreed that the 20% buffer does not apply because the latest Housing Delivery Test (HDT) result was above 85% (it was 145%).

### *Neither a 4YHLS nor a 5YHLS can be demonstrated*

- I.6. Both parties agree that neither a 4YHLS nor a 5YHLS can be demonstrated in accordance with the Framework.

### *The weight to be given to the 5 year supply position*

- I.7. Whilst the shortfall in the 5YHLS is not agreed, it is agreed that the deliverable supply is within the range of 2.53 to 2.78 years. The parties agree that the precise position within the bracket does not alter either party's position in terms of the weight they afford to the benefit of the appeal site providing up to 300 dwellings. In those circumstances the parties agree that it is not necessary for the Inspector to make a finding as to where within that bracket the housing land supply falls. As a result, both parties invite the Inspector to determine the appeal having regard to that range within the context of the current Framework.
- I.8. The respective positions are set out in the following table.

## Statement of Common Ground on Housing Land Supply – 4<sup>th</sup> October 2024

	Requirement	Council	Appellant
A	Annual local housing need figure / requirement	488	488
B	Five year requirement	2,440	2,440
	<b>Supply</b>		
C	Deliverable supply at 1 <sup>st</sup> April 2023	1,355	1,235
D	Supply in years	<b>2.78</b>	<b>2.53</b>
E	Over / undersupply against a four year requirement	-597	-717
F	Undersupply against the five year requirement	-1,085	-1,205

*Five year housing land supply positions against the proposed revised standard method and a 5% buffer*

I.9. The Government recently consulted on a revised National Planning Policy Framework and a revised standard method for calculating local housing need. The following table sets out the respective positions on 5-year housing land supply against the Government's proposed revised standard method and a 5% buffer.

	Requirement	Council	Appellant
A	Annual local housing need figure / requirement	958	958
B	Five year requirement	4,790	4,790
C	5% buffer	240	240
D	Total five year requirement	5,030	5,030
E	Annual housing requirement	1,006	1,006
	<b>Supply</b>		
F	Deliverable supply at 1 <sup>st</sup> April 2023	1,355	1,235
G	Supply in years	<b>1.35</b>	<b>1.23</b>
H	Undersupply against the five year requirement	-3,675	-3,795

## 2. Matters of disagreement

### *Disputed sites*

2.1. The reason for the difference in the respective parties' supply (of 120 dwellings) as shown in the table below paragraph 1.8 is because the Appellant disputes the following sites.

Site ref	Address	Capacity	LPA 5YS	Appellant 5YS	Appellant deduction
WDC/539/HOU	Field off Tagwell Road, Droitwich Spa	100	100	0	-100
WDC/371/HOU	Pippins Court, 40 Waterside, Evesham	10	10	0	-10
WDC/408/HOU	Wichcraft, Newhouse Farm, Newhouse Lane	10	10	0	-10
		<b>Total</b>	<b>120</b>	<b>0</b>	<b>-120</b>

2.2. The site off Tagwell Road only has outline planning permission and the Appellant considers that the Council has not provided “clear evidence that housing completions will begin on the site within five years.” The site fails to meet the definition of “deliverable” as set out on page 69 of the Framework and should be removed from the supply.

2.3. The Pippins Court consent has expired and therefore the site does not have planning permission. The site fails to meet the definition of “deliverable” as set out on page 69 of the Framework and should be removed from the supply.

2.4. The Wichcraft consent has expired and therefore the site does not have planning permission. The site fails to meet the definition of “deliverable” as set out on page 69 of the Framework and should be removed from the supply.

[ENDS]