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1.0 Instructions and Introduction

1.1 Neame Sutton Limited, Chartered Town Planners, is instructed by the Tandridge Housing Forum ("the Forum") to prepare a Technical Paper in support of its Matter 2 Statement in respect of the overall supply of housing and 5-year housing land supply matters to feed into the Examination on the soundness of the Tandridge Local Plan: 2033 Regulation 22 submission version ("the Plan").

1.2 Details on the composition of the Forum are provided elsewhere in the Forum Representations by its Chair Judith Ashton. This Technical Paper focusses specifically on the following matters:

- The Housing Trajectory that the Council propose in the Plan
- The consequent inability of the Plan to demonstrate a 5-year housing land supply
- Consideration of the various sources of supply identified by the Council in the Plan
- Consideration of the robustness of the Plan in terms of demonstrating a 5-year housing land supply in the year following the Plan’s adoption (including by reference to the requirements of Annex 2 of the Framework 2019)
- Conclusions on the soundness of the Plan in terms of meeting the core Government objective to significant boost the supply of housing nationally

1.3 Whilst at the time of preparing this Technical Paper the new National Planning Policy Framework ("the Framework 2019) has been introduced the Council has sought to take advantage of the transitional provisions set out in Annex 1 where a Plan that is submitted for examination by a Council on or before 24 January 2019 will be examined against the policies in the previous Framework 2012.

1.4 This Technical Paper has therefore been prepared on the basis of Government policy set out in the Framework 2012 whilst having regard, where relevant, to the Framework 2019 (particularly in the context of considering the robustness of the Plan post adoption).

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1 Paragraph 214 on Page 62 of the Framework 2018, which was the extant version of the Framework at the time of the submission of the Plan by the Council.
1.5 The content of this Technical Paper has been prepared having regard to the specific questions raised by the Inspector in the Matters, Issues and Questions dated 29 July 2019 and updates the Forum's position set out in its Regulation 19 Representations (September 2018).

1.6 This Technical Paper should be read in conjunction with those prepared by RPS, Lichfields and the Matter 2 Statement prepared by Judith Ashton Associates on behalf of the Forum, which cover the following matters:

- OAN and Unmet Need
- Housing Requirement
2.0 The Overall Supply of Housing – Is the Proposed Supply of Housing for the Plan period realistic?

(i) Consideration of the Council’s Housing Delivery Trajectory as Proposed in HNS2

2.1 At the point of the submission of the Plan the Council sought to update its position on a range of matters relating to OAN, housing requirement and, supply. These updates included the production of a new Housing Topic Paper in January 2019 [HNS2], which has updated the housing delivery trajectory that is also set out in Appendix 1 of the submitted Plan [MD1].

2.2 The Housing Topic Paper explains the approach the Council now wishes to advance at the Examination in relation to the overall supply of housing and in relation to 5-year housing land supply, which differs from the approach set out in the Regulation 19 version of the Plan and the corresponding Housing Topic Paper in the following key ways:

1. At the Regulation 19 Stage the trajectory within the Housing Topic Paper and Appendix 1 of the Plan did not match, both in terms of the overall level of housing delivery and, the supply sources proposed;
2. At the Regulation 19 Stage the trajectory failed to deliver a 5-year supply across the Plan period and consequently the Council proposed a stepped trajectory. This approach is no longer proposed by the Council;
3. At the Regulation 19 Stage the Council was content with Sedgefield and 5%. It now suggests the Liverpool method is appropriate; and,
4. Various additional supply sources appear to have been included (in the ‘Other Supply’) category without any real justification for their inclusion.

2.3 These key changes appear to be an attempt, on the part of the Council, to rectify what was an unsound housing delivery trajectory at the Regulation 19 stage. Before considering the validity of the approach the Council is now taking the fact that changes have been made to its trajectory is a clear acceptance, on the part of the Council, that the Plan as submitted, was unsound. This is supported by the housing trajectory tables set out in our Regulation 19 Representations, specifically those in Appendix 1 and 3 of that submission.

2.4 The Framework 2012 and the corresponding National Planning Practice Guidance (“NPPG”) requires the Council to demonstrate through its Plan a robust delivery trajectory that maintains a rolling 5-year housing land supply based on the minimum housing requirement set out in the evidence base and applied in the Plan.

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2 See Appendix 1 of the Reg 19 Consultation version of the Plan and 2018 Housing Topic Paper HNS6
3 Paragraphs 47 and 156 of the Framework 2012 in particular
2.5 It is a minimum requirement, as a starting point, for the Council to be able to demonstrate a sound Plan in terms of its core objective of delivering housing.

2.6 This important objective is also carried forward into the Framework 2019 and will therefore apply from the point of the adoption of the Plan.

2.7 The problem the Council faces is that its Regulation 19 housing delivery trajectory failed to maintain a rolling 5-year housing land supply and as a consequence the changes proposed by the Council, within the scope of the supply it has identified, have made little impact on the effectiveness of the housing delivery strategy.

2.8 The trajectory set out in Appendix 3 of HNS2 still contains no requirement data so it is impossible for the reader to discern the effectiveness of the changes the Council has made. Neame Sutton has therefore transposed the data from Appendix 3 into a trajectory that includes the Council’s chosen minimum housing requirement of 303 dpa, along with its proposed buffer of 5% and the Sedgefield method of dealing with the shortfall (see Appendix 1).

2.9 It is clear that whilst the changes made by the Council marginally improve the position at the projected point the Plan is adopted (in the 2019/20 monitoring year), it remains the case that the Plan cannot achieve a rolling 5-year supply of deliverable housing sites and consequently must be unsound.

2.10 This conclusion is reached before the question of whether the trajectory is realistic and deliverable is to be considered. In seeking to answer this question for the Inspector the Forum raises the following points in relation to the various supply sources identified by the Council.

(ii) Consideration of Supply Sources (Is the Trajectory realistic and deliverable?)

2.11 The Forum is concerned with the following supply sources in terms of their compliance with the requirements of the Framework 2012 and in particular footnotes 11 and 12. Consideration of the implications for the 5-year housing land supply position of Annex 2 to the Framework 2019 are considered in Section 3 of this Technical Paper.

2.12 The evidence the Council relies upon is all set out in the Housing Topic Paper HNS2.

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4 Paragraph 67 of the Framework 2019 in particular
5 After the expiry of the initial period described in Paragraph 73 and footnote 38 of the Framework 2019
Permissions (up to expiry):

2.13 The Council fails to provide any evidence to support its proposed delivery trajectory from this source. Reference is made in Paragraph 229 of HNS2 to the Annual Monitoring Report ("AMR") from 2018 [HNS8] but that document only provides, at Appendix 3, a schedule of outstanding capacity from consented sites. It does not provide a breakdown of delivery year on year nor does it distinguish between outline and full detailed consents.

2.14 The Council states at Paragraph 230 of HNS2 that it has removed 89 units from the total supply and therefore it does not need to apply any kind of flexibility allowance.

2.15 In the Forum’s view the Council’s evidence base is severely lacking in terms of demonstrating how the delivery trajectory it relies upon has been arrived at. In this respect it is not possible to determine whether the delivery from this supply source meets with the requirement of footnote 11 (other than taking the word of the Council).

2.16 At the very least therefore a flexibility allowance to account for non-delivery from this source should be applied to this source of supply. Conventionally an allowance of 10% is applied to commitments when considering their contribution to housing delivery trajectories.

2.17 The Forum therefore considers that, in the absence of clear evidence from the Council, a 10% flexibility allowance should be applied to this source of supply.

Tier 1 and Tier 2 Settlement Sites:

2.18 The Forum does not at this stage raise issue with this supply source in the context of footnotes 11 and 12 albeit that there are significant concerns in the context of Annex 2 (as set out in Section 3 below). Paragraph 412 of HNS2 states that Statements of Delivery have been prepared in relation to each site. Furthermore Paragraph 417 advises that the position on phasing is set out in these Statements. At the time of preparing this Technical Paper it has not been possible to locate any Statements of Delivery. Should the Statements of Delivery be produced by the Council then the Forum will wish to review and provide a response as necessary.
2.19 One notable exception is the inclusion of 82 no. dwellings in the North Tandridge One Public Estate (Policy HSG20). This scheme was previously proposed to contribute 150 no. dwellings to the supply in the Regulation 19 version of the Plan. However, following a meeting of the Council’s Overview and Scrutiny Committee on 19 July 2018 the contribution was reduced to 82 no. dwellings.

2.20 The reason Members gave for the reduction was the uncertainty of sites within the policy area coming forward. In essence this scheme relies on the release of Council, County Council and NHS assets, currently in other active uses, for housing. The Plan does not define any boundaries or sites and in effect although this comprises a proposed allocation it is nothing more than a statement of intent from the Council for windfall delivery. Many of the sites the Council has identified within this scheme are in key active community uses such as the Douglas Brunton Centre and Community Recycling Centre. There is no realistic or reasonable prospect that this scheme will deliver dwellings when the Council envisages. As a consequence the allocation fails the footnote 12 test.

2.21 The Council should not include this as an allocation on the basis that any delivery will for all intents and purposes come forward as a windfall. This must be the case given the Council is unable to identify any sites. Furthermore because the Council cannot identify sites at this time the figure of 82 dwellings cannot be relied upon.

Windfall:

2.22 Paragraph 48 of the Framework 2012 states that Council can only make an allowance for windfalls in the first 5-years of the Plan period where they have “compelling evidence” that such sites have consistently become available.

2.23 Paragraph 226 of HNS2 confirms that land supply from within the defined urban areas of the Borough, namely windfalls, is now ‘severely limited’. Paragraph 233 then states that completion data shows there is a strong and consistent rate of windfall delivery in the District.

2.24 This is clearly a contradictory position and given that the only evidence the Council advances is that of historic completion data, which by its own definition is a supply source that is severely limited this goes nowhere near to meeting the threshold of “compelling evidence” required by the Framework 2012.

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7 See Paragraphs 22.4 – 22.8 on Page 144 of the Plan [MD1]
2.25 On that basis any reliance on windfalls in the first 5-years of the Plan period should be removed from the trajectory.

**Vacant and Empty Homes:**

2.26 The Council seeks to rely on supply from a source that it cannot quantify. The data set out in HNS2 at Paragraphs 238-247 only confirms a total stock of empty homes. This data does not, for example, make any allowances for double counting, nor does it demonstrate how the stock of empty homes converts to occupancy.

2.27 The Council suggest at Paragraph 245 that it has successfully converted 15 homes from empty to occupied in the year 2017 – 2018. That may be the case but it represents only a single year of data from a recently implemented scheme. It also bears no resemblance to the Council’s proposed supply of 20 dpa from this source.

2.28 The Council also confirms at Paragraph 240 that ‘due to the constantly changing nature and number of these properties it is difficult to predict the net gain in the number of properties brought back into use over an extended period.’

2.29 In the Forum’s view this source cannot possibly be considered footnote 11 compliant and it is difficult to see how footnote 12 can be complied with either. Paragraph 51 of the Framework 2012 is clear that LPAs should identify and bring back into residential use empty housing but it does not direct LPAs to place reliance on such housing in its housing trajectory. This source should be deleted from the trajectory.

**Town Centre Initiatives:**

2.30 The Council has provided no evidence to support the housing supply relied upon from this source. Draft Policies TLP28 and 29 proposed ‘around’ 190 and 60 dwellings respectively, which does not tally with the total of 245 dwellings set out in the trajectory at Appendix 3 of HNS2.

2.31 Given that these are town centre redevelopment policies comprising a mix of uses there is no certainty at present that the number of dwellings envisaged by the Council will be delivered. Furthermore these sites are highly likely to comprise multiple landownerships requiring complex land assembly agreements and potentially Compulsory Purchase. This is particularly pertinent bearing in mind the Council’s reliance on this source in the first 5-years of the Plan period.

2.32 The evidence presented by the Council, which appears to comprise the two draft policies only, does not meet footnote 11 and this supply source should therefore be deleted from the first 5-years of the Plan period.
Other Supply:

2.33 The trajectory makes reference to ‘other supply’ mixed in with vacant homes. This is not mentioned as a supply source anywhere in the evidence other than within the trajectory tables in Appendix 1 of the Plan and Appendices 3 and 4 of HNS2. The total relied upon by the Council is 36 no. dwellings in the period 2019 – 2023. This fails both footnotes 11 and 12 and should be deleted.

South Godstone Garden Community:

2.34 The Forum has previously provided evidence of its concerns with the delivery trajectory relied upon by the Council for this key component of its housing supply.

2.35 South Godstone currently accounts for 1,400 dwellings in the Council’s supply (or 1,890 dwellings if the trajectory at Appendix 4 is relied upon). This equates to some 23 – 28% of the total supply.

2.36 The Forum has also set out its concerns in relation to this site in its Matter 1, 3, 4 and 6 Statements.

2.37 The Forum’s key concerns remain as per its Regulation 19 representations but are now amplified as follows:

2.37.1 Concern 1: The Council has still not defined the extent of the Garden Community area nor the landownership required to bring it forward. This remains a fundamental failing that calls into question the deliverability of the proposal from the outset. Whilst it is acknowledged that bullet point 3 of Paragraph 47 of the Framework 2012 places a requirement for the identification of ‘broad locations’ the Council must still ensure that the location has a reasonable prospect of being available and could be viably developed. This is particularly important where the Council’s housing delivery strategy is so heavily reliant on the Garden Community in the later years of the Plan period.

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8 See Paragraphs 2.32 – 2.34 of the Forum’s Regulation 19 Representations on Housing Delivery – September 2018
9 Paragraph 364 of the Housing Topic Paper 2018 confirms this [HNS6]
2.37.2 Concern 2: Whilst the Council states that it has had discussions with the promoters it then confirms that the number of housebuilders participating in the scheme has not yet been determined. The Council therefore has no idea as to whether there are sufficient (if any) delivery agents (namely developers) in place to bring this scheme forward. Furthermore Paragraph 413 of HNS2 confirms that a Statement of Delivery is being prepared for the Garden Community. From discussions with senior Officers at the Council the Forum understand that no such Statement of Delivery will be prepared in advance of this Examination. This further compounds the Forum view on the uncertainty of delivery from this allocation.

2.37.3 Concern 3: The Council has undertaken a high level appraisal of the constraints to delivery and in particular the infrastructure delivery requirements. It is apparent from this assessment that the infrastructure required to enable the Garden Community to come forward in this location is significant and includes a minimum requirement to upgrade all junctions on the A22 including Junction 6 of the M25. The Council has not however indicated how this might take place and the impact it would have on completions, particularly given that Highways England would be involved in the necessary works. Furthermore, in terms of public transport there is an identified requirement for subsidised bus services and railway station upgrade works. The latter has also not been accounted for in the Council’s delivery trajectory.

2.37.4 Concern 4: The Council’s assessment of delivery appears to be entirely focussed on the planning application process and has failed to properly consider the spatial planning matters (including those key concerns identified above) that need to be addressed by this Plan before either an Area Action Plan or an Outline Planning Application can be conceived. The basic premise for the proposal is therefore flawed and cannot be considered as a sound housing delivery strategy in its present form.

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10 Paragraph 376 of the Housing Topic Paper 2019 [HNS2] confirms this
11 Appendix 1 of the Housing Topic Paper 2019 on Page 105 [HNS2] confirms this
2.37.5 **Concern 5:** Even when the Council’s single strand of analysis on delivery, namely the planning application process, is explored the Council has taken the one piece of credible evidence it seeks to rely upon (the Lichfields report\(^{12}\)). identified its evidence on delivery and, then promptly ignored that evidence stating that the Council will be able to deliver quicker\(^ {13}\). As noted in the Forum’s Matters 6 Statement the Council also refers to the Letwin Review but again it proceeds to set out a trajectory that does not reflect the findings of the Review. It is simply not the case that the Council will be able to deliver quicker as has been confirmed in the Forum’s Matter 6 Statement by reference to the current example, where Homes England is involved, in Burgess Hill, Mid Sussex. It is clear that the Lichfields evidence is to be preferred to that of the Council when the Mid Sussex example is examined, which is noted in the Matter 6 Statement, is a more advanced, certain and, de-risked proposal than the Garden Community.

2.37.6 **Concern 6:** As a consequence and even if the viability of the scheme isn’t called into question, the proposed starting point for the delivery of housing in 2026 cannot possibly be right. Lichfields advice is clear that largescale development proposals in excess of 2000 dwellings (which applies in this case) will take on average 6.9 years to deliver any completions. The Council currently has site delivering completions in 7 years from the projected adoption of the Plan, but this Plan does not seek to actually allocate the Garden Community. That role falls to a separate Area Action Plan that is yet to commence.

2.37.7 **Concern 7:** The site is in multiple ownerships and the Council has confirmed (see Forum Statement on Matter 6 at Paragraph 6.1.30) that its Officers professional advice to Members is Compulsory Purchase powers will be required to bring on board the land required for the delivery of the Garden Community. Savills has reviewed this position on behalf of the Forum (as set out in the Matter 6 Statement) and it is clear that the land is in multiple ownerships (103 plots + 365 small plot holders – see 6.1.10 of Matter 6 statement), equally the lead in time for Compulsory Purchase will add a further delay to the delivery trajectory of the site, which the Council has not factored into the Plan.

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\(^{12}\) Start to Finish: How Quickly do Largescale Housing Sites Deliver? (November 2016) see Appendix 3

\(^{13}\) Paragraph 379 of the Housing Topic Paper 2019 [HNS2] refers
2.37.8 **Concern 8:** The Council’s trajectory from this site of 200 dpa (or 270 dpa in Appendix 4 of HNS2) is totally unrealistic and unsupported by the evidence. Lichfields advise that the most a site of this scale will deliver is circa 161 dpa\(^{14}\) and not 200 as the Council indicates (at the minimum). The trajectory cannot therefore be relied upon. Furthermore the Council has identified 200 dpa from the first year of completions on the site. This is also completely unrealistic based on clear evidence from the industry in terms of the gearing up of largescale sites. Even if the example in Burgess Hill is to be applied, using the Homes England evidence this would see an initial delivery of circa 75 dwellings rising through 125, 175 and then 225 dpa.

2.38 The Forum therefore considers the following delivery trajectory to represent a more realistic approach for the Garden Community:

### Table 1: Forum Delivery Trajectory for South Godstone Garden Community

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*Note – This is higher than Lichfields evidence which indicates that only 161 dpa will be achievable, but is based on the Homes England evidence for Burgess Hill in Mid Sussex. This is an update to Figure 1 in the Forum’s Regulation 19 Representations on Housing Delivery – September 2018.
2.39 The effect of the above points on the Council’s Housing Supply across the Plan period is summarised in the table below:

### Table 2: Summary of Housing Supply Analysis

<table>
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<th>Supply Source</th>
<th>LPA Position</th>
<th>Forum Position</th>
<th>Difference</th>
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</thead>
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<td>1054</td>
<td>949</td>
<td>-105</td>
</tr>
<tr>
<td>Tier 1 settlement sites</td>
<td>759</td>
<td>677</td>
<td>-82</td>
</tr>
<tr>
<td>Tier 2 settlement sites</td>
<td>548</td>
<td>548</td>
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<tr>
<td>Garden Community</td>
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<tr>
<td>Windfall</td>
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<tr>
<td>Town Centre Initiatives</td>
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<td>245*</td>
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<tr>
<td>Other Supply Sources:</td>
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<tr>
<td>Empty Homes</td>
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<td>0</td>
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</tr>
<tr>
<td>Other</td>
<td>36</td>
<td>0</td>
<td>-36</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>4777</strong></td>
<td><strong>3280</strong></td>
<td><strong>-1497</strong></td>
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</table>

*Note: An adjustment is made to the contribution from this source in the context of the first 5-years after adoption of the Plan but the total provision over the Plan period remains unchanged.*
3.0  **5-Year Housing Land Supply Position – Would the Plan Secure a 5-year Supply of Deliverable Housing Sites?**

3.1  The Council’s assessment of 5-year housing land supply is set out in Section 6 of HNS2.

**The Correct 5-Year Period:**

3.2  The Forum agrees with the Council that the most appropriate period to consider for the purposes of the Examination (at least for the time being) is 2019 – 2023.

**Considering the Shortfall:**

3.3  On the basis that this is a transition Plan the shortfall/surplus in supply should be considered from the start of the period the Council has used for its SHMA, which also corresponds with the start of the Plan period\(^{15}\) i.e. 2013.

3.4  For the purposes of calculating any shortfall the housing requirement figure should be applied. The Council applies 303 dpa from the Plan, which without prejudice to the Forum’s view on the OAN, is also applied in this calculation for ease of comparison.

**The Buffer 5% vs 20%:**

3.5  The Council suggests that a 5% buffer should be applied to any calculation of housing land supply and its limited justification for this is set out at Paragraphs 428 – 431 of HNS2. The Forum disagrees with this for the following reasons:

3.5.1  **Reason 1:** The Council’s justification for a 5% buffer stems from an incorrect view that it should assess its shortfall/surplus position since the start of the Plan period in 2013 on the basis of the adopted Core Strategy Housing Target. This cannot be correct. Firstly this Plan period relates to a totally different housing requirement set out in the SHMA at 398 dpa. Secondly the Council seeks to rely in Paragraph 430 on a ‘recent’ appeal decision dating to April 2017. In that appeal the inspector stated (at paragraph 23) “Based on the limited information before me, and having regard to the advice within PPG, I consider that the untested SHMA OAN cannot be afforded significant weight at the present time.”\(^{16}\) Unlike the appeal inspector the examination is not restricted to limited information, and the SHMA OAN will be tested in the course of the examination. The Council now considers the OAN calculation to comprise a key component of its evidence base.

\(^{15}\) See Paragraphs 030, 035, 036 and 044 from 2014 version of PPG – Housing and Economic Land Availability Assessment

\(^{16}\) APP/M3645/W/16/3163326, as referred to at paragraph 430 of HNS2
underpinning the Plan as submitted for Examination. This must necessarily increase the weight to be attached to the OAN calculation now. Any consideration of shortfall/surplus should, at the very least, be considered in the context of the OAN the Council is advancing at this Examination. Set in that context the Council has only marginally met the OAN for 1 year in the last 6 consecutive years leading to a cumulative shortfall of some -683 dwellings.

Table 3: Analysis of Completions 2013 – 2019

<table>
<thead>
<tr>
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<td>Shortfall/Surplus</td>
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<td>-66</td>
<td>27</td>
<td>-683</td>
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*Note this figure comprises the Council’s projection because it does not currently have any corroborated completion data for this year.

3.5.2 **Reason 2:** A shortfall position in 5 consecutive years clearly amounts to a persistent history of under delivery as referred to in Paragraph 47 of the Framework 2012.

3.5.3 **Reason 3:** The context within which the calculation of 5-year housing land supply is considered in the Development Management arena has changed significantly since the Appeal in 2017 that the Council rely upon. Following the publication of the Framework in 2018 and then again in 2019 where the Local Plan is absent or out-of-date it is necessary for the decision maker to consider the 5-year supply calculation in the context of the standard method calculation of housing requirement for the authority. This is the approach taken by the Inspector in a recent decision in Tandridge in June 2019 (copy attached at Appendix 4) where the Inspector concluded at Paragraph 15 the housing land supply position in the District amounted to 1.43 years. In such circumstances it is clear that the Council would have a persistent record of under delivery when assessed against the Standard Method.
3.5.4 **Reason 4:** When the Plan is adopted and following the transition period set out in Paragraph 74 and footnote 38 of the Framework 2019 any assessment of 5-year supply in the District will be considered in the context not only of the new Framework but also the Housing Delivery Test (“HDT”). Furthermore the HDT applies to the Council at the point of publication and, regardless of the status of its Plan making, it is incumbent upon the Council to take action where the HDT concludes action is required. In this case the most recent HDT result for Tandridge is 65%, which falls below the threshold of 85% set out footnote 39 of the Framework 2019 and therefore a 20% buffer should be applied to any calculation of 5-year housing land supply. Whilst this does not strictly apply to the determination of the appropriate buffer in the context of the Examination it must be a relevant and material consideration given that as soon as the Plan is adopted it will take effect.

3.5.5 **Reason 5:** Paragraph 47 of the Framework 2012 should be regarded as a positive planning tool to ensure choice and competition in the market for land, which has been severely lacking in Tandridge due to the constrained nature of the current adopted policy framework.

3.6 For all of the above reasons it is clear that a 20% buffer should be applied to the Council’s calculation of 5-year housing land supply in order for the Plan to be progressed with a robust delivery strategy in place that won’t fall foul of the Planning Appeal process under the terms of the new Framework 2019 as soon as it is adopted.

**The Method of Dealing with the Shortfall:**

3.7 In the Forum’s view the Council should be applying the Sedgefield method. This is the clear expectation of Government as set out in the NPPG\(^\text{17}\) that accompanies the Framework 2012. Furthermore this is the approach advocated by the Council at the Regulation 19 stage for this Plan.

3.8 The Council seeks to justify use of the ‘Liverpool approach’ on the basis that the Local Plan relies upon a large site, namely the Garden Community\(^\text{18}\). The Council have not addressed the question posed by the PPG, namely whether it is possible to address the undersupply within the first five years of the plan period. However, even on the Council’s own calculation (Table 13 of HNS2 refers) the Liverpool method only

\(^{17}\) See Paragraph 035 from 2014 version of PPG – Housing and Economic Land Availability Assessment

\(^{18}\) HNS2 paragraph 446
improves the Council’s position by 0.26 year. This is not material and the Plan will still fail using this approach and without further allocations being made.

3.9 The Council should plan positively and follow the PPG guidance that they should aim to deal with any undersupply within the first five years of the plan period where possible.

**Consideration of Supply Sources:**

3.10 Section 2 of this Technical Paper has examined the Council’s supply sources in detail, including in the context of the first 5-years of the Plan period. In this respect the conclusions from Section 2 apply equally to the consideration of supply here.

3.11 It is however important to also consider the implications of the Annex 2 definition of Deliverable set out in the Framework 2019, because alongside the HDT this will apply to the calculation of 5-year supply following the adoption of the Plan and the expiry of the transition period set out in footnote 38.

3.12 The Annex 2 definition applies specifically to the following categories of the Council’s supply:

- Allocations
- The Garden Community
- Outline Consents on Large sites
- Windfalls
- Town Centre Initiative Sites
- Empty Homes
- Other Supply

3.13 The analysis in Section 2 has already demonstrated the need to remove from the 5-year supply the contribution from all of the above sources exception allocations in Tier 1 and Tier 2 settlements and Outline Consents on Large sites.

3.14 In the absence of clear evidence that completions will occur in the years stated by the Council, any contribution from Tier 1 and Tier 2 settlement allocations together with Outline Consents on Large sites should be removed from the 5-year supply.

3.15 With regard to the Tier 1 and Tier 2 allocations the Council states that it has prepared Statements of Delivery (Paragraph 417 of HNS2) for each site, yet these do not appear to be available within the evidence base. In the absence of any clear evidence and, in a Framework 2019 world, all allocations should be removed from the 5-year supply calculation. The same should also apply to Outline Consents from Large sites.
3.16 The Council makes no reference to Annex 2 anywhere in its evidence base and on this basis it would appear that no regard has been had to it, nor to the implications of the HDT.

3.17 The effect of the Annex 2 test is summarised in the housing supply calculations below.

**Table 4: The Calculation of 5-year Housing Land Supply (based on Framework 2012):**

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<th>Difference</th>
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<tr>
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<td>Supply in Years</td>
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The table below summarises the various position of the Council and the Forum as at 2019/20 applying the 2012 Framework:

### Table 6: Comparison of 5-year Housing Land Supply Scenarios:

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<th>Sedgefield 20%</th>
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### 3. Council's supply sources as set out in Appendix 3 of HNS2

- **Sedgefield** and 5% **Buffer**

### Applies 303 dpa Submission Plan Housing Requirement

#### Notes:

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<th>Year</th>
<th>5 Year Supply</th>
<th>Adjusted 5 Year Requirement with 5% Buffer</th>
<th>5 Year Requirement with Shortfall/oversupply</th>
<th>Cumulative Shortfall/Surplus</th>
<th>Annual Shortfall/Surplus</th>
<th>Requirement</th>
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<th>Windfall</th>
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*Pre-Adoption*

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<th>Cumulative Shortfall/Surplus</th>
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*Pre-Adoption*

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27/08/2019

Housing Trajectories - Council Position - 303dpa - Sedgefield and 5% Buffer

Tandridge District Local Plan - Regulation 19 Consultation Version

Town and Country Planning Act 1990 (As Amended)

Appendix - 2

Matter - 2
1. Council's supply sources as set out in Appendix 3 of HNS2

**Notes:**

1. Applies 303 dpa Submission Plan Housing Requirement

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**TOTAL SUPPLY**

- Completions
- Windfall

- TOTAL

---

**27/08/2019**

As at:

Housing Trajectory - Council Position - 303 dpa - Sedgefield and 20% Buffer

Tandridge District Local Plan - Regulation 19 Consultation Version

Town and Country Planning Act 1990 (As Amended)
## THF Revisions to Housing Delivery Trajectory

### Sedgefield and 5% Buffer

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<th>Base 5 Year Requirement</th>
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### Supply Sources

- **Pre-Adoption**
  - 17
- **Plan Period**
  - 2015/16: 11
  - 2016/17: 10
  - 2017/18: 9
  - 2018/19: 8
  - 2019/20: 7
  - 2020/21: 6
  - 2021/22: 5
  - 2022/23: 4
  - 2023/24: 3
  - 2024/25: 2
  - 2025/26: 1

### Notes

- Adjustments made to supply figures for alignment with the new Sedgefield area.
- The cumulative shortfall/surplus reflects the net change in supply relative to the plan commitment.
- The other supply figure includes empty homes recovery.
- Tier 2 settlement and permissions are based on the adopted Local Plan.

---

Housing Trajectory - THF Adjustment to Supply - 303dpa - Sedgefield and 5% Buffer

Plan period: 2015/16 to 2025/26

References:

- Tandridge District Local Plan - Regulation 19 Consultation Version
- Town and Country Planning Act 1990 (As Amended)

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Appendix C - Page 22 of 72
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<th>Year</th>
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**Notes:**

1. Applies 303 dpa Submission Plan Housing Requirement
2. Council’s supply sources as set out in Appendix 3 of HNS2
3. THF Revisions to Housing Delivery Trajectory
4. Adjusted 5 Year Requirement with 20% Buffer
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**Legend:**
- **Medium:** Housing Type Category
- **Type:** Council Position
- **Code:** 398dpa - Sedgefield and 5% Buffer

*Note: Values are indicative and subject to change.*
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### Supply Sources

- **Pre-Adoption**
  - Years 1-5
  - Years 6-10
  - Years 11-14
  - Years 15-19

### Completions

- **Tier 1 Settlement**
  - Years 1-5: 6
  - Years 6-10: 88
  - Years 11-14: 302
  - Years 15-19: 125

- **Tier 2 Settlement**
  - Years 1-5: 18
  - Years 6-10: 10
  - Years 11-14: 26
  - Years 15-19: 160

- **Garden Community**
  - Years 1-5: 75
  - Years 6-10: 125
  - Years 11-14: 175
  - Years 15-19: 225

- **Windfall**
  - Years 1-5: 29
  - Years 6-10: 29
  - Years 11-14: 29
  - Years 15-19: 29

### Other Supply (includes empty homes figure)

- Years 1-5: 0
- Years 6-10: 338
- Years 11-14: 346
- Years 15-19: 265

### Total Supply

- **Pre-Adoption**
  - Years 1-5: 2013/14
  - Years 6-10: 2014/15
  - Years 11-14: 2015/16
  - Years 15-19: 2016/17
  - Years 20-24: 2017/18

### Requirement

- **Base 5 Year Requirement**
  - Years 1-5: 2850
  - Years 6-10: 2850
  - Years 11-14: 2850
  - Years 15-19: 2850

### Annual Shortfall/Surplus

- Years 1-5: -314
- Years 6-10: -428
- Years 11-14: -248
- Years 15-19: -342

### Cumulative Shortfall/Surplus

- Years 1-5: -314
- Years 6-10: -742
- Years 11-14: -990
- Years 15-19: -1332

### Adjusted 5 Year Requirement with 20% Buffer

- Years 1-5: 3420
- Years 6-10: 3796.8
- Years 11-14: 4310.4
- Years 15-19: 4608

### Adjusted Annual Requirement (5yr)

- Years 1-5: 684
- Years 6-10: 759.4
- Years 11-14: 862.1
- Years 15-19: 921.6

### 5 Year Requirement with Shortfall/oversupply (Sedgefield)

- Years 1-5: 0
- Years 6-10: -314
- Years 11-14: -742
- Years 15-19: -990

### 5 Year Requirement with Shortfall/oversupply (Sedgefield)

- Years 1-5: 2850
- Years 6-10: 3164
- Years 11-14: 3592
- Years 15-19: 3840

### Adjusted 5 Year Requirement with 20% Buffer

- Years 1-5: 3420
- Years 6-10: 3796.8
- Years 11-14: 4310.4
- Years 15-19: 4608

### Adjusted Annual Requirement (5yr)

- Years 1-5: 684
- Years 6-10: 759.4
- Years 11-14: 862.1
- Years 15-19: 921.6

### Notes:

1. Applies THF 570 dpa OAN
2. Sedgefield and 20% Buffer
3. Council’s supply sources as set out in Appendix 3 of HNS2
4. THF Revisions to Housing Delivery Trajectory
Start to Finish
How Quickly do Large-Scale Housing Sites Deliver?
November 2016
Executive Summary

There is a growing recognition that large-scale housing development can and should play a large role in meeting housing need. Garden towns and villages – planned correctly – can deliver sustainable new communities and take development pressure off less sustainable locations or forms of development.

However, what looks good on paper needs to deliver in practice. Plans putting forward large sites to meet need must have a justification for the assumptions they make about how quickly sites can start providing new homes, and be reasonable about the rate of development. That way, a local authority can decide how far it needs to complement its large-scale release with other sites – large or small – elsewhere in its district.

This research looks at the evidence on speed and rate of delivery of large-scale housing based on a large number of sites across England and Wales (outside London). We draw five conclusions:

1. If more homes are to be built, more land needs to be released and more planning permissions granted. There is no evidence to support the notion of systemic ‘land banking’ outside London: the commercial drivers of both house builders and land promoters incentivises rapid build out of permissions to secure returns on capital.

2. Planned housing trajectories should be realistic, accounting and responding to lapse rates, lead-in times and sensible build rates. This is likely to mean allocating more sites rather than less, with a good mix of types and sizes, and then being realistic about how fast they will deliver so that supply is maintained throughout the plan period. Because no one site is the same – and with significant variations from the average in terms of lead-in time and build rates – a sensible approach to evidence and justification is required.

3. Spatial strategies should reflect that building homes is a complex and risky business. Stronger local markets have higher annual delivery rates, and where there are variations within districts, this should be factored into spatial strategy choices. Further, although large sites can deliver more homes per year over a longer time period, they also have longer lead-in times.

4. Plans should reflect that – where viable – affordable housing supports higher rates of delivery. This principle is also likely to apply to other sectors that complement market housing for sale, such as build to rent and self-build (where there is demand for those products). This might mean some areas will want to consider spatial strategies that favour sites with greater prospects of affordable or other types of housing delivery.

5. For large-scale sites, it matters whether a site is brownfield or greenfield. The latter come forward more quickly.

In our conclusions we identify a check list of questions for consideration in exploring the justification for assumed timing and rates of delivery of large-scale sites.
The Research in Figures

70 number of large sites assessed

3.9 years the average lead in time for large sites prior to the submission of the first planning application

6.1 years the average planning approval period of schemes of 2,000+ dwellings. The average for all large sites is circa 5 years

161 the average annual build rate for a scheme of 2,000+ dwellings

321 the highest average annual build rate of the schemes assessed, but the site has only delivered for three years

40% approximate increase in the annual build rate for large sites delivering 30%+ affordable housing compared to those delivering 10%-19%

50% more homes per annum are delivered on average on large greenfield sites than large brownfield sites
When it comes to housing, Government wants planning to think big. With its Garden Towns and Villages agenda and consultation on proposed changes to the National Planning Policy Framework (NPPF) to encourage new settlements, planning authorities and developers are being encouraged to bring forward large-scale housing development projects, many of them freestanding. And there is no doubt that such projects will be necessary if England is to boost supply and then consistently deliver the 300,000 new homes required each year.¹

Large-scale sites can be an attractive proposition for plan-makers. With just one allocation of several thousand homes, a district can – at least on paper – meet a significant proportion of its housing requirement over a sustained period. Their scale means delivery of the infrastructure and local employment opportunities needed to sustain mixed communities.

But large-scale sites are not a silver bullet. Their scale, complexity and (in some cases) up-front infrastructure costs mean they are not always easy to kick start. And once up and running, there is a need to be realistic about how quickly they can deliver new homes. Past decades have seen too many large-scale developments failing to deliver as quickly as expected, and gaps in housing land supply have opened up as a result.

So, if Local Plans and five year land supply assessments are to place greater reliance on large-scale developments – including Garden Towns and Villages – to meet housing needs, the assumptions they use about when and how quickly such sites will deliver new homes will need to be properly justified.

The Planning Practice Guidance (PPG) offers little guidance other than identifying that timescales and rates of development in land availability assessments should be based on information that “may include indicative lead-in times and build-out rates for the development of different scales of sites. On the largest sites allowance should be made for several developers to be involved. The advice of developers and local agents will be important in assessing lead-in times and build-out rates by year”.² It also requires housing land availability assessments to include: “a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome.”³

This research provides insights to this topic – which has become a perennial discussion at Local Plan examinations and Section 78 appeals in recent years – by focusing on two key questions:

1. what are realistic lead-in times for large-scale housing developments?; and
2. once the scheme starts delivering, what is a realistic annual build rate?

NLP has carried out a desk-based investigation of the lead-in times and build-out rates on 70 different strategic housing sites (“large sites”) delivering 500 or more homes to understand what factors might influence delivery. For contrast 83 “small sites” delivering between 50 and 499 homes have been researched to provide further analysis of trends in lead in times and build rates at varying scales.

As well as identifying some of the common factors at play during the promotion and delivery of these sites it also highlights that every scheme has its own unique factors influencing its progress; there can be significant variations between otherwise comparable developments, and there is no one ‘typical scheme’. This emphasises the importance of good quality evidence to support the position adopted on individual projects.

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² PPG ID: 3-023-20140306
³ PPG ID: 3-028-20140306

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“Local planning authorities should take a proactive approach to planning for new settlements where they can meet the sustainable development objectives of national policy, including taking account of the need to provide an adequate supply of new homes. In doing so local planning authorities should work proactively with developers coming forward with proposals for new settlements in their area.”

DCLG consultation on proposed changes to national planning policy (December 2015)
Data Sources and Methodology

In total NLP reviewed 70 strategic sites ("large sites") which have delivered, or will deliver, in excess of 500 dwellings. The sites range in size from 504 to 15,000 dwellings. The geographic distribution of the 70 large sites and comparator small sites is set out below in Figure 1. A full list of the large sites can be found in Appendix 1 and the small sites in Appendix 2. NLP focused on sites outside London, due to the distinctive market and delivery factors applicable in the capital.

Efforts were made to secure a range of locations and site sizes in the sample, but it may not be representative of the housing market in England and Wales as a whole and thus conclusions may not be applicable in all areas or on all sites.

Figure 1: Geographic Distribution of the 70 Large Sites and 83 Small Sites Assessed

Source: NLP analysis
**Methodology**

The research aims to cover the full extent of the planning and delivery period. So, wherever the information was available, the data collected on each of the 70 sites covers the stages associated with the total lead-in time of the development (including the process of securing a development plan allocation), the total planning approval period, starting works on site, delivery of the first dwelling and the annualised build rates recorded for the development up until to the latest year where data is available (2014/15). To structure the research and provide a basis for standardised measurement and comparison, these various stages (some of them overlapping) have been codified.

Figure 2 sets out the stages and the milestones used to measure them. These are assumed to fall under what are defined as ‘lead-in times’, ‘planning approval periods’ and ‘build periods’, with ‘first housing completion’ denoting the end of the lead-in time and start of the build period. Not every site assessed will necessarily have gone through each component of the identified stages sequentially, or indeed at all (for example, some sites secure planning permission without first being allocated).

**Source:** NLP

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**Figure 2: Timeline for the Delivery of a Strategic Housing Site**
The approach to defining these stages for the purposes of this research is set out below:

- The **lead-in time** – this measures the period up to the first housing completion on site from either a) the date of the first formal identification of the site as a potential housing allocation (e.g. in a LPA policy document) or where not applicable, available or readily discernible – b) the validation date of the first planning application made for the scheme.

- The **planning approval period** is measured from the validation date of the first application for the proposed development (be that an outline, full or hybrid application). The end date is the decision date of the first detailed application which permits the development of dwellings on site (this may be a full or hybrid application or the first reserved matters approval which includes details for housing). The discharge of any pre-commencement and other conditions obviously follows this, but from a research perspective, a measurement based on a detailed ‘consent’ was considered reasonable and proportionate milestone for ‘planning’ in the context of this research.

- The date of the **first housing completion** on site (the month and year) is used where the data is available. However, in most instances the monitoring year of the first completion is all that is available and in these cases a mid-point of the monitoring period (1st October, falling halfway between 1st April and the following 31st March) is used.

- The **annual build rate** falls within the overall ‘build period’. The annual build rate of each site is taken or inferred from the relevant Local Planning Authority’s Annual Monitoring Reports (AMR) or other evidence based documents where available. In some instances this was confirmed – or additional data provided – by the Local Planning Authority or County Council.

Due to the varying ages of the assessed sites, the implementation of some schemes was more advanced than others and, as a function of the desk-based nature of the research and the vintage of some of the sites assessed, there have been some data limitations, which means there is not a complete data set for every assessed site. For example, lead-in time information prior to submission of planning applications is not available for all sites. And because not all of the sites assessed have commenced housing delivery, annual build rate information is not universal. The results are presented accordingly.
How long does it take for large-scale sites to get up and running? This can be hard to estimate. Understandably, those promoting sites are positive about how quickly they can deliver, and local authorities choosing to allocate large-scale sites in their plans are similarly keen for these sites to begin making a contribution to housing supply. This leads some local housing trajectories to assume that sites can be allocated in Local Plans and all detailed planning approvals secured in double-quick time. However, the reality can prove different.

Our main focus here is on the average ‘planning approval period’ and the subsequent period from receiving a detailed planning approval to delivery of the first house on site. However, another important metric is how long it takes from the site being first identified by the local authority for housing delivery to getting started on site. Unfortunately, getting accurate data for this on some of the historic sites is difficult, so this analysis is focused on a just 18 of the sample sites where information was available.

Getting Started:
What are Realistic Lead-in Times?

Lead-in Times
The lead-in time prior to the submission of a planning application is an important factor, because many planning issues are flushed out in advance of planning applications being submitted, not least in terms of local plan allocations establishing the principle of an allocation. In a plan-led system, many large-scale sites will rely on the certainty provided by Local plans, and in this regard, the slow pace of plan-making in the period since the NPPF is a cause for concern.

If the lead-in time prior to submission of an application is able to focus on addressing key planning issues, it can theoretically help ensure that an application – once submitted – is determined more quickly. Our sample of sites that has lead-in time information available is too small to make conclusions on this theory. However, there is significant variation within these sites highlighting the complexity of delivering homes on sites of different sizes. Of this sample of sites: on average it was 3.9 years from first identification of the site for housing to the submission of the initial planning application.

Moreover, a substantial lead-in time does not guarantee a prompt permission: 4 of the 18 sites that took longer to gain planning permission than the average for sites of comparable size and also had lead-in times prior to submission of a planning application of several years.

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4 As at September 2016, just 34% of Local Authorities outside London have an up-to-date post-NPPF strategic-level Local Plan. Source: PINS / NLP analysis.
5 The sites in question were The Wixams, West Kempton, West of Blyth, and Great Denham.
Figure 3: Average lead-in time of sites prior to submission of the first planning application

Source: NLP analysis
The Planning Approval Period: Size Matters

The term ‘planning approval period’ in this report measures the period from the validation date of the first planning application for the scheme to the decision date of the first application which permits development of dwellings on site (this could be a full, hybrid or reserved matters application). Clearly, in many cases, this approval will also need to be followed by discharge of pre-commencement conditions (a focus of the Government’s Neighbourhood Planning Bill) but these were not reviewed in this research as a detailed approval was considered an appropriate milestone in this context.

The analysis considers the length of planning approval period for different sizes of site, including comparing large-scale sites with small sites. Figure 4 shows that the greater the number of homes on a site, the longer the planning approval period becomes. There is a big step-up in time for sites of in-excess of 500 units.

Time Taken for First Housing Completion after Planning Approval

Figure 4 also shows the time between the approval of the first application to permit development of dwellings on site and the delivery of the first dwelling (during which time any pre-commencement conditions would also be discharged), in this analysis his is the latter part of the lead in time period. This reveals that the timescale to open up a site following the detailed approval is relatively similar for large sites.

Interestingly, our analysis points to smaller sites taking longer to deliver the first home after planning approval. This period of development takes just over 18 months for small sites of under 500 units, but is significantly quicker on the assessed large-scale sites; in particular, on the largest 2,000+ dwelling sites the period from receiving planning approval to first housing completion was 0.8 years.

In combination, the planning approval period and subsequent time to first housing delivery reveals the total period increases with larger sites, with the total period being in the order of 5.3 – 6.9 years. Large sites are typically not quick to deliver; in the absence of a live planning application, they are, on average, unlikely to be contributing to five year housing land supply calculations.

Figure 4: Average planning approval period and delivery of first dwelling analysis by site size

Source: NLP analysis
Of course, these are average figures, and there are significant variations from the mean. Figure 5 below shows the minimum and maximum planning approval periods for sites in each of the large size categories. This shows even some of the largest sites coming forward in under two years, but also some examples taking upwards of 15-20 years. Clearly, circumstances will vary markedly from site to site.

Figure 5: Site size and duration of planning

Case Studies

If some sites are coming forward more quickly than the average for sites of that size, what is it that is driving their rapid progress? We explored this with some case studies. These suggest that when schemes are granted planning permission significantly faster than the above averages, it is typically due to specific factors in the lead-in time prior to the submission of a planning application.

Gateshead – St James Village
(518 dwellings):
Planning approval period 0.3 years

This site was allocated as a brownfield site in the Gateshead UDP (2000) prior to the submission of a planning application for the regeneration scheme. A Regeneration Strategy for East Gateshead covered this site and as at 1999 had already delivered high profile flagship schemes on the water front. Llewelyn Davis were commissioned by the Council and English Partnerships to prepare a masterplan and implementation strategy for the site which was published in June 1999. Persimmon Homes then acquired the site and it was agreed in autumn 1999 that they should continue the preparation of the masterplan. East Gateshead Partnership considered the masterplan on the 08th March 2000 and recommended approval. Subsequently, the outline application (587/00) with full details for phase 1 was validated on the 6th September 2000 and a decision issued on the 9th January 2001.

It is clear that although it only took 0.3 years for the planning application to be submitted and granted for a scheme of more than 500 units, the lead in time to the submission of the application was significant, including an UDP allocation and a published masterplan 18 months ahead of permission being granted. By the time the planning application was submitted most of the site specific issues had been resolved.

* St James Village is excluded from the lead-in time analysis because it is unclear on what date the site was first identified within the regeneration area.
Dartford – Ingress Park (950 dwellings):
Planning approval period 1.4 years

This site was initially identified in a draft Local Plan in 1991 and finally allocated when this was adopted in April 1995. The Ingress Park and Empire Mill Planning Brief was completed in three years later (November 1998).

The submission of the first planning application for this scheme predated the completion of the Planning Brief by a few months, but the Council had already established that they supported the site. By the time the first application for this scheme was submitted, the site had been identified for development for circa seven years.

The outline application (98/00664/OUT) was validated on the 10th August 1998 and permission granted on the 21st Nov 2000, a determination period of 1 year and 3 months). A full application for the First Phase for 52 dwellings (99/00756/FUL) was validated and approved in just two months, prior to approval of the outline. Clearly, large-scale outline permissions have to wrap up a wide range of other issues, but having first phase full applications running in parallel can enable swifter delivery, in situations where a ‘bite sized’ first phase can be implemented without triggering complex issues associated with the wider site.

Cambridge and South Cambridgeshire – North West Cambridge (3,000 dwellings and 2,000 student bed spaces):
Planning approval period 2.2 years

Cambridge University identified this area as its only option to address its long-term development needs, and the Cambridgeshire and Peterborough Structure Plan 2003 identified the location for release from the Green Belt. The site was allocated in the 2006 Cambridge Local Plan, and the North West Cambridge Area Action Plan was adopted in October 2009. The Area Action Plan established an overall vision and set out policies and proposals to guide the development as a whole.

As such, by the time the first application for this scheme was submitted, there had already been circa eight years of ‘pre-application’ planning initially concerning the site’s release from the Green Belt, but then producing the Area Action Plan which set out very specific requirements. This ‘front-loaded’ consideration of issues that might otherwise have been left to a planning application.

The outline application (11/1114/OUT – Cambridge City Council reference) for delivery of up to 3,000 dwellings, up to 2,000 student bed spaces and 100,000 sqm of employment floorspace was validated on the 21st September 2011 and approved on the 22nd of February 2013. The first reserved matters application for housing (13/1400/REM) was validated on the 20th September 2013 and approved on the 19th December 2013. Some ten years from the concept being established in the Structure Plan.
Summary on Lead-in Times

1. On average, larger sites take longer to complete the planning application and lead-in processes than do smaller sites. This is because they inevitably give rise to complex planning issues related to both the principle of development and the detail of implementation.

2. Consideration of whether and how to implement development schemes is necessary for any scheme, and the evidence suggests that where planning applications are determined more quickly than average, this is because such matters were substantially addressed prior to the application being submitted, through planning, development briefs and/or master planning. There is rarely a way to short-circuit planning.

3. Commencement on large sites can be accelerated if it is possible to ‘carve-out’ a coherent first phase and fast track its implementation through a focused first phase planning application, in parallel with consideration of the wider scheme through a Local Plan or wider outline application.

4. After receiving permission, on average smaller sites take longer to deliver their first dwelling than do the largest sites (1.7-1.8 years compared to 0.8 years for sites on 2,000+ units).
Lapse Rates: What Happens to Permissions?

Not every planning permission granted will translate into the development of homes. This could mean an entire site does not come forward, or delivery on a site can be slower than originally envisaged. It is thus not realistic to assume 100% of planning permission granted in any given location will deliver homes. Planning permissions can lapse for a number of reasons:

1. The landowner cannot get the price for the site that they want;
2. A developer cannot secure finance or meet the terms of an option;
3. The development approved is not considered to be financially worthwhile;
4. Pre-commencement conditions take longer than anticipated to discharge;
5. There are supply chain constraints hindering a start; or
6. An alternative permission is sought for the scheme after approval, perhaps when a housebuilder seeks to implement a scheme where the first permission was secured by a land promoter.

These factors reflect that land promotion and housebuilding is not without its risks.

At the national level, the Department for Communities and Local Government has identified a 30-40% gap between planning permissions granted for housing and housing starts on site\(^7\). DCLG analysis suggested that 10-20% of permissions do not materialise into a start on site at all and in addition, an estimated 15-20% of permissions are re-engineered through a fresh application, which would have the effect of pushing back delivery and/or changing the number of dwellings delivered.

This issue often gives rise to claims of ‘land banking’ but the evidence for this is circumstantial at best, particularly outside London. The business models of house builders are generally driven by Return on Capital Employed (ROCE) which incentivises a quick return on capital after a site is acquired. This means building and selling homes as quickly as possible, at sales values consistent with the price paid for the land. Land promoters (who often partner with landowners using promotion agreements) are similarly incentivised to dispose of their site to a house builder to unlock their promotion fee. Outside London, the scale of residential land prices has not been showing any significant growth in recent years\(^8\) and indeed for UK greenfield and urban land, is still below levels last seen at least 2003\(^9\). There is thus little to incentivise hoarding land with permission.

The LGA has identified circa 400-500,000 units of ‘unimplemented’ permissions\(^10\), but even if this figure was accurate, this is equivalent to just two years of pipeline supply. More significantly, the data has been interpreted by LGA to significantly overstate the number of unimplemented permissions because ‘unimplemented’ refers to units on sites where either the entire site has not been fully developed or the planning permission has lapsed\(^11\). It therefore represents a stock-flow analysis in which the outflow (homes built) has been ignored.

Insofar as ‘landbanking’ may exist, the issue appears principally to be a London – rather than a national – malaise, perhaps reflecting that land values in the capital – particularly in ‘prime’ markets – have increased by a third since the previous peak of 2007. The London Mayor’s ‘Barriers to Housing Delivery – Update’ of July 2014 looked at sites of 20 dwellings or more and reported that only about half of the total number of dwellings granted planning permission every year are built (Table 3); a lapse rate of circa 50% across London.

Clearly, the perceived problem of landbanking is seeing policy attention from Government, but caution is needed that any changes do not result in unintended consequences or act as a disincentive to secure planning permissions.

A more practical issue is that Plans and housing land trajectories must adopt sensible assumptions, based on national benchmarks, or – where the data exists – local circumstances, to understand the scale of natural non-implementation.

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\(^1\) DCLG Presentations to the HBF Planning Conference (September 2015)
\(^3\) Savills Development Land Index http://www.savills.co.uk/research/uk/residential-research/land-indices/development-land-index.aspx
\(^4\) Glenigan data as referenced by Local Government Association in its January 2016 media release (a full report is not published) http://www.local.gov.uk/web/guest/media-releases/-/journal_content/56/10180/7632945/NEWS
\(^5\) This would mean that a site which has built 99% of homes will still show up as 100% of units being ‘unimplemented’
Build Rates: How Fast Can Sites Deliver?

The rate at which sites deliver new homes is a frequently contested matter at Local Plan examinations and during planning inquiries considering five year housing land supply. Assumptions can vary quite markedly and expectations have changed over time: in 2007, Northstowe – the new settlement to the north west of Cambridge – was expected by the Council to deliver 750-850 dwellings per annum; it is now projected to deliver at an annual rate of just 250.

There is a growing recognition that the rate of annual delivery on a site is shaped by ‘absorption rates’: a judgement on how quickly the local market can absorb the new properties. However, there are a number of factors driving this for any given site:

- the strength of the local housing market;
- the number of sales outlets expected to operate on the site (i.e. the number of different house builders or brands/products being delivered); or
- the tenure of housing being built. Are market homes for sale being supplemented by homes for rent, including affordable housing?

The analysis in this section explores these factors with reference to the surveyed sites.

Market Strength

It might seem a truism that stronger market demand for housing will support higher sales and build rates – but how far is that the case and how to measure it?

Figure 6 below compares CLG data on post-permission residential land value estimates (£/ha) by Local Authorities in 2014 to the average build out rate of each of the assessed strategic sites. Unfortunately the residential land value estimates are only available for England and as such the Welsh sites assessed are excluded, leaving 57 sites in total.

The analysis shows that markets matter. Relatively weaker areas may not be able to sustain the high build-out rates that can be delivered in stronger markets with greater demand for housing. There are significant variations, reflecting localised conditions, but the analysis shows a clear relationship between the strength of the market in a Local Authority area and the average annual build rates achieved on those sites. Plan makers should therefore recognise that stronger local markets can influence how quickly sites will deliver.

Figure 6: Average Annual Build-out Rates of sites compared to Land Values as at 2014

Source: NLP analysis and CLG Post-permission residential land value estimates (£/ha) by Local Authorities (February 2015)

12 South Cambridgeshire Annual Monitoring Report 2006/07
13 South Cambridgeshire Annual Monitoring Report 2014/15
14 Post-permission residential land value estimates were released in December 2015, however the end date of the build rate data obtained is 2014/15; as such land value estimates at February 2015 are better aligned to the build periods assessed in this report and have been used for consistency.
Size Matters

A key metric for build rates on sites is the number of sales outlets. Different housebuilders will differentiate through types or size of accommodation and their brands and pricing, appealing to different customer types. In this regard, it is widely recognised that a site may increase its absorption rate through an increased number of outlets.

Unfortunately, data limitations mean that the number of outlets is not readily available for the large sites surveyed within this research, and certainly not on any longitudinal basis which is relevant because the number of outlets on a site may vary across phases.

However, it is reasonable to assume that larger sites are likely to feature more sales outlets and thus have greater scope to increase build rates. This may relate to the site being more geographically extensive: with more access points or development ‘fronts’ from which sales outlets can be driven. A large urban extension might be designed and phased to extend out from a number of different local neighbourhoods within an existing town or city, with greater diversity and demand from multiple local markets.

Our analysis supports this concept: larger sites deliver more homes each year and thus have higher scope to increase build rates. This may relate to the site being more geographically extensive: with more access points or development ‘fronts’ from which sales outlets can be driven. A large urban extension might be designed and phased to extend out from a number of different local neighbourhoods within an existing town or city, with greater diversity and demand from multiple local markets.

Of course, these are average figures. Some sites will see build rates exceeding this average in particular years, and there were variations from the mean across all categories (see Figure 8), suggesting that higher or lower rates than this average may well be possible, if circumstances support it.

Nevertheless, it is striking that annual average delivery on sites of up to 1,499 units barely exceeds 100 units per annum, and there were no examples in this category that reached a rate of 200 per annum. The highest rate – of 321 units per annum – is for the Cranbrook site, but this is a short term average. A rate of 268 per annum was achieved over a longer period at the Eastern Expansion Area (Broughton Gate & Brooklands) site in Milton Keynes. The specific circumstance surrounding the build rates in both these examples are explored as case studies opposite. It is quite possible that these examples might not represent the highest rate of delivery possible on large-scale sites in future, as other factors on future sites might support even faster rates.

Our analysis also identifies that, on average, a site of 2,000 or more dwellings does not deliver four times more dwellings than a site delivering between 100 and 499 homes, despite being at least four times the size. In fact it only delivers an average of 2.5 times more houses. This is likely to reflect that:

• it will not always be possible to increase the number of outlets in direct proportion to the size of site – for example due to physical obstacles (such as site access arrangements) to doing so; and

• overall market absorption rates means the number of outlets is unlikely to be a fixed multiplier in terms of number of homes delivered.

Figure 7: Average annual build rate by site size

![Figure 7: Average annual build rate by site size](source: NLP analysis)

Figure 8: Average annual build-out rate by site size, including the minimum and maximum averages within each site size

![Figure 8: Average annual build-out rate by site size](source: NLP analysis)
Cranbrook: East Devon

The highest average annual build out rates recorded in this analysis comes from the Cranbrook site in East Devon where an average of 321 dwellings per annum were delivered between 2012/13 and 2014/15. Delivery of housing only started on this site in 2012/13, with peak delivery in 2013/14 of 419 dwellings.

Cranbrook is the first new standalone settlement in Devon for centuries and reportedly – according to East Devon Council – the result of over 40 years of planning (this claim has not been substantiated in this research). It is the circumstances surrounding its high annual delivery rate which is of most interest, however.

Phase 1 of the development was supported by a £12 million repayable grant from a revolving infrastructure fund managed by the Homes and Communities Agency. The government also intervened again in the delivery of this site by investing £20 million for schools and infrastructure to ensure continuity of the scheme, securing the delivery of phase 2. The government set out that the investment would give local partners the confidence and resources to drive forward its completion.

The Consortium partnership for Cranbrook (including Hallam Land, Persimmon Homes (and Charles Church) and Taylor Wimpey) stated the following subsequent to the receipt of the government funding:

"Without this phase 2 Cranbrook would have been delayed at the end of phase 1. Instead, we have certainty in the delivery of phase 2, we can move ahead now and commit with confidence to the next key stages of the project and delivering further community infrastructure and bringing forward much needed private and affordable homes".

Clearly, the public sector played a significant role in supporting delivery. The precise relationship between this and the build rate is unclear, but funding helped continuity across phases one and two of the scheme. More particularly, the rate of delivery so far achieved relates just to the first three years, and there is no certainty that this high build-out rate will be maintained across the remainder of the scheme.

Eastern Expansion Area (Broughton Gate & Brooklands): Milton Keynes

The second highest average build out rates recorded in this analysis comes from the Eastern Expansion Area (Broughton Gate & Brooklands) site in Milton Keynes where an average of 268 dwellings per annum were delivered between 2008/09 and 2013/14. As is widely recognised, the planning and delivery of housing in Milton Keynes is distinct from almost all the sites considered in this research.

Serviced parcels with the roads already provided were delivered as part of the Milton Keynes model and house builders are able to proceed straight onto the site and commence delivery. This limited the upfront site works required and boosted annual build rates. Furthermore, there were multiple outlets building-out on different serviced parcels, with monitoring data from Milton Keynes Council suggesting an average of c.12 parcels were active across the build period. This helped to optimise the build rate.
Peak Years of Housing Delivery

Of course, rates of development on sites will ebb and flow. The top five peak annual build-out rates achieved across every site assessed are set out in Table 1 below. Four of the top five sites with the highest annual peak delivery rates are also the sites with the highest annual average build out rates (with the exception of Broughton & Atterbury). Peak build rates might occur in years when there is an overlap of multiple outlets on phases, or where a particular phase might include a large number of affordable or apartment completions. It is important not to overstate these individual years in gauging build rates over the whole life of a site.

Table 1: Peak annual build-out rates compared against average annual delivery rates on those sites

<table>
<thead>
<tr>
<th>Scheme</th>
<th>Peak Annual Build-Out Rate</th>
<th>Annual Average Build-Out Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cambourne</td>
<td>620</td>
<td>239</td>
</tr>
<tr>
<td>Hamptons</td>
<td>548</td>
<td>224</td>
</tr>
<tr>
<td>Eastern Expansion Area</td>
<td>473</td>
<td>268</td>
</tr>
<tr>
<td>Cranbrook</td>
<td>419</td>
<td>321</td>
</tr>
<tr>
<td>Broughton</td>
<td>409</td>
<td>171</td>
</tr>
</tbody>
</table>

Source: NLP analysis and various AMRs

Affordable Housing Provision

Housing sites with a larger proportion of affordable homes (meeting the definition in the NPPF) deliver more quickly, where viable. The relationship appears to be slightly stronger on large-scale sites (500 units or more) than on smaller sites (less than 500 units), but there is a clear positive correlation (Figure 9). For both large and small-scale sites, developments with 40% or more affordable housing have a build rate that is around 40% higher compared to developments with 10-19% affordable housing obligation.

The relationship between housing delivery and affordable (subsidised) housing is multi-dimensional, resting on the viability, the grant or subsidy available and the confidence of a housing association or registered provider to build or purchase the property for management. While worth less per unit than a full-market property, affordable housing clearly taps into a different segment of demand (not displacing market demand), and having an immediate purchaser of multiple properties can support cash flow and risk sharing in joint ventures. However, there is potential that starter homes provided in lieu of other forms of affordable housing may not deliver the same kind of benefits to speed of delivery, albeit they may support viability overall.

This principle – of a product targeting a different segment of demand helping boost rates of development – may similarly apply to the emergent sectors such as ‘build-to-rent’ or ‘self build’ in locations where there is a clear market for those products. Conversely, the potential for starter homes to be provided in lieu of other forms of affordable housing may overlap with demand for market housing on some sites, and will not deliver the kind of cash flow / risk sharing benefits that comes from disposal of properties to a Registered Provider.

The Timeline of the Build-out Period

Many planners’ housing trajectories show large sites gradually increasing their output and then remaining steady, before tailing off at the end. In fact, delivery rates are not steady. Looking at the first eight years of development – where the sample size of large sites is sufficiently high – NLP’s research showed that annual completions tended to be higher early in the build-out period before dipping (Figure 10).

For sites with even longer build out periods, this pattern of peaks and troughs is potentially repeated again (subject to data confidence issues set out below). This surge in early completions could reflect the drive for...
there is a positive correlation between the strength of the market (as measured by residential land values) and the average annual build rates achieved.

2. The annual average build-rate for the largest sites (of 2,000 or more units) is circa 161 dwellings per annum.

3. The rate of delivery increases for larger schemes, reflecting the increased number of sales outlets possible on large sites. However, this is not a straight line relationship; on average, a site of 2,000 units will not deliver four times as fast as a site of 500. This reflects the limits to the number of sales outlets possible on a site, and overall market absorption rates.

4. There is significant variation from the average, which means some sites can be expected to deliver more (or less) than this average. However, the highest average build-out rate of all the assessed sites is 321 dwellings per annum in Cranbrook. But this relates to just three years of data, and the scheme benefitted from significant government funding to help secure progress and infrastructure. Such factors are not be present in all schemes, and indeed, the data suggests sites tend to build at a higher rate in initial years, before slowing down in later phases.

5. Build rates on sites fluctuate over their life. The highest build rate recorded in a single year is 620 units at Camborne, but for the duration of the development period the average annual build rate is 239 dwellings.

6. There is a positive correlation between the percentage of affordable homes built on site and the average annual delivery of homes with sites delivering 30% or more affordable housing having greater annual average build rates than sites with lower affordable housing provision. The introduction of different tenures taps into different market segments, so a build to rent product may similarly boost rates of delivery – where there is a market for it – but starter homes may have the opposite effect if they are provided in lieu of other forms of affordable homes, and displace demand for cheaper market homes.

Summary

1. There is a positive correlation between the strength of the market (as measured by residential land values) and the average annual build rates achieved.

2. The annual average build-rate for the largest sites (of 2,000 or more units) is circa 161 dwellings per annum.

3. The rate of delivery increases for larger schemes, reflecting the increased number of sales outlets possible on large sites. However, this is not a straight line relationship; on average, a site of 2,000 units will not deliver four times as fast as a site of 500. This reflects the limits to the number of sales outlets possible on a site, and overall market absorption rates.

4. There is significant variation from the average, which means some sites can be expected to deliver more (or less) than this average. However, the highest average build-out rate of all the assessed sites is 321 dwellings per annum in Cranbrook. But this relates to just three years of data, and the scheme benefitted from significant government funding to help secure progress and infrastructure. Such factors are not be present in all schemes, and indeed, the data suggests sites tend to build at a higher rate in initial years, before slowing down in later phases.

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A Brownfield Land Solution?

The NPPF encourages the effective use of previously-developed land, and recent Government announcements suggest increased prioritisation of development for brownfield sites. Efforts to streamline the planning process for brownfield sites may also speed up their delivery. But, is there a difference in how quickly brownfield sites can come forward compared to greenfield sites?

Research produced by CPRE and Glenigan in March 2016\textsuperscript{16} suggested that the time between planning permission being granted and construction work starting is generally the same for brownfield and greenfield sites, but suggested that work on brownfield sites is completed more than six months quicker. However, it was not clear if this finding was because the greenfield sites were larger than the equivalent brownfield sites surveyed in that study. We therefore looked at how lead in times and build rates compared for large-scale sites of 500+ dwellings on greenfield and brownfield sites.

The Planning Approval Period

Whether land is brownfield or greenfield does not impact on the planning approval period. On average, for all sites, the planning approval period for the sites delivering 500 dwellings or more is almost identical at 5.1 years for brownfield and 5.0 years for greenfield – see Figure 11, although this is skewed by the very largest sites of 2,000+ units (see Table 2), with brownfield sites in the smaller-size bands being on average slightly quicker than their greenfield counterparts (albeit caution is required given the small sample size for some size bandings).

Table 2: Previous land use and duration of planning approval period

\begin{tabular}{|c|c|c|}
\hline
Site Size (dwellings) & Number of sites in this group & Average Planning Approval Period \\
\hline
500-999 & 14 & 4.5 \\
1,000-1,499 & 9 & 5.3 \\
1,500-1,999 & 7 & 5.5 \\
2,000+ & 13 & 5.0 \\
\hline
Total/Average & 43 & 5.0 \\
\hline
\end{tabular}

What the analysis tends to show is that it is the scale of development – rather than the type of land – which has the greatest impact on the length of planning process, and that despite government prioritisation on brownfield land in the NPPF, this is unlikely to result in significant further improvements in timescales for delivery.

The time period between gaining a planning approval and the first delivery of a dwelling is also similar overall.

Figure 11: Previous land use and duration of planning approval period

\begin{figure}
\centering
\includegraphics[width=\textwidth]{figure11}
\caption{Previous land use and duration of planning approval period}
\end{figure}

Source: NLP analysis

\textsuperscript{16} Brownfield comes first: why brownfield development works CPRE, March 2016
**Build-out Rates**

There is a more discernible difference between brownfield and greenfield sites when it comes to the annual build out rates they achieve, with the analysis in Figure 12 suggesting that brownfield sites on average deliver at lower rates than their greenfield counterparts, both overall and across the different size bandings (see Table 3) albeit recognising the small sample size for some sizes of site. On average, the annual build-out rate of a greenfield site is 128 dwellings per annum, around 50% higher than the 83 per annum average for brownfield sites.

This may reflect that brownfield sites carry extra costs (e.g. for remediation) which reduces the scale of contribution they make to infrastructure and affordable housing provision (which as shown can boost rates of delivery).

**Summary**

1. Brownfield and greenfield sites come forward at broadly similar rates, although at the smaller end of the scale, there does appear to be some ‘bonus’ in speed of decisions for previously-developed land. For the largest sites (of 2,000+ units) the sample of brownfield sites suggests an extended time period (3.6 years longer) compared to their equivalent greenfield sites;

2. Once started, large-scale greenfield sites do deliver homes at a more rapid rate than their brownfield equivalents, on average 50% quicker.
Conclusion

There is a growing recognition that large-scale housing development can and should play a large role in meeting housing need. Garden towns and villages – planned correctly – can deliver sustainable new communities and take development pressure off less sustainable locations or forms of development.

However, if planners are serious about wanting to see more homes built each year and achieve the government’s target of one million by 2020 (or indeed, deliver the 300,000 per annum that are needed), simply allocating a site or granting a permission is not enough. The Government recognises this: the Minister for Planning has been quoted as saying that “you cannot live in a planning permission”.

Part of the debate has focused on perceptions of ‘land banking’ – the concept that developers are hoarding land or slowing down development. Equally, suggestions have been made that proposals for large-scale development should be “protected” from competition from smaller sites or from challenge under five year land supply grounds. The evidence supporting these propositions appears limited.

In our view the real concern – outside London, at any rate – is ensuring planning decisions (including in plan-making) are driven by realistic and flexible housing trajectories in the first place, based on evidence and the specific characteristics of individual sites and local markets.

Based on the research in this document, we draw five conclusions on what is required:

1. If more homes are to be built, more land needs to be released and more planning permissions granted. Confidence in the planning system relies on this being achieved through local plans that must be sufficiently ambitious and robust to meet housing needs across their housing market areas. But where plans are not coming forward as they should, there needs to be a fall-back mechanism that can release land for development when it is required.

2. Planned housing trajectories should be realistic, accounting and responding to lapse rates, lead-in times and sensible build rates. This is likely to mean allocating more sites rather than less, with a good mix of types and sizes, and then being realistic about how fast they will deliver so that supply is maintained throughout the plan period. Because no one site is the same – and with significant variations from the average in terms of lead-in time and build rates – a sensible approach to evidence and justification is required.

3. Spatial strategies should reflect that building homes is a complex and risky business. Stronger local markets have higher annual delivery rates, and where there are variations within districts, this should be factored into spatial strategy choices. Further, although large sites can deliver more homes per year over a longer time period, they also have longer lead-in times. To secure short-term immediate boosts in supply – as is required in many areas – a good mix of smaller sites will be necessary.

4. Plans should reflect that – where viable – affordable housing supports higher rates of delivery. This principle is also likely to apply to other sectors that complement market housing for sale, such as build to rent and self-build (where there is demand for those products). Trajectories will thus need to differentiate expected rates of delivery to respond to affordable housing levels or inclusion of other market products. This might mean some areas will want to consider spatial strategies that favour sites with greater prospects of affordable or other types of housing delivery. This plays into the wider debate about support for direct housing delivery for rent by local government and housing associations and ensuring a sufficient product mix on sites.

5. Finally, in considering the pace of delivery, large-scale brownfield sites deliver at a slower rate than do equivalent greenfield sites. The very largest brownfield sites have also seen very long planning approval periods. Self-evidently, many brownfield sites also face barriers to implementation that mean they do not get promoted in the first place. In most locations outside our biggest cities, a good mix of types of site will be required.
A Checklist for Understanding Large-scale Site Delivery

In setting or assessing reasonable housing trajectories for local plans or five year housing land supply, the lead-in times and average rates of housing delivery identified in this research can represent helpful benchmarks or rules of thumb, particularly in situations where there is limited local evidence.

However, these rules of thumb are not definitive. It is clear from our analysis that some sites start and deliver more quickly than this average, whilst others have delivered much more slowly. Every site is different.

In considering the evidence justifying the estimated time and rate of delivery, the questions listed in Table 4 below represent a checklist of questions that are likely to be relevant:

<table>
<thead>
<tr>
<th>Lead-in times to getting started on site</th>
<th>Factors affecting the speed of build out rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>✓ Is the land in existing use?</td>
<td>✓ How large is the site?</td>
</tr>
<tr>
<td>✓ Has the land been fully assembled?</td>
<td>✓ Will the scale, configuration and delivery model for the site support more sales outlets?</td>
</tr>
<tr>
<td>✓ If in multiple ownership/control, are the interests of all parties aligned?</td>
<td>✓ How strong is the local market?</td>
</tr>
<tr>
<td>✓ To what extent is there any challenge to the principle of development?</td>
<td>✓ Does the site tap into local demand from one or more existing neighbourhoods?</td>
</tr>
<tr>
<td>✓ Is the site already allocated for development? Does it need to be in order for release?</td>
<td>✓ Is the density and mix of housing to be provided consistent with higher rates of delivery?</td>
</tr>
<tr>
<td>✓ Does an SPD, masterplan or development brief help resolve key planning issues?</td>
<td>✓ What proportion of affordable housing is being delivered?</td>
</tr>
<tr>
<td>✓ Is the masterplan/development brief consistent with what the developer will deliver?</td>
<td>✓ Are there other forms of housing – such as build to rent – included?</td>
</tr>
<tr>
<td>✓ Is there an extant planning application or permission?</td>
<td>✓ When will new infrastructure – such as schools – be provided to support the new community?</td>
</tr>
<tr>
<td>✓ Are there significant objections to the proposal from local residents?</td>
<td>✓ Are there trigger points or phasing issues that may affect the build rate achievable in different phases?</td>
</tr>
<tr>
<td>✓ Are there material objections to the proposal from statutory bodies?</td>
<td>✓</td>
</tr>
</tbody>
</table>
## Appendix 1: Large Sites Reviewed

~ = No Data

<table>
<thead>
<tr>
<th>Site Name</th>
<th>Local Planning Authority</th>
<th>Site</th>
<th>Previous Use</th>
<th>Year of first housing completion</th>
<th>Build Rates</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Yr 1</td>
</tr>
<tr>
<td>Land at Siston Hill</td>
<td>South Gloucestershire</td>
<td>504</td>
<td>Greenfield</td>
<td>2006/07</td>
<td>77</td>
</tr>
<tr>
<td>University Campus Chelmsford</td>
<td>Chelmsford</td>
<td>507</td>
<td>Brownfield</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>St. James Village</td>
<td>Gateshead</td>
<td>518</td>
<td>Brownfield</td>
<td>2000/01</td>
<td>406</td>
</tr>
<tr>
<td>Thingwall Lane</td>
<td>Knowsley</td>
<td>525</td>
<td>Brownfield</td>
<td>2013/14</td>
<td>79</td>
</tr>
<tr>
<td>Pamina Docks</td>
<td>Trafford</td>
<td>546</td>
<td>Brownfield</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Velmead Farm</td>
<td>Hart</td>
<td>550</td>
<td>Greenfield</td>
<td>1989/90</td>
<td>1</td>
</tr>
<tr>
<td>Land adjoining Manchester Ship</td>
<td>Trafford</td>
<td>550</td>
<td>Greenfield</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Ochre Yards</td>
<td>Gateshead</td>
<td>606</td>
<td>Brownfield</td>
<td>2001/02</td>
<td>424</td>
</tr>
<tr>
<td>Former Pontins Holiday Camp</td>
<td>Lancaster</td>
<td>626</td>
<td>Brownfield</td>
<td>2006/07</td>
<td>16</td>
</tr>
<tr>
<td>Land south of Wansbeck General Hospital</td>
<td>Northumberland</td>
<td>644</td>
<td>Greenfield</td>
<td>2005/06</td>
<td></td>
</tr>
<tr>
<td>Staiths South Bank</td>
<td>Gateshead</td>
<td>667</td>
<td>Brownfield</td>
<td>2003/04</td>
<td>24</td>
</tr>
<tr>
<td>Rowner Renewal Project</td>
<td>Gosport</td>
<td>700</td>
<td>Brownfield</td>
<td>2010/11</td>
<td>4</td>
</tr>
<tr>
<td>South Bradwell (Phase 1)</td>
<td>Great Yarmouth</td>
<td>700</td>
<td>Greenfield</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>Land at West Blyth</td>
<td>Northumberland</td>
<td>705</td>
<td>Greenfield</td>
<td>2008/09</td>
<td>164</td>
</tr>
<tr>
<td>Northside</td>
<td>Gateshead</td>
<td>718</td>
<td>Brownfield</td>
<td>1996/97</td>
<td></td>
</tr>
<tr>
<td>Hungate</td>
<td>York</td>
<td>720</td>
<td>Brownfield</td>
<td>2008/09</td>
<td></td>
</tr>
<tr>
<td>The Parks</td>
<td>Bracknell Forest</td>
<td>730</td>
<td>Brownfield</td>
<td>2007/08</td>
<td>104</td>
</tr>
<tr>
<td>West of Kempston</td>
<td>Bedford</td>
<td>730</td>
<td>Greenfield</td>
<td>2010/11</td>
<td>43</td>
</tr>
<tr>
<td>Land at Popley Fields</td>
<td>Basingstoke &amp; Deane</td>
<td>750</td>
<td>Greenfield</td>
<td>2006/07</td>
<td>105</td>
</tr>
<tr>
<td>Dowds Farm</td>
<td>Eastleigh</td>
<td>765</td>
<td>Greenfield</td>
<td>2006/07</td>
<td>54</td>
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Appendix 1 - Page 51 of 72
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## Appendix 2: Small Sites Reviewed

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<td>Waverley</td>
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Appeal Decisions

Inquiry Held on 14-15 May 2019
Site visit made on 15 May 2019

by David Reed BSc DipTP DMS MRPI
an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 25th June 2019

Appeal A Ref: APP/M3645/W/18/3198090
17 Copthorne Road, Felbridge, East Grinstead RH19 2NR
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Andy Morehen, Abbey Developments Ltd against Tandridge District Council.
- The application Ref TA/2016/2319, is dated 12 December 2016.
- The development proposed is an access road from Copthorne Road to serve permitted residential development within Mid Sussex District.

Appeal B Ref: APP/M3645/W/18/3205537
15 and 39 Crawley Down Road, Felbridge, East Grinstead RH19 2PP
- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Wates Developments Ltd against the decision of Tandridge District Council.
- The application Ref TA/2017/1290, dated 19 June 2017, was refused by notice dated 27 April 2018.
- The development proposed is the demolition of existing buildings at Nos 15 and 39 Crawley Down Road and the erection of 63 dwellings with associated new access.

Decisions

1. Appeal A is allowed and permission is granted for an access road from Copthorne Road to serve permitted residential development within Mid Sussex District at 17 Copthorne Road, Felbridge, East Grinstead RH19 2NR, in accordance with the terms of the application, Ref TA/2016/2319, dated 12 December 2016, subject to the attached schedule of conditions.

2. Appeal B is allowed and permission is granted for the demolition of existing buildings at Nos 15 and 39 Crawley Down Road and the erection of 63 dwellings with associated new access at 15 and 39 Crawley Down Road, Felbridge, East Grinstead RH19 2PP, in accordance with the terms of the application, Ref TA/2017/1290, dated 19 June 2017, subject to the attached schedule of conditions.

Applications for costs

3. At the Inquiry applications for costs were made by both Abbey Developments Ltd and Wates Developments Ltd against Tandridge District Council. These applications are the subject of a separate decision.
Preliminary Matters

4. The application which is the subject of Appeal B is in outline with all matters reserved except access.

5. These appeals, concerning two nearby sites, raise the same main issue. The Council did not issue a decision in the case of Appeal A but a committee resolution set out the reason permission would have been refused if it were able to do so. In the case of Appeal B, the first reason for refusal was the same as Appeal A, and the second, relating to the impact of the access on the amenities of adjacent residents, was withdrawn well before the inquiry.

6. The Council withdrew the remaining reason for refusal in both cases on the Friday before the inquiry and put forward no witnesses to explain its position. Nevertheless, it was agreed the survey material submitted as appendices to the Council’s proof remained as evidence before the inquiry.

7. Felbridge Parish Council continued to pursue their objection to both proposals on the basis of the Council’s reason for refusal.

Main Issue

8. The main issue in each case is whether the benefits of the proposals would be outweighed by additional congestion at the A264/A22 Felbridge junction.

Reasons

9. These decisions relate to appeals by Abbey Developments Ltd (Appeal A) and Wates Developments Ltd (Appeal B) on two nearby sites in Felbridge, a settlement just to the north of the administrative boundary between Tandridge District and Surrey on one side and Mid Sussex District and West Sussex on the other. The proposals are for two access roads onto Copthorne Road and Crawley Down Road respectively which are necessary to serve two housing proposals which lie to the south in Mid Sussex. Importantly, planning permission has already been granted for these two housing schemes by Mid Sussex District Council, in the case of Appeal A, a scheme for 26 dwellings (MSDC Ref DM/16/5502) and in the case of Appeal B, 63 dwellings (MSDC Ref DM/17/2570). These decisions greatly limit the scope of the matters before the inquiry which relate to the access roads only notwithstanding the description of the Appeal B proposal.

10. Both sites in Tandridge lie within the Green Belt but there is no dispute that the construction of the access roads would be engineering operations that would preserve its openness and not conflict with its purposes. As such the proposals would not be inappropriate development in the Green Belt.

Benefits of the proposals

11. The Appeal A proposal is for an access road to enable the development of 26 dwellings in an estate layout in Mid Sussex just to the south. To create the access the existing property on the Copthorne Road frontage, No 17, would be demolished so the net increase in dwellings would be 25.

12. The proposal which is the subject of Appeal B is for another access road, this time to enable the development of 63 dwellings in an estate layout again in Mid Sussex to the south. In this case access would be from Crawley Down Road following demolition of the property on the frontage, No 39, which contains
three self-contained flats. A bungalow within the site, No 15, would also be demolished so the net increase in dwellings in this case would be 59.

13. The two access road proposals taken together would therefore allow delivery of a net increase of 84 dwellings. This would make an important contribution to the objective of boosting the supply of housing and represents a significant benefit which should be taken into account in determining these appeals even though the housing schemes are not dealt with directly.

14. The proposals would contribute towards housing supply in Mid Sussex rather than Tandridge. There is no dispute that there is five years deliverable housing land in Mid Sussex, but the position is only marginal with an appeal decision in May 2018 quoting 5.34 years supply\(^1\). This follows many years with a serious shortfall only rectified by the recent adoption of the Mid Sussex Local Plan in March 2018, which itself relies upon a stepped trajectory, the implementation of several large sites, not least a strategic site of 3,500 dwellings at Burgess Hill, and the identification of further sites through neighbourhood plans and a site allocations document. The two sites are already treated as commitments within the existing housing supply. They also have the benefit of being medium sized sites which could be built-out relatively quickly making an early contribution to housing needs.

15. The housing would also contribute to provision within the housing market area which includes Tandridge District, and thus the housing land supply position in that district is also relevant. In the absence of an up to date Core Strategy\(^2\), local housing need in Tandridge using the standard method is 648 dwellings pa, against which the Council can only demonstrate 1.43 years supply. Although a new local plan is under preparation, this has only recently been submitted for examination, proposes significantly less than the local housing need figure, and even to achieve this proposes a 4,000 dwelling new settlement in the Green Belt which is likely to be controversial. At this early stage the plan and any housing land supply calculation based on it can only be given limited weight.

16. In addition to the overall number of dwellings provided, a further benefit would be the number of affordable dwellings which would become available to meet local needs. The Appeal A proposal would include 8 affordable dwellings whilst the Appeal B scheme would provide 19, a total of 27 in all. Three quarters of these would be affordable rented or social rented units and one quarter would be shared ownership units. Affordable housing of both types is acutely needed in both districts with the house prices to earnings ratio being 14.1 in Tandridge in 2017. The foreword of the new local plan observes young people can’t afford to buy homes in the area and there are not enough affordable homes.

17. A further benefit of these proposals is that housing would be provided without the use of land subject to protective designations. In the case of Tandridge, 94% of the district is Green Belt, whilst in the case of Mid Sussex, about 60% of the district is in an area of outstanding natural beauty or national park. Given the prevalence of these designations in adjoining areas the opportunity to provide housing on unconstrained sites should be taken wherever possible.

18. The proposals would also have important economic and social benefits with employment and procurement of materials during the construction period and

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1 APP/D3830/W/17/3183390
2 The Tandridge District Core Strategy was adopted more than five years ago in October 2008

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expenditure on local services and facilities when the dwellings are occupied. In terms of social benefits, 84 additional households would be able to occupy a high-quality home in the area, enjoying health and wellbeing benefits from modern accommodation and making a contribution to local community life.

19. Finally, in relation to Appeal B, the proposal would provide six parking spaces adjacent to the new access road which would reduce the need for parking on Crawley Down Road during school drop off/pick up times. The scheme would also include a new public open space and play area in the south west part of the site which would benefit existing residents living nearby as well as those living on the new estate.

20. Taking all the above points combined, both proposals would have substantial benefits which weigh heavily in favour of the appeals.

Impact on congestion at the A264/A22 Felbridge Junction

21. The primary concern is that traffic generated by the new housing would cause unacceptable traffic congestion on the highway network, specifically additional delays at the A264/A22 junction just to the east of the proposed access roads. This T junction, where the A264 Copthorne Road from Crawley joins the north-south A22, is controlled by traffic lights which cause eastbound queuing along Copthorne Road at peak times. Traffic flows are heaviest out of East Grinstead towards Crawley in the am peak and in the reverse direction in the pm peak so these queues tend to be worse in the latter. There are no significant delays westbound along Copthorne Road once traffic has passed through the traffic lights towards Crawley.

22. Felbridge comprises housing along both sides of Copthorne Road to the west of the junction, along both sides of Crawley Down Road which joins Copthorne Road at an acute angle about 320 m from the traffic lights, along Rowplatt Lane which links these two roads and along a few other side roads. The Appeal A access road would join Copthorne Road to the west of the traffic lights but to the east of Crawley Down Road, whilst the Appeal B access would join Crawley Down Road some distance from its junction with Copthorne Road. As such, in terms of outbound traffic, only that heading east from the two housing estates towards the A22 would pass through the traffic light junction, and in the case of inbound traffic, only that from the A22 north or south turning into Copthorne Road to reach the two new estates. The relevant traffic flows are considered in paragraph 38 below.

23. In relation to the policy tests that apply, the only policy quoted by the Council is Policy DP5 of the Tandridge Local Plan Part 2: Detailed Policies 2014. This states that development will be permitted if it does not unnecessarily impede the free flow of traffic on the existing network and if it funds or contributes towards any measures required to mitigate significant impacts.

24. Policy DP5 was adopted after\(^3\) the 2012 National Planning Policy Framework (NPPF) which in the current version is slightly reworded to state in paragraph 109 that development should only be refused on highways grounds if the ‘residual cumulative impacts on the road network would be severe’. This more stringent test is an important material consideration alongside Policy DP5.

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\(^3\) not before as claimed at the inquiry, so the policy is up to date

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25. Both Policy DP5 and the NPPF refer to the *impact* of a proposed development on the road network, not the existing position in absolute terms. Both refer to *residual* impact after any mitigation measures are put in place, and the NPPF makes clear it is the *cumulative* impact that is critical, that is the position when the proposal is considered together with other committed developments (and any associated mitigation) likely to proceed within three years.

26. Both planning applications were accompanied by a transport assessment which included detailed consideration of the A264/A22 junction using standard LinSig computer modelling. In both cases there were subsequent iterations of the modelling in response to queries from the Council, Felbridge Parish Council and Surrey County Council in its role as local highway authority (LHA) concerning the accuracy of the queue lengths used in the modelling and the level of committed development taken into account. This culminated in a satisfactory audit of both models by the LHA and the provision of formal advice to the Council recommending approval in both cases.

27. In relation to Appeal A, the LHA concluded that the junction was already operating over the recommended 90% capacity, and that the development would result in a ‘slight deterioration’ in its performance. However, this was not considered to be a severe impact due to the existing levels of congestion at the junction. In relation to Appeal B, following sensitivity testing to include the Parish Council’s view of commitments, the LHA concluded that the ‘existing issues at the junction would be marginally impacted’, in 2022 the junction would be over-capacity in any event due to traffic growth but the contribution of the development would only be ‘slight’.

28. These conclusions are disputed by the Parish Council and local residents, primarily on the basis that the traffic modelling is flawed due to the use of inaccurate queue length surveys for model validation purposes. This is critical because LinSig modelling is based on the layout of the junction, traffic demand during the relevant peak hour (normally taken as traffic passing the stopline) and the mean length of the traffic queue for the lights at the start of green. Unfortunately, as the definitive TfL traffic modelling guidelines observe⁴, the accuracy of queue surveys can be lower than other surveys as ‘the definition of a queue can be ambiguous as well as difficult to identify’. This is certainly the cause of contention in the case of the A264/A22 junction.

29. From the local perspective the traffic queuing eastbound on Copthorne Road towards the traffic lights builds up at peak times and frequently reaches as far back as Rowplatt Lane, about 1 km from the junction, and sometimes even further. This was observed during the site visit about 5.30 pm on 15 May and is corroborated by a video camera survey undertaken by the Council over the three-day period 17-19 July 2018 (when the queues were even longer during the pm peak), and by google traffic data at peak times. However, with platoons of traffic moving at intervals through the traffic lights, and the queue moving up, not all of this traffic is stationary, indeed much of it is moving slowly, occasionally faster, only to slow or stop again further along. This is clearly shown by the video camera survey and was obvious on the site visit.

30. One of the Council’s appendices shows a vehicle at 6 am taking 79 seconds to travel from Rowplatt Lane to the traffic lights, thus travelling about 26 mph, whilst another queuing at 5.30 pm takes nearly nine minutes to cover the same distance.

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⁴ Transport for London ‘Traffic Modelling Guidelines’ September 2010 Paragraph 2.4.4.3

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distance at about 4 mph, a delay of over 7.5 minutes. There is no reason to suppose these speeds are unusual for the times of day concerned. With vehicles moving slowly or intermittently, the number of vehicles in a queue back to Rowplatt Lane and beyond may be of the order of 150-200, many more than the appellant’s September 2018 survey showing a maximum queue of 50 vehicles or 285 m, not quite as far back as Crawley Down Road.

31. The issue must be to identify the traffic held up directly by the traffic lights as opposed to other interruptions to what would be free-flowing traffic. The appellants draw a direct comparison with the delays due to congestion on the A22 through East Grinstead, recently the subject of an inquiry into a scheme for up to 200 dwellings at Hall Place Farm, Turners Hill Road\(^5\). In that case the Inspector observed that traffic on the A22 is brought to a halt at various points in addition to three main junctions, including pedestrian crossings and side roads, resulting in ‘a constantly changing pattern of moving and stationary traffic in which gaps open and close’, not a solid queue. The Inspector drew a distinction between a stationary ‘Vectos’ queue that is ‘held up only by the junction itself’, and a constantly changing ‘Jubb’ queue which ‘comprises vehicles approaching the subject junction via a congested stretch of highway which is likely to contain one or more intermediate obstructions at any given moment’. The Inspector was clear that the former, stationary queue was the relevant one for LinSig modelling purposes.

32. The appellants consider the slowly moving queue along Copthorne Road fits the description of a ‘Jubb’ queue and that only the shorter stationary traffic queue is being held up by the traffic lights. However, the Inspector’s observations specifically relate to the A22 in both directions through East Grinstead, a densely developed town with a series of junctions, pedestrian crossings and side roads which are indeed likely to result in intermediate obstructions leading to congestion and slowly moving traffic at peak times. Instances of such obstructions and delays to traffic flow were seen during the site visit.

33. However, Copthorne Road essentially comprises roadside development with some small cul-de-sac side roads and Crawley Down Road joining at an acute angle. There is just one signalised pedestrian crossing near the school, but no evidence this is called frequently. No ‘intermediate obstructions’ were seen during the site visit, and only one in three days, the delivery of a mini-digger, was noted by the appellants from their review of the Council’s video camera survey. There is no apparent explanation why similar flows of westbound traffic are not held up when these are subject to the same disruption from the pedestrian crossing and side roads as eastbound traffic. Evidence of motorists using mobile phones was noted by the video camera survey but this is a symptom of slow-moving traffic, not a cause of it. The most plausible explanation is the simplest, that the queue along Copthorne Road is held up by the traffic lights. In terms of the Hill Place Farm inquiry, they are neither ‘Jubb’ queues nor ‘Vectos’ queues, but some other type.

34. To investigate the queueing further and gain an insight into true traffic demand, one of the appellants carried out a survey well upstream of any queue near Hedgecourt Nature Reserve on the A264 to compare this with the amount of traffic passing through the lights\(^6\). This showed more traffic upstream than at the lights for a full two-hour period from 4.15 pm to 6.15 pm, during which a

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\(^5\) APP/D3830/W/16/3142487

\(^6\) Proof of James Bevis Annex 4.2
queue of 104 excess vehicles would have built up. To this needs to be added the net traffic joining at Crawley Down Road/Rowplatt Lane which was omitted from the survey, about 64 in the peak hour\(^7\). In the am peak the excess was less pronounced, with just 29 more vehicles upstream than at the traffic lights between 7.30 am and 8.30 am, but again this excludes the net traffic joining at Crawley Down Road/Rowplatt Lane, about 103 in the peak hour\(^8\). Thus, whilst the survey dates are not directly comparable, contrary to the appellant’s view, this evidence strongly suggests that the lights are unable to cope with true traffic demand for an extended period in the pm peak and a lesser period in the am peak. This would explain the build-up of queues.

35. Nevertheless, these conclusions about the queues along Copthorne Road relate to *existing* traffic conditions, not the impact of the proposals on which these cases turn. The LHA are fully aware of ‘existing issues’ of queuing and delays at the traffic lights and will have taken these factors into account when auditing the LinSig models and formulating their advice to the Council. It is clear that LinSig modelling is based on the length of the *stationary* queue at the start of green, although this includes those stopping at the back of a discharging queue which is difficult to measure accurately on the ground\(^9\). However, there is no evidence that either the 2017 Intelligent Data or 2018 Nationwide Data Collection queue length surveys used for model validation were incorrectly carried out; on the other hand it is apparent that any queues as far back as Rowplatt Lane include moving as well as stationary traffic and thus do not count for LinSig modelling purposes.

36. Consequently, whilst there may be local reservations regarding the LinSig modelling and its results, they are endorsed by the LHA. In the absence of any other objective means of assessment they are the only way of comparing the impact of the proposals in combination with expected traffic growth, other housing commitments in the area and future highway improvements, in this case a planned improvement to the A264/A22 traffic light junction itself.

37. The Council agree the traffic generation as a result of both schemes would be about 33 movements outbound and 14 inbound in the am peak\(^10\), 19 outbound and 29 inbound in the pm peak\(^11\). The Council also agree the likely distribution of this traffic, with about 50% travelling to and from the east through the traffic lights. Thus, in the am peak about 16 additional vehicles would travel east along Copthorne Road towards the lights, one every four minutes, whilst in the pm peak the figure would be about 9, only one every seven minutes. These extra vehicles would join the eastbound queue along Copthorne Road towards the traffic lights but their impact would be barely perceptible given existing flows which are about 601 and 673 vehicles respectively in the am and pm peaks\(^12\). The increases would only amount to about 2.7% in the am peak and 1.3% in the pm peak.

38. The increases in traffic through the lights would be much less than those generated by the Hall Place Farm scheme referred to above which was recommended by the Inspector and approved by the Secretary of State in March 2018. Importantly, this scheme will also fund (together with some other

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7 Appeal B Transport Assessment figure 4.2 – 106 net join at Crawley Down Rd and 42 net leave at Rowplatt Lane
8 Appeal B Transport Assessment figure 4.1 – 138 net join at Crawley Down Rd and 35 net leave at Rowplatt Lane
9 TFL guidelines paragraph 2.4.4.3
10 AM peak hour: Outbound Appeal A 10 + Appeal B 23; Inbound Appeal A 4 + Appeal B 10
11 PM peak hour: Outbound Appeal A 6 + Appeal B 13; Inbound Appeal A 10 + Appeal B 19
12 Appeal B Transport Assessment figures 4.1 and 4.2 - observed flows in 2017
sources) a significant junction improvement at the A264/A22 junction which will reduce delays there even allowing for the new housing. Since the cumulative impact taking account of other committed schemes is the key consideration in the determination of these appeals, this must also include the mitigation measures they deliver.

39. The only scheme currently in the public domain, the Atkins scheme, was first proposed in 2012 and provides for two right turn lanes at the traffic lights for traffic turning from the A264 Copthorne Road towards the A22 through East Grinstead - instead of just one at present. This would reduce delays at the junction as the left-hand lane is currently only used by traffic turning left towards the A22 north which is only about 10% of the traffic turning right. Two exit lanes would be provided towards East Grinstead (shortly afterwards merging into one) which could be achieved within the highway boundary so this scheme could be delivered as soon as funding becomes available from the Hall Place Farm scheme. The Parish Council are concerned about the design of the scheme and advise that two right turn lanes were introduced in the mid-1990s but then withdrawn following a series of accidents. However, the LHA are aware of this and will need to take any lessons into account.

40. There is no direct evidence before the inquiry as to the detailed programme for the design and implementation of the scheme but both Surrey County Council as LHA and West Sussex County Council confirm in statements of common ground that they are working with WSP consultants on an appraisal of a range of options which include the Atkins scheme. This appraisal will inform the final scope of the improvements but the Councils confirm that at present the Atkins scheme is a suitable basis for assessing the appeals.

41. The 200 dwelling Hall Place Farm scheme was approved on the basis that an improvement scheme at the A264/A22 junction would go ahead. The Inspector (and subsequently the Secretary of State) were satisfied that the associated planning agreement gave sufficient certainty a scheme would be delivered and no Grampian condition was required. The present appeals, for a lesser number of dwellings, should therefore be considered on the same basis.

42. Turning to the LinSig modelling for the junction prepared for the inquiry, this was based on that agreed by the LHA in March 2018 updated to an assessment date of 2023, taking account of more recent traffic surveys in September 2018 and allowing for the impact of both schemes. The modelling also allows for committed development in the area in line with Planning Practice Guidance and the Atkins improvement scheme now secured for the A264/A22 junction.

43. In relation to the Copthorne Road approach to the traffic lights, the modelling demonstrates that with the two schemes the demand on the junction would increase from 92.9% to 95.0% of its theoretical capacity in the am peak and from 92.2% to 93.6% in the pm peak. In both cases the degree of saturation would be above the recommended 90%, and thus the junction would be under stress, but remain well under the maximum 100%. The results confirm the conclusions of the LHA that the two schemes would only result in a ‘slight deterioration’ in the performance of the junction, not a severe one. This is also illustrated by the LinSig model calculation that the average stationary queue at the start of green would increase by just two vehicles and there would be an increase in delay per vehicle of no more than ten seconds.

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44. For these reasons, considered both in isolation and in combination with other committed development and its mitigation, and notwithstanding current traffic conditions, any additional congestion at the A264/A22 traffic light junction resulting from the two proposals would be barely perceptible. The effect of the proposals would be at most slight, and well short of a severe impact that would weigh against the proposals in the planning balance. The proposals therefore comply with Policy DP5 as they would not unnecessarily impede the free flow of traffic on the existing network and also comply with paragraph 109 of the NPPF as the residual cumulative impacts on the road network would not be severe.

Other matters

45. The layout of the two proposed access roads and their visibility to road users along Copthorne Road and Crawley Down Road have been fully assessed by the LHA and raise no highway safety concerns notwithstanding the proximity of one of the sites to the school. The junction layouts also allow sufficient space for landscaping alongside the new roads to provide an attractive entrance to the new housing estates and mitigate the impact on adjacent residential properties.

46. Although not directly relevant to the access roads which are the subject of these appeals, the locational and planning issues regarding the housing were fully considered by Mid Sussex District Council. Both sites are well related to Felbridge which is a sizeable settlement offering a range of services including a primary school, pre-school, village store, public house, football and tennis clubs and church, all within easy walking distance. Nearby bus stops offer public transport services and East Grinstead with its wide range of services and facilities, employment opportunities and railway station is only about two miles away. There is no evidence local services cannot accommodate the additional demand from new residents.

47. The sites lie within 7 km of the Ashdown Forest Special Protection Area/Special Area of Conservation and as such the additional residents and traffic generated may have adverse impacts on its integrity as a result of recreational pressure and nitrogen deposition from traffic. However, Mid Sussex District Council as competent authority for the housing schemes have secured the necessary mitigation for likely recreational impacts and the effects of additional traffic have been taken into account in the transport modelling carried out for its local plan. The Appeal A scheme was specifically included in the modelling and the Appeal B scheme falls within an allowance for the construction of windfall sites. There is no evidence this has been exceeded to date in the relevant 7 km area.

48. In January 2017 an Inspector dismissed an appeal\textsuperscript{13} for up to 30 dwellings on land at Gibbshaven Farm to the west of Felbridge partly on the basis that the cumulative impact on the highway network would be severe. However, this decision was made without the benefit of detailed traffic evidence and before confirmation that the A264/A22 junction would be improved.

Conditions and Unilateral Undertaking

49. The Council and appellant have agreed a set of conditions in each case should the appeals be allowed and these have been assessed against the relevant tests, making minor amendments as necessary. In the case of Appeal A the standard implementation time limit is necessary, in the case of Appeal B as an

\textsuperscript{13} APP/D3830/W/16/3156544

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An outline application two conditions need to be attached to require the approval of the reserved matters and the commencement of the development within the standard time limits. In both cases it is necessary to define the plans which have been approved in the interests of certainty.

50. In both cases it is necessary to preclude the burning of materials and to control the hours of working to protect the amenity of nearby residents and to require a construction transport management plan to protect the amenity of nearby residents and in the interests of highway safety. Visibility splays are necessary in the interests of highway safety in both cases. In the case of Appeal A it is necessary for Copthorne Road to be realigned as the first stage of the development and in the case of Appeal B for access to be solely from Crawley Down Road and parking to be monitored; all for highway safety reasons.

51. In the case of Appeal A it is necessary to control boundary treatment to ensure the development has a satisfactory appearance and to control tree/shrub removal to protect nature conservation interests. In the case of Appeal B a condition to require the provision and maintenance of a surface water drainage scheme is necessary to prevent flooding and a landscaping scheme to ensure the development has a satisfactory appearance.

52. In the case of Appeal A three pre-commencement conditions are required as these are fundamental to a successful scheme. The appellant agreed in writing to the wording of these conditions.

53. In the case of Appeal B, a completed unilateral undertaking was submitted at the inquiry to provide for a parking survey after completion of the development to ascertain whether a traffic regulation order was necessary to control parking during school drop-off and pick-up times. If found to be necessary the cost of any order would be funded by the developer. The Council confirmed that this undertaking was satisfactory in legal terms. This obligation is necessary in case parking problems arise as a result of the new access, is directly related to the development and fairly and reasonably related in scale and kind. It therefore meets the three tests in paragraph 65 of the NPPF.

**Conclusion**

54. Whilst the considerable inconvenience experienced by local residents due to existing delays along Copthorne Road leading to the A264/A22 junction during peak times is fully appreciated, even taking account of other commitments the additional delays caused by the two proposals would be barely perceptible and at most slight. The junction is due to be improved and there are no significant delays outside peak hours. When balanced against the substantial benefits of the proposals set out in paragraphs 11 to 20 and the pressing need for more housing in the area the benefits of the proposals greatly outweigh any additional congestion at the A264/A22 Felbridge junction.

55. Having regard to the above both appeals should be allowed to enable the respective housing developments to go ahead without further delay.

*David Reed*

INSPECTOR
SCHEDULES OF CONDITIONS

Appeal A Ref: APP/M3645/W/18/3198090
17 Copthorne Road, Felbridge, East Grinstead RH19 2NR
Abbey Developments Ltd

1. The development hereby permitted shall not commence later than the expiration of 3 years from the date of this permission.

2. The development shall be carried out and completed only in accordance with the following approved drawings:
   - Location Plan 1533-100
   - Soft Landscape Proposals ABBEY19946 11a Sheet 2 rev A
   - Site Layout 1533-101 rev A
   - Access/S278 layout 15400_C1008 rev C1

3. No burning of demolition/construction waste materials shall take place on site.

4. No development shall take place, including any works of demolition, until a Construction Transport Management Plan has been submitted to and approved in writing by the District Planning Authority. Thereafter the approved Construction Transport Management Plan shall be implemented and adhered to throughout the entire construction period.
   Details of the following matters shall be submitted:
   - parking and turning for vehicles of site personnel, operatives and visitors
   - loading and unloading of plant and materials
   - storage of plant and materials
   - programme of works (including measures for traffic management)
   - provision of boundary hoarding behind any visibility zones
   - HGV deliveries and hours of operation
   - vehicle routing
   - measures to prevent the deposit of materials on the highway
   - before and after construction conditions surveys of the highway and a commitment to fund the repair of any damage caused
   - on site turning for construction vehicles
   - a scheme to minimise dust emissions from the site

5. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to between the following times: Monday - Friday 08:00 - 18:00 Hours; Saturday 09:00 - 13:00 Hours; Sundays and Bank/Public Holidays - no work permitted.

6. Prior to commencement of the development approved by Mid Sussex District Council under reference DM/16/5502 and before any other works including the construction of the access road, the A264 Copthorne Road shall be re-aligned in accordance with the approved plans and in accordance with the planning drawing no. Proposed Access Arrangement Figure 3, within the Transport Statement and S278 layout.

7. Upon completion of the realignment of the A264 Copthorne Road, the proposed vehicular access from the site to the A264 Copthorne Road, and the proposed modifications to the existing access serving Nos 19, 21 and 23 Copthorne Road, shall be constructed and provided with visibility splays of 2.4m x 75m in each direction, in accordance with the approved plans, and the visibility splays shall thereafter be kept permanently clear of any obstruction.
8. A pedestrian visibility splay of 2m by 2m shall also be provided on each side of the access, the depth measured from the back of the footway and the widths outwards from the edges of the access. No fence wall or other obstruction to visibility between 0.6m and 2m in height above ground level shall thereafter be erected within the area of such splays.

9. No development shall take place until there has been submitted to and approved in writing by the District Planning Authority a plan indicating the positions, design, materials, finishes and type of boundary treatment to be erected. The boundary treatment shall then be completed in accordance with a timetable to be agreed in writing by the District Planning Authority. The development shall then be carried out in accordance with the approved details.

10. No removal of trees or shrubs shall be carried out on site between March and August inclusive in any year, unless otherwise approved in writing by the District Planning Authority. Where vegetation must be cleared during the bird breeding season a check for nesting birds by a suitably qualified ecologist will be required. Any vegetation containing occupied nests will be retained until the young have fledged. Prior to the occupation of any property the location and type details of woodcrete type bird nest boxes shall be supplied to the District Planning Authority for approval and erection prior to occupation.

**Appeal B Ref: APP/M3645/W/18/3205537**

15 and 39 Crawley Down Road, Felbridge, East Grinstead RH19 2PP

Wates Development Ltd

1. The development hereby permitted shall not commence later than the expiration of 3 years from the date of this permission or 2 years from the date of approval of the last of “the reserved matters” to be approved, whichever is the later.

2. The development hereby permitted shall not commence until details of the appearance, landscaping, layout and scale of the development (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the District Planning Authority. Detailed plans and particulars of “the reserved matters” shall be submitted in writing not later than 3 years from the date of this permission and shall be carried out as approved.

3. The development hereby permitted shall be carried out and completed only in accordance with the following approved drawings:

   Proposed Site Access and Swept Path Analysis ITB12432-GA-001 Revision B

   Site Location Plan 16385/S101/C

4. No burning of demolition/construction waste materials shall take place on site.

5. No development shall take place until details of the proposed surface water drainage and means of disposal have been submitted to and approved in writing by the District Planning Authority and no dwelling shall be first occupied until all drainage works have been carried out in accordance with such details as approved by the District Planning Authority. The details shall include a timetable for its implementation and a management and maintenance plan for the lifetime of the development which shall include arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. Maintenance and
management of the works during the lifetime of the development shall thereafter be in accordance with the approved details.

6. No development shall take place, including any works of demolition, until a Construction Transport Management Plan has been submitted to and approved in writing by the District Planning Authority. Thereafter the approved Construction Transport Management Plan shall be implemented and adhered to throughout the entire construction period. Details of the following matters shall be submitted:
   • parking and turning for vehicles of site personnel, operatives and visitors
   • loading and unloading of plant and materials
   • storage of plant and materials
   • programme of works (including measures for traffic management)
   • provision of boundary hoarding behind any visibility zones
   • HGV deliveries and hours of operation
   • vehicle routing
   • measures to prevent the deposit of materials on the highway
   • before and after construction conditions surveys of the highway and a commitment to fund the repair of any damage caused
   • no HGV movements to or from the site shall take place between the hours of 8.30am – 9.15am and 3pm-4pm nor shall the contractor permit any HGVs associated with the development at the site to be laid up, waiting, in Crawley Down Road, Rowplatt Lane, McIver Close or Copthorne Road during these times
   • on site turning for construction vehicles
   • a scheme to minimise dust emissions from the site

7. Works of construction or demolition, including the use of plant and machinery, necessary for implementation of this consent shall be limited to between the following times: Monday - Friday 08:00 - 18:00 Hours; Saturday 09:00 - 13:00 Hours; Sundays and Bank/Public Holidays - no work permitted

8. The proposed vehicular-pedestrian access to Crawley Down Road and 45 metres of the new access road, along with the visibility splays shall be constructed in accordance with the approved plans (Dwg No ITB12432-GA-001 Revision B) prior to any other part of the development approved by Mid Sussex District Council and thereafter the access visibility splays shall be kept permanently clear of any obstruction over 0.6m high.

9. The means of vehicular access to and from the development hereby permitted shall only be from Crawley Down Road (formerly 39 St Johns House) otherwise known as the main access. There shall be no other means of vehicular access to and from the development.

10. The applicant shall monitor parking along Crawley Down Road which is associated with the proposed development and Felbridge Primary School in accordance with a methodology to be agreed by the Local Highway Authority. If subsequently required by the Local Highway Authority, the applicant will fund a Traffic Regulation Order scheme. The monitoring results shall be made available to the Local Highway Authority within one year of the development being completed and fully occupied. If a Traffic Regulation Order Scheme is required, it shall be submitted to and approved in writing by the Local Highway Authority and implemented in accordance with a timetable agreed in writing by the Local Highway Authority.
11. Hard and soft landscape works shall be carried out in accordance with the approved details. The landscape works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing by the District Planning Authority. Any trees or plants which within a period of 5 years from the implementation of the landscaping die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the District Planning Authority gives written consent to any variation.

**APPEARANCES**

FOR ABBEY DEVELOPMENTS LTD:

Matthew Reed QC Queens Counsel, instructed by Impact Planning Services

He called

Dominic de Mattos BSc CEng MICE IMaPS Managing Director, BdR

Robert Gillespie BA MRTPI Managing Director, Impact Planning Services

FOR WATES DEVELOPMENTS LTD:

Sasha White QC Queens Counsel, instructed by Genesis Town Planning

He called

James Bevis MEng CMILT MCIHT Partner, i-Transport

Jeremy Farrelly BA(UPS) DUPI MRTPI Planning Associate, Genesis Town Planning

FOR THE LOCAL PLANNING AUTHORITY:

Lisa Busch QC Queens Counsel, instructed by James Hitchcock, Tandridge District Council

INTERESTED PERSONS:

Jeremy Clarke Chairman, Felbridge Parish Council

Ken Harwood District councillor and local resident
DOCUMENTS SUBMITTED AT THE INQUIRY

Wates Developments Ltd – Opening Submissions
Abbey Developments Ltd – Opening Submissions
Email and enclosures from Paul Tucker handed in by Jeremy Clarke
Deed of Undertaking dated 14 May 2019 relating to Appeal B
Deed of Undertaking – note re compliance with paragraph 56 of NPPF
Felbridge Parish Council - Closing Submissions
Wates Developments Ltd – Closing Submissions
Abbey Developments Ltd – Closing Submissions
Wates Developments Ltd – Application for Costs
Abbey Developments Ltd – Application for Costs
Tandridge District Council – Response to Costs Application
Attendance Lists