

TOPIC SPECIFIC STATEMENT OF COMMON GROUND HOUSING MATTERS

Land at Berrow Green Road, Martley, Worcestershire

Appeal Ref: APP/J1860/W/24/3348743

LPA Reference: M/23/01711/OUT

- 1.1 In accordance with best practice and to assist the Inspector at the appeal, Hayfield Homes Construction Ltd (“the Appellant”) and Malvern Hills District Council (“the Council”) have jointly prepared the following Statement of Common Ground (‘Housing Land Supply SOCG’).
- 1.2 This Housing Land Supply SOCG relates to the following:
 - housing delivery and housing land supply in the district.
- 1.3 Other matters are covered in separate SOCGs.

Housing delivery to date

Matters of Agreement

- 1.4 Based on data set out in Table 8 of the South Worcestershire Annual Monitoring Report 2022/23 (April 2024) [CD7.18] between 2006 and 2023 the Council delivered 5,535 net new dwelling completions in Malvern Hills (excluding WWA) and 322 net new dwellings in Wider Worcester Area (Malvern Hills) sub-areas. This totals 5,857 net new dwellings built over that period across the two sub-areas. This is against a housing requirement of 5,979 net new dwellings across both sub-areas over the same period, based on the stepped trajectory set out in Table 4b(ii) of the adopted SWDP [CD3.1]. Overall, this represents a shortfall of 122 dwellings in planned delivery up to end of March 2023 across the two sub-areas.
- 1.5 It is agreed that an overall under-delivery of housing against planned requirements has occurred in the district between 2006 and 2023. It also is agreed that the scale of the under-delivery amounts to 122 dwellings as at the end of March 2023.

Housing Land Supply

Matters of agreement

National policy basis for the assessment

Should the housing land supply position in Malvern Hills district be measured on a five-year or a four-year basis?

- 1.6 Both parties agree that, for the purpose of this appeal, the Council is required to demonstrate a four-year supply of deliverable land, in accordance with paragraph 77 and footnote 226 of the December 2023 version of the NPPF (subject to any relevant national policy changes published by Government during the course of this appeal). This is because the South Worcestershire Development Plan Review has been submitted for examination (in November 2023), which includes proposed site allocations and a policies map.

Five-year assessment period

What should be used as the base date and five-year period in determining 5YHLS in the district?

- 1.7 Both parties agree that, for the purposes of this appeal, the base date is set at 1 April 2023 and covers the period to end of March 2028 as set out in paragraph 5.1 of the *Addendum to the South Worcestershire Five Year Housing Land Supply Report – April 2024 [CD3.15]*.

The appropriate buffer

What buffer should be applied?

- 1.8 Both parties agree that a buffer of 0% should be applied to the housing requirement figure, in accordance with paragraph 77 of the NPPF.

Other adjustments to the requirement

What shortfall or over-supply, if any, should be accounted for in the housing requirement figure?

- 1.9 Both parties agree that there is a no shortfall or over-supply to account for in the land supply calculation.

Matters relating to the Five-year Housing Land Requirement

The Development Plan

- 1.10 The relevant documents that comprise the Council's current statutory development plan consists of the South Worcestershire Development Plan (SWDP) 2016 [CD3.1]. The SWDP was adopted on 25 February 2016.
- 1.11 Policy SWDP3 identifies a housing growth target of about 28,400 net new dwellings over the plan period. This would be provided for based on a 'stepped trajectory' set out in Table 4b(i) of the SWDP.

Five-year housing land requirement

- 1.12 It is agreed for the purposes of this appeal that the five-year housing land requirement, including the appropriate buffer, is 1,930 dwellings over the full five-year period or 386 dwellings per annum. This is taken from Table 5 of the addendum [CD3.15]
- 1.13 The calculation of the five-year housing land requirement is agreed between the parties.

Matters relating to determining the Deliverable Supply

- 1.14 It is agreed that the relevant policy advice and supporting guidance on the subject of deliverability is set in the current versions of the NPPF and PPG for the purposes of the assessment of land supply as part of this appeal.
- 1.15 The Council confirmed in paragraph 7.1 of their Statement of Case (LPA SoC) [CD4.2] is unable to demonstrate a housing land supply in excess of four years and that the most important policies for the determination of this appeal would in consequence not be up to date.
- 1.16 The Appellant agrees with the Council on this matter.

Windfall allowance

- 1.17 There is agreement between parties on the justification and quantum of the windfall allowance (35 dpa). There is also agreement regarding when the allowance is applicable (years 4 and 5 of the five-year period).

Deliverable sites

- 1.18 Parties are now agreed that the deliverable housing supply amounts to 1,339 dwellings and results in a housing land supply of **3.47 years** covering the five-year period 1 April 2023 to 31 March 2028.

Extent of the Shortfall

- 1.19 Both parties agree that the current shortfall in deliverable land amounts to **591 dwellings**.
- 1.20 The Council says in paragraph 7.2 of the LPA SoC that the shortfall is not considered to be marginal when seen in context with the government objective to boost the housing supply. The Appellant wishes to make clear that, in their opinion, the shortfall is significant.
- 1.21 There currently exist some disagreement between the parties on the significance of the shortfall, a matter to be explored as part of the appeal.

Matters of Agreement and Disagreement

Matters in Agreement
Five-year housing land requirement
The parties agree that the five-year housing land requirement figure for Malvern Hills is 1,930 dwellings, and which covers the period 1 April 2023 to 31 of March 2028.
Five-year land supply position
The parties agree that the Council cannot demonstrate a five-year supply of deliverable against the housing requirement set out in adopted strategic policies in accordance with paragraph 74 of the NPPF. The parties agree a deliverable housing supply of 1,339 dwellings against the requirement of 1,930 dwellings, resulting in a housing land supply of <u>3.47 years</u> for the period 1 Apr 2023 to 31 Mar 2028. The parties agree that the extent of the shortfall in deliverable land is currently 91 dwellings.
Matters in disagreement
Shortfall and its significance in the planning balance
The parties disagree on this matter. The Council defines the shortfall as 'not marginal'. The Appellant defines the shortfall as 'significant'.

The Council:.. ...*Lee Walton*.....Lee Walton

Dated: 4 November 2024



The Appellant:.....Cameron Austin-Fell

Dated: ...4th November 2024.....