

STATEMENT OF COMMON GROUND ON HOUSING NEED AND SUPPLY

SECTION 78 APPEAL AT

LAND TO THE NORTH OF DROITWICH SPA

LPA REF: 22/00201/OUT
PINS REF: APP/H1840/W/22/33205934

Signed: 	 Signed:
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On behalf of: Wychavon District Council (the Local Planning Authority)	On behalf of: Pegasus Group (acting on behalf of the Appellant)
Date: 21/11/2022	Date: 14/11/2022

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1. INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) on housing need and supply has been prepared by Pegasus Group on behalf of Beechcroft Land Ltd (“the Appellant”) in conjunction with Wychavon District Council (“the LPA”). It relates to a planning appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of the residential development of up to 102 dwellings, new vehicular and pedestrian access, and associated works at Land to the North of Droitwich Spa.
- 1.2 The purpose of the SoCG is to set out the respective positions of the principal parties on matters relevant to the need and supply of housing.
- 1.3 It is agreed that this SoCG is for the purposes of this appeal only.

2. MATTERS NOT IN DISPUTE

2.1 This section sets out the matters that are not in dispute between the Appellant and the LPA.

National Policy

2.2 Paragraph 74 of the NPPF requires that LPAs identify and update annually a supply of specific deliverable sites sufficient to provide a minimum five years' worth of housing against the local housing need of the standard method, where as is the case in South Worcestershire, the adopted housing requirement is more than five years old.

2.3 Paragraph 61 of the NPPF and numerous paragraphs of the planning practice guidance identify that the standard method identifies only the minimum local housing need.

The Development Plan

2.4 Policy SWDP3(C) of the South Worcestershire Development Plan sets out housing requirements for 5 sub-areas which are separate and non-transferrable, and which provide the appropriate area for assessing the five-year land supply. Policy SWDP3(G) confirms this approach.

2.5 Paragraph 40 on page 70 of the South Worcestershire Development Plan explains that any shortfall in the five-year land supply in one sub-area will not be met in another sub-area.

2.6 The appeal site is located in the Wychavon (excluding WWA) sub-area.

The housing requirement

2.7 Policy SWDP3(C) identifies a housing requirement for 28,400 homes over the period 2006-30 across South Worcestershire.

2.8 Over the period 2006-21, a total of 19,492 homes have been delivered, leaving a residual requirement for 8,908 homes over the period 2021-30 at an annual average of 990 homes per annum.

2.9 The standard method of planning practice guidance now identifies a minimum local housing need for 1,293 homes per annum across South Worcestershire.

- 2.10 The minimum local housing need is therefore significantly greater than provided for by the adopted Development Plan.
- 2.11 Accordingly, the Development Plan should have been reviewed within five years in accordance with paragraph 61-062-20190315 of the planning practice guidance.
- 2.12 In the absence of the adoption of the South Worcestershire Development Plan Review at the current time, the housing requirement and the policies which flow from the adopted South Worcestershire Development Plan are out-of-date regardless of any other consideration.

The latest assessment of the five-year land supply

- 2.13 The LPA has provided a provisional assessment of the five-year land supply position for the period 2022-27, which it is agreed should be used for the purposes of this appeal only.
- 2.14 This assessment identifies a:
- i. 3.52 year land supply with a shortfall of 791 homes for the Wychavon (excluding WWA) sub-area if the supply is assessed in accordance with Policy SWDP3.
 - ii. 3.94 year land supply with a shortfall of 1,432 homes for South Worcestershire as a whole.
 - iii. 3.68 year land supply with a shortfall of 703 homes for Wychavon District

The area of assessment

- 2.15 If the five-year land supply is to be assessed for South Worcestershire as a whole (ii) or for Wychavon District (iii) rather than for the sub-area (i), then this would allow the unmet needs of one sub-area to be met in another, such that the spatial strategy of the Development Plan would be out-of-date regardless of any other consideration.

The extent of the shortfall

2.16 The appellant considers the extent of the current shortfalls of either 791 homes, 1,432 homes or 703 homes are each substantial. The Council consider the extent of the current shortfalls are significant.

2.17 In the period 2021-26, the LPA identified a:

- i. 4.38 year land supply with a shortfall of 327 homes in the Wychavon (excluding WWA) sub-area.
- ii. 4.31 year land supply with a shortfall of 936 homes across South Worcestershire.
- iii. 4.63 year land supply with a shortfall of 193 homes for Wychavon District.

2.18 For both areas, the five-year land supply shortfalls have therefore materially increased from that reflected in previous appeal decisions.

The persistence of a shortfall

2.19 There is no evidence that a five-year land supply will be restored at any point in the future and given the prevailing trends it is unlikely that such a supply will be able to be demonstrated at least until the South Worcestershire Development Plan Review is adopted.

The policy consequences

2.20 Owing to the absence of a five-year land supply, all of the most important policies for determining this appeal are to be regarded as being out-of-date.

2.21 Accordingly, the presumption in favour of sustainable development of paragraph 11d of the NPPF is engaged – which is reflected in SWDP Policy 1.

2.22 As set out in the *Hallam Land Judgment*, the extent of the shortfall and the length of time this is likely to persist will be material to the weight afforded to the provision of housing and to the weight afforded to any conflict with relevant policies.

2.23 In the absence of a five-year land supply with an unknown shortfall, the LPA has recently not contested appeals at Tagwell Road, Droitwich and at Land and Stables to the West of Ivy Lane, Bretforton, owing to the fact that a conflict with

policy SWDP2 alone would not now be sufficient to resist development. It is agreed between the parties that each planning application should be considered on its own merits having regard to all material considerations.

2.24 Owing to the current circumstances in the Wychavon (excluding WWA) sub-area and South Worcestershire, the weight afforded to:

- i. The parties considers that the weight to be afforded the provision of housing should be substantial for the purposes of this appeal.
- ii. the most important policies for determining the proposal (including SWDP2) should be materially reduced.