

*great deal of effort and investment has been expended on the site and I consider the site to be deliverable’.*

6.4.17 At the same appeal, the Inspector noted that among the evidence submitted by the Council to the appeal was evidence of the same developer for contiguous sites, one of which was under construction. For the sites in question, evidence including emails was provided in relation to planned build out rates.

6.4.18 The appeal Inspector concluded at paragraph 103, that despite one of the 3 sites above not having obtained planning permission, that;

*‘given the evidence provided, the fact that the same developer will build out both sites and is already on site building out phase 3a I consider that there is clear evidence that these sites are deliverable.’*

6.4.19 The trajectory for the site confirms that 2,310 dwellings will be delivered during the Plan period with 1,001 dwellings projected to be delivered within the five years, 1st April 2023 – 31st March 2028.

6.4.20 With regard to the specific delivery of the 1,001 dwellings, the table on page 9 of the pdf file, that is the SoCG (Appendix 1) provides additional detail:

- Projected delivery over 5 year period: 1,001 dwellings
- Minus the 249 dwellings at Brookleigh, phase 1.5 and 1.6, Bellway, Issacs Lane, Burgess Hill DM/21/3870.
- This leaves a remainder of 752 dwellings.

6.4.21 The remaining 752 dwellings will be delivered as follows:

- Phase 1c (259 dwellings) - Development partner has been selected and Homes England are in process of contracting. Pre-app at advanced stages and reserved matters application is anticipated in late Summer/early Autumn 2023.
- Phase 1d(a) (246 dwellings) - Development partner has been selected. Pre-app at advanced stages and reserved matters application is anticipated in Autumn 2023.
- Phase 1d(b) (34 dwellings) - To be marketed in Autumn 2023.
- Phase a (137 dwellings) – To be marketed in Winter 2024 with reserved matters application anticipated in Summer 2024.
- Phase 2b (76 dwellings) - To be marketed in early 2024 with reserved matters application anticipated in Summer 2025.

6.4.22 With the multitude of evidence above, the Council consider there is clear evidence to demonstrate the deliverability of the site and the rate of delivery of the remaining phases, and to justify the inclusion the 752 dwellings within the five year housing land supply.

**6.5 Major allocated sites with planning application submitted<sup>20</sup>**

*i) Land west of Selsfield Road, Ardingly - DM/22/1575*

6.5.1 The site now has benefit of an outline permission for the construction of 35 dwellings. The applicant was 'Charterhouse Strategic Land Ltd and The South of England Agricultural Charity'. Charterhouse Strategic Land are the strategic land promotion arm of Charterhouse Property Group, who operate in the South of England. The group is also a housebuilder operating in the same region.

6.5.2 The site is a Category B site as per the NPPF (Page 66).

6.5.3 The Appellant argues that whilst the outline permission is extant, that there is no evidence for timescales concerning the submission, determination and implementation, of the reserved matters application.

6.5.4 The site is allocated in the SADPD (SA25), as per table 2 of this proof for 35 dwellings and was promoted by the current applicant through the SADPD., Following engagement with the Council and the submission of an application in May 2022, the outline application for 35 dwellings, went to Planning Committee in March 2023, where there was a resolution to grant permission, subject to a S106 Agreement.

6.5.5 The site is available now, the site is controlled by a developer with clear intentions to develop the site for residential use. The sites is clearly in a suitable location for development; it is allocated within the development plan and now has a grant of permission.

6.5.6 Development on the site is achievable, it is in the control of a regional housebuilder / developer, who have been progressing the site since the preparation of the SADPD. There are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 30 (CDE.25 Appendix 5, PDF page 24).

6.5.7 There is a realistic prospect that housing will be delivered within five years

6.5.8 Evidence shows that there has been clear progress from the site being allocated to the resolution to grant of an outline permission. Due to the sites recent progression and points outlined above,

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<sup>20</sup> Table E in the Statement of Common Ground: Five Year Housing Land Supply'

the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 35 dwellings within the five year housing land supply.

ii) Hurst Farm Hurstwood Lane, Haywards Heath - DM/22/2272

- 6.5.9 The site above is allocated for residential development in the Haywards Heath Neighbourhood Plan and is the subject of an outline application that is pending consideration.
- 6.5.10 As such, the site is a Category B site as per the NPPF (Page 66).
- 6.5.11 The Appellant argues that there is no evidence for timescales concerning the submission, determination and implementation, of the reserved matters application. Thus, the Appellant argues that the site is not deliverable.
- 6.5.12 The Council have a SoCG in place for this site with Homes England, which contains additional detail in relation to the delivery of the site, and was agreed in July 2023 (Appendix 2).
- 6.5.13 The SoCG confirms that an outline planning permission for up to 375 dwellings was submitted to Mid Sussex District Council in July 2022 and is currently pending consideration.
- 6.5.14 The SoCG between Homes England and Mid Sussex District Council also provides an anticipated timescale for the development of the site which the Council have confirmed will be presented to the August 2023 Planning Committee, where the indicative timescale envisages that subsequently in March 2024, a development partner will be appointed.
- 6.5.15 It is anticipated that submission of the reserved matters application will be in July of 2024, with approval of the reserved matters application in December 2024.
- 6.5.16 It is then anticipated that work on site could commence as early as May 2025, effectively leaving 35 months (inclusive of May 2025) until the end of the 5 year supply period on the 31<sup>st</sup> March 2028.
- 6.5.17 Furthermore the SoCG contains a development trajectory which is anticipated as follows:
- 2023/24: 0 (Year 1 of 5YHLS)
  - 2024/25: 0 (Year 2 of 5YHLS)
  - 2025/26: 40 (Year 3 of 5YHLS)
  - 2026/27: 75 (Year 4 of 5YHLS)
  - 2027/28: 100 (Year 5 of 5YHLS)
  - 2028/29: 100
  - 2029/30: 60
  - 2030/31: 0

6.5.18 The trajectory in the SoCG , and as illustrated above, sees the first completions on site in 2025/26, with delivery of the entire site complete in 2029/30.

6.5.19 As such, a total of 215 dwellings are anticipated to complete in the five year supply period, with 160 dwellings anticipated to be delivered beyond the five year supply period.

6.5.20 It should also be noted that the SoCG goes on to state that:

*'Homes England is confident in the delivery rates and seeks to achieving higher than normal delivery by specifying delivery rates in our Building Lease with the developer and requiring the use of Modern methods of Construction (MMC) on the site.'*

6.5.21 The Council consider there is sufficient evidence to demonstrate the deliverability of the site, and that justifies the delivery of 215 dwellings within the five year housing land supply.

## **6.6 Allocated sites with no planning application submitted.<sup>21</sup>**

### *iii) Land south of Southway, Burgess Hill*

6.6.1 The site is allocated in the SADPD (SA15) for 30 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).

6.6.2 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.

6.6.3 A paragraph 149, the SADPD Inspector's report notes that the site is urban in nature and enjoys good access to local amenities and concluded in the same paragraph, that:

*'Consequently, I am content that it is appropriate for policy SA15 to supersede the LGS designation, as shown on the Plan's supporting policies map.'*

6.6.4 The Inspector goes on to conclude that:

*'I therefore consider allocation SA15 to be justified and effective and that it could be delivered within years 1-5 of the plan period.'*

6.6.5 In addition to the conclusions of the Inspector, the Council have advised that the trajectory accounts for the limited progress on site but also takes account of the fact that site promoters did actively engage with the SADPD process, for a site that the SADPD deemed suitable and crucially, deliverable.

6.6.6 The sites is clearly in a suitable location for development, as noted by the Inspector and above at 6.6.3 and is allocated within the development plan.

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<sup>21</sup> Table F in the Statement of Common Ground: Five Year Housing Land Supply'

- 6.6.7 Development on the site is achievable, and there are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 30 (CDE.25 Appendix 5, PDF page 24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site.
- 6.6.8 There is a realistic prospect that housing will be delivered within five years
- 6.6.9 In line with the conclusions of the SADPD Inspector, the evidence shows that there has been clear progression on site, consequently, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 30 dwellings within the five year housing land supply.

iv) Woodfield House, Issacs Lane, Burgess Hill

- 6.6.10 The site is allocated in the SADPD (SA17) for 29 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).
- 6.6.11 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.
- 6.6.12 The SoCG currently in place (July 2023) (Appendix 1) for the wider Northern Arc site between Homes England and the Council references the Woodfield House site on page 3 of the pdf file.
- 6.6.13 The reference to the site in question is as follows:
- ‘Homes England have acquired Woodfield House, a parcel of land outside, but adjacent to the Brookleigh District Plan Site Allocation/outline planning application boundary. Bellway will be delivering 30 homes on this site as part of Phase 1B. Outline Planning Permission was granted for 30 homes on this site in 2020 and has since expired. Pre-application discussions have taken place on an amended scheme and a full planning application is anticipated July 2023.’*
- 6.6.14 It is therefore apparent that Homes England have acquired the site with ‘Bellway’ contracted to deliver it.
- 6.6.15 As per the previous sites referenced in the SoCG and this proof, this site will also be subject to the contractual mechanisms at Homes England’s disposal that are aimed at improving delivery.

- 6.6.16 At this stage it should also be noted that the Appellant has already accepted that Brookleigh, phase 1.5 and 1.6, Bellway, Issacs Lane, Burgess Hill - DM/21/3870 , which this site is linked to, is deliverable.
- 6.6.17 Furthermore, as with the Land off London Road decision (CDI.5), at paragraph 103 when considering contiguous sites, this site and phase 1B are physically linked, both are controlled by Homes England and will be delivered by the same house builder, Bellway Homes.
- 6.6.18 In relation to this site the SADPD Inspector's report concluded at paragraph 159 that:  
     'I consider policy SA17 is sound. The allocation could be delivered in years 1-5 of the plan period.'
- 6.6.19 In line with the conclusions reached by the SADPD Inspector, the Council consider there is clear evidence to demonstrate the deliverability of the site, and are justified in their position and inclusion of the 30 dwellings within the five year housing land supply.
- v) Hammerwood Road, Ashurst Wood
- 6.6.20 The site is allocated in the SADPD (SA26) for 12 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).
- 6.6.21 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.
- 6.6.22 The Council have provided correspondence (Appendix 3) from the planning agent which confirms that the land owner has gone through the process of identifying a housebuilder who is best placed to *'provide an efficient and sympathetic scheme providing homes, minimising the negative impact on the environment and maximising the benefits.'*
- 6.6.23 The correspondence goes on, as of November 2021 the landowner had instructed solicitors and by March 2022 the terms of an option agreement were largely agreed, however, since that time, the sites progression was delayed due to personal reasons (this is redacted in the appendix) (see Appendix 3).
- 6.6.24 The correspondence confirms that it is anticipated that the site will progress with the same developer.
- 6.6.25 The Inspector's report for the SAPDP at paragraph 177, suggests that indicative phasing for the site in years 6-10 was realistic.

- 6.6.26 However, the site is available now, the site is soon to be controlled by a developer with clear intentions to develop the site for residential use. The site is clearly in a suitable location for development and is allocated within the development plan.
- 6.6.27 Development on the site is achievable, and there are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 30 (CDE.25 Appendix 5, PDF page 24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site. There is a realistic prospect that housing will be delivered within five years.
- 6.6.28 Due to the sites recent progression and points outlined above, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 12 dwellings within the five year housing land supply.

vi) Land south of The Old Police House, Birchgrove Road, Horsted Keynes

- 6.6.29 The site is allocated in the SADPD (SA28) for 25 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).
- 6.6.30 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.
- 6.6.31 The Council have provided correspondence (Appendix 4) to confirm that a pre-application meeting has been requested with regards to the site. The form has been redacted in the interest of the applicant but is appended to this proof.
- 6.6.32 The Inspector for the SADPD examination concluded at paragraph 210 of their report that:
- 'I conclude that policy SA28 is positively prepared and justified. I have no reason to query the Council's anticipated delivery of the scheme within years 1-5 of the plan period.'*
- 6.6.33 The site is available now, the site is controlled by a developer with clear intentions to develop the site for residential use as evidenced by appendix 4. The sites is clearly in a suitable location for development and is allocated in the SADPD.
- 6.6.34 Development on the site is achievable, which is in the control of a regional housebuilder / developer, who have been progressing the site since the preparation of the SADPD. There are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 30 (CDE.25 Appendix 5, PDF page

24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site. There is a realistic prospect that housing will be delivered within five years.

6.6.35 Therefore, in light of recent pre-application discussions and in line with the opinions of the Inspector, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 25 dwellings within the five year housing land supply.

vii) Land to the rear of Firlands, Church Road, Scaynes Hill

6.6.36 The site is allocated in the SADPD (SA31) for 20 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).

6.6.37 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.

6.6.38 The Council have provided correspondence and evidence (Appendices 5 and 6) to confirm that several pre-application meetings have been held, with very productive outputs.

6.6.39 The same correspondence also states that a revised scheme is being worked up, which the planning agent anticipates will be submitted as a detailed scheme as opposed to outline.

6.6.40 It goes on to suggest that submission of the application is anticipated in the Autumn of 2023, with initial completions in Summer 2025 and final completions 6-9 months on from this date.

6.6.41 The form has been redacted in the interest of the applicant but is appended below.

6.6.42 The Inspector for the SADPD examination concluded at paragraph 187 of their report that:

*'I conclude that policy SA31 is sound. The indicative phasing set out in the submitted Plan for delivery within years 1-5 appear to me to be realistic'*

6.6.43 The site is available now, the site is controlled by a developer with clear intentions to develop the site for residential use as evidenced at appendices 5 and 6. The sites is clearly in a suitable location for development and is allocated within the development plan.

6.6.44 Development on the site is achievable, which is in the control of a regional housebuilder / developer, who have been progressing the site since the preparation of the SADPD. There are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 30 (CDE.25 Appendix 5, PDF page 24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site.



- 6.6.45 There is a realistic prospect that housing will be delivered within five years.
- 6.6.46 Therefore, in light of recent correspondence and in line with the opinions of the Inspector, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 20 dwellings within the five year housing land supply.

viii) Land at Hanlye Lane, east of Ardingly Road, Cuckfield

- 6.6.47 The site is allocated in the SADPD (SA23) for 55 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).
- 6.6.48 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.
- 6.6.49 The Council have provided correspondence (Appendix 7) from May 2023, to confirm that contracts had been exchanged at the site with a regional housebuilder, for the sale of the site.
- 6.6.50 The correspondence confirms that this includes an obligation to submit a detailed application within 4 months of the date of the correspondence (19.05.2023).
- 6.6.51 The correspondence concludes that *'The party are well advanced with their proposals and background reports and I would expect that your Officers will be hearing from them imminently.'*
- 6.6.52 The Inspector for the SADPD examination concluded at paragraph 187 of their report that:  
*'I conclude, subject to the above modification, that policy SA23 is sound, and I have no reason to doubt the indicative phasing in the submitted Plan for delivery in years 1-5.'*
- 6.6.53 The Main Modification relates to the protection of the setting of the nearby AONB.
- 6.6.54 The site is available now, the site is controlled by a developer with clear intentions to develop the site for residential use as evidenced by appendix 7. The site is clearly in a suitable location for development and is allocated within the development plan.
- 6.6.55 Development on the site is achievable, which is in the control of a regional housebuilder / developer, who have been progressing the site since the preparation of the SADPD. There are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 2.1 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 36 (CDE.25 Appendix 5, PDF page 24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site.
- 6.6.56 There is a realistic prospect that housing will be delivered within five years.

6.6.57 Therefore, in light of recent correspondence and in line with the opinions of the Inspector, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 55 dwellings within the five year housing land supply.

ix) Land South and West Imberhorne Upper School, East Grinstead

6.6.58 The site is allocated in the SADPD (SA20) for 550 dwellings, as per table 2 of this proof, and is a Category B site as per the NPPF (Page 66).

6.6.59 The Council propose that 75 of these dwellings will be delivered in the five year supply period.

6.6.60 The Appellant argues that the site is not deliverable due to the lack of permissions submitted for the site.

6.6.61 The Council have provided correspondence (Appendix 8) on behalf of Welbeck, from their agent dated May 2023, that confirms that a planning application would be submitted approximately, a month from the date of the correspondence (17.05.2023). The Council have confirmed that the application is now anticipated in August 2023.

6.6.62 The timescale for the progression of the site was as follows:

- Planning Submission: Mid June 2023
- Decision Notice: December 2022
- Completion of Phase 1 (Primary Infrastructure / Sports Provision / SANG): Mid 2026
- Commence Construction of Residential Phases: 2025
- First Housing Occupations: Mid 2026
- Completion of Scheme: 2031

6.6.63 The Inspector for the SADPD examination concluded at paragraph 187 of their report that:

*'I am satisfied from the evidence before me that a start will be made within years 1-5 and that there is a good prospect of the entire scheme being delivered within the plan period.'*

6.6.64 The site is available now, the site is controlled by a developer with clear intentions to develop the site for residential use as evidenced by the timetable at appendix 8. The sites is clearly in a suitable location for development and is allocated within the development plan.

6.6.65 Development on the site is achievable, which is in the control of a regional housebuilder / developer, who have been progressing the site since the preparation of the SADPD. There are no reasons to suggest development on this site would be impeded in any way. Typically for a site of this size, in MSDC from the point of the receipt of an outline application to construction would be 4 years (CDE.25 Appendix 4, PDF page 22) and build at a rate of 50 (CDE.25 Appendix 5, PDF page

24). However as outline application has not been received yet, the lead in time is expected to be longer, this is reflected in the trajectory of the site.

6.6.66 There is a realistic prospect that housing will be delivered within five years.

6.6.67 Therefore, in light of recent correspondence and in line with the opinions of the Inspector, the Council consider there is clear evidence to demonstrate the deliverability of the site, and to justify the inclusion the 75 dwellings within the five year housing land supply.

## **6.7 Summary**

6.7.1 The Appellant identifies a maximum supply of 4,742 dwellings for the 5-year period 1<sup>st</sup> April 2023 to the 31<sup>st</sup> March 2028.

6.7.2 The Council consider that there is a deliverable supply of 5,770 dwellings over the period, demonstrating a land supply in excess of 5 years, at 5.04 years.

6.7.3 This results in a difference of 930 dwellings between the Council and the Appellant.

6.7.4 In regard to the difference between the two parties, the Council have presented/produced and made available a multitude of different evidence from various sources to justify the inclusion of the disputed sites above, in the deliverable 5-year supply. Such an approach is set out in the PPG and explored in appeal decisions referenced in section 3 of this proof.

6.7.5 The evidence presented by the Council to this appeal has included Statements of Common Ground (SoCGs) between the Council and Homes England. The SoCGs represent contracts that increase and guarantee deliverability and help enhance the pace of that delivery.

6.7.6 Evidence has also included signs of site progression and officer opinion, backed up by evidence.

6.7.7 In addition, an important piece of evidence presented by the Council, is the SADPD Examination Inspectors Report. The Council consider this is relevant as it contains the appointed Inspectors' summation on the deliverability of the aforementioned, disputed sites. The report concluded in various paragraphs that the sites above and in question were deliverable in years 1-5 of the Plan.

6.7.8 Finally, it should also be noted that, the Appellant, has accepted, in several cases that sites are deliverable and only questions the projected delivery rates.

6.7.9 In the three instances where this was the case; Land west of Freeks Lane, Burgess Hill, Brookleigh, phase 1.5 and 1.6, Bellway, Issacs Lane, Burgess Hill and Northern Arc, Burgess Hill, a SoCG is in place between Homes England and the Council regarding the delivery of the site.

6.7.10 The Council consider that the range and detail of evidence presented to this appeal justifies the inclusion of all of the disputed sites and associated dwellings as above and the 'Housing Land Supply Position as at 1st April 2023' (July 2023), within the five year housing land supply.

## **7.0 THE SCENARIO OF NO DEMONSTRABLE LAND SUPPLY IN MID SUSSEX**

### **7.1 Overview**

7.1.1 Whilst I do not accept the Appellant's scenario of the 5YHLS position in Mid Sussex of falling below 5 years, I consider that it is important to set out in this chapter, the important points which will need to be considered by the Inspector if that conclusion is reached on the overall position on land supply.

7.1.2 As I set out in Section 3 of this proof, the case of *Hallam Land Management Ltd. v SOSCLG* [2018] EWCA Civ 1808, relevant at paragraph 51, the judgment states that:

*But the weight given to the benefits of new housing development in an area where a shortfall in housing land supply has arisen is likely to depend on factors such as the broad magnitude of the shortfall, how long it is likely to persist, what the local planning authority is doing to reduce it, and how much of it the development will meet.*

7.1.3 Therefore, when considering the benefits of new housing, in the circumstances where the Inspector may think there is a shortfall, several factors need to be considered, these are; the broad magnitude of the shortfall, how long it is likely to persist, what action the LPA is taking, and how much of the shortfall will be met by the proposed development (i.e. the application or appeal site under consideration).

### **7.2 Broad Magnitude of the Shortfall**

7.2.1 Whilst it is disputed that there is a 5YHLS in Mid Sussex District, in the possible scenario the Inspector considers there is not a 5YHLS, the extent of that shortfall needs to be considered not just in 'years of supply' but also the actual amount, i.e. the number of dwellings. This will allow for the broad magnitude to be better understood.

### **7.3 How long is it likely to persist? And What the Local Planning Authority are doing to Reduce it?**

#### *Housing Delivery in MSDC*

7.3.1 Mid Sussex District Council has a very strong recent track record of housing delivery. As highlighted by section 4.4, housing delivery against the Mid Sussex District Plan requirement is particularly noticeable, as this has now been exceeded.

7.3.2 Since the inception of the Mid Sussex District Plan 2014-2031, there have been a total of nine respective monitoring periods, in which, five, the Council has delivered dwellings over and above the Annual Plan Requirement.

7.3.3 It should be noted that in two of the four periods where the requirement was not met there was only a shortfall of eight (2015/16) and 33 (2017/18) dwellings, respectively.

- 7.3.4 As indicated by table three, in section 4, the periods when the Plan requirement was not met, were early in the life of the Plan and then again around the period of Plan examination and adoption (March 2018).
- 7.3.5 As per section 4.4 of this proof, four of those five periods have come in the latest four monitoring periods (2019/20, 2020/21, 2021/22 and 2022/23). In particular these are associated with the lead up to and following the adoption of the SADPD.
- 7.3.6 Consequently, at the 1<sup>st</sup> of April 2023, the Council had delivered a total of 8,723 dwellings in the period 2014/15 to 2022/23. The Mid Sussex District Plan Requirement for the same period was 7,884. Therefore, at the 1<sup>st</sup> of April 2023, the Council were 389 dwellings in excess of where the Mid Sussex District Plan expected delivery to be.
- 7.3.7 Mid Sussex's record of housing delivery directly corresponds with the positive Housing Delivery Test (HDT) measurements. Since the HDT began in 2018, Mid Sussex District Council has only failed the test on one occasion, in four measurements where the Council marginally failed (2020 – 91%). The 2020 measurement represented a shortfall of just under 100 dwellings.
- 7.3.8 However, on the other three measurements, as indicated by table 4, Mid Sussex District Council passed the HDT without consequence.
- 7.3.9 In the most recent measurement available (2021) the Council recorded 124%. The measurement is the other years were; 2018- 110%, and 2019 – 95%.
- 7.3.10 The 2022 HDT measurement has not been published as yet, but as per paragraphs 4.5.4 through 4.5.6, of this proof, it shows housing delivery has increased above the most recently highest HDT result.
- 7.3.11 Despite not knowing the requirement figure, it is anticipated that Mid Sussex District Council will pass the HDT in both 2022 and 2023, given the increase in delivery rates.
- 7.3.12 Finally, it cannot be ignored that the highest levels of housing delivery in Mid Sussex have been during a period hampered by the unprecedented Covid-19 pandemic and associated restrictions.

#### Approach to Plan Making

- 7.3.13 The Council's extant development plan makes provision to meet the housing needs identified in the MSDP, this level of need is the same or similar that calculation of need made through the use of the standard method. The SADPD meets that level of need and it is noted that the Inspector considered that housing had been overprovided for in the SADPD, to cover non-implementation or sites not delivering as expected.

7.3.14 Furthermore, it can be seen that the Council continues to take a pro-active approach to the delivery of a new development plan, this is evidenced by the Local Plan Review being undertaken, where formal adoption is expected by 2024, a year from now. In previous years the Council's activity in development plan preparation has seen an increase to housing delivery.

Permitted Sites which are not in the 5YHLS

7.3.15 It is also important to consider that the sites within the 5YHLS statement, are not the only permitted or allocated sites for residential development. In addition to these deliverable sites there are sites that will build out beyond the current 5 years and those currently permitted which the Council do not consider, as yet, to be deliverable. As of 31st March 2023, these sites include sites with extant permissions, extant allocations and NDP allocations, totalling 9.921 (net)<sup>22</sup> dwellings (CDE.25, Appendix 2 PDF page 16). This does not take into account sites which have been permitted since 1<sup>st</sup> April 2023.

7.3.16 Therefore, taking these factors into consideration if there is an identified shortfall in 5YHLS it is only likely to persist for a short period of time and the Council are taking a proactive approach to enable more development, in addition to land which already has the benefit of a permission, or allocation.

#### **7.4 How much of the shortfall will be met by the proposed development?**

7.4.1 The appeal scheme is for 120 residential units in outline only, with all matters reserved except access. There would need to be a reserved matters application following the outline, furthermore there are a total of 30 conditions currently associated with the appeal scheme, of which 11 are pre-occupation and 12 are pre-commencement. The appellant has not provided a delivery estimate for the site, however it would be expected that some of the scheme could be delivered. If this were the case, any benefit to the land supply position would be taken into consideration in the 2024 statement, which would also bring into the 5YHLS position statement, the types of sites identified above. In summary, whilst the site could bring forward residential units in the next 5YHLS period, there are a significant number of schemes, already permitted, that can contribute.

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<sup>22</sup> This also includes sites which are within the 5YHLS period of assessment

## 7.5 Proposed Changes to the NPPF

- 7.5.1 In addition to the points raised above in relation to the Hallam Land Judgment I consider that the proposed changes to the NPPF are also of relevance as the changes are made to recognise and account for those circumstances in which an LPA exceeds their housing requirement, either in an adopted Plan or set out in the LHN calculation
- 7.5.2 By taking into consideration past oversupply in Mid Sussex, the LHN calculation for the 5 year period would be 1,033<sup>23</sup> and then applying a 5% buffer it would be 1,085 dwellings in a 5 year period. However as set out below, it is also proposed to remove all buffers.
- 7.5.3 Paragraph 5 sets out that all buffers to the requirement, as part of the 5YHLS assessment, would be removed. The effect of this would be reducing the requirement target that the supply within the 5-year assessment period seeks to meet. Specifically, for Mid Sussex, this would remove the need to apply a 5% buffer in the calculation. The effect this would have on Mid Sussex's 5-year housing requirement, would be to reduce the target by approximately 266 dwellings.
- 7.5.4 Paragraph 17 of Chapter 4 sets out that a 4 year HLS (4YHLS) would be the required test, for those LPAs where they are in the process of preparing a Local Plan and have progressed sufficiently in the consultation stages.
- 7.5.5 This particular transitional arrangement would be applicable to Mid Sussex. The Local Plan Review Local Development Scheme (LDS) (November 2022), confirms that formal adoption is planned for August 2024, where Regulation 18 consultation was held throughout November and December 2022. If a 4YHLS that is needed and not a 5YHLS, then Mid Sussex District Council would be able to demonstrate this, well in excess of 4 years. Even on the Appellant's assessment of the Council's supply, it would be able to demonstrate a 4-year HLS.
- 7.5.6 In summary the parts of the Government's consultation which are relevant in the consideration of when an LPA cannot demonstrate a 5YHLS, are:
- The removal of applying a buffer to the Local Housing Need calculation in a 5YHLS assessment. This would reduce the 5YHLS requirement for Mid Sussex by 273 dwellings.

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<sup>23</sup> Mid Sussex has exceeded the Housing Delivery Test targets in each 3 of the last 4 years. Table 4 above, shows that in the last HDT 3 year measurement (2021) Mid-Sussex exceeded the target by 532 dwellings (over these 3 years). The annual LHN requirement for Mid-Sussex, before applying a 5% buffer, is 1,090 dwellings. The 532 dwellings delivered in excess of the 2021 HDT target, is 49% of 1,090 dwellings (the annual LHN requirement). Reducing the current 5-year LHN (5,695) by 532 dwellings, would revise the annual requirement to 1,033, before a buffer is applied. If this were to be accounted for in the current 5YHLS calculation, the effect would be to improve Mid-Sussex's 5YHLS position



- Factoring in 'over' or 'under' supply from previous years, into the calculation of LHN. This applicable to LHN calculation in plan-making and also when strategic housing policies are more than 5 years old. The effect of this for Mid Sussex could be to factor in the previous 3 years of over supply into the calculation of LHN, which would reduce the LHN to 1,033 dwellings before a buffer is applied.

## **8.0 SUMMARY OF MY EVIDENCE AND CONCLUSIONS**

### **8.1 Overview**

8.1.1 I have been instructed by MSDC to give evidence on the issue of the five year housing lands supply in Mid Sussex. The Council's position on 5YHLS matters, is that a land supply of 5.04 years can be demonstrated, with a surplus of 47 dwellings. The Appellant considers that the Council can demonstrate only a 4.14 year supply. The respective positions of both sides are set out in the HLS SoCG. The Council's position on land supply is a robust assessment of the position in Mid Sussex, at the 1<sup>st</sup> April 2023 and should be the position used in the determination of this appeal.

### **8.2 National Policy and Guidance**

8.2.1 As I set out in Section 3 of this proof, there are several key principles to consider when assessing the 5YHLS position of a local planning authority. These are that;

- Housing need should be calculated using the Standard Method, when the relevant development plan policies are more than 5 years old
- That a 5YHLS assessment should be produced annually by the local planning authority, to meet the housing need of an area, and that in addition a buffer (5%, 10% or 20%) should be added to the supply. Nor should sites be added in post the base date.
- That a consistent base date should be kept for all component parts of the 5YHLS calculation, and not updated independently, or ad-hoc.
- That sites within the supply will be broadly split between Category A and B sites. Those in Category B are required to be sites to be suitable, available and achievable and for there to be a realistic prospect that completions will begin in five years to be included in the five-year land supply.
- When considering the overall planning balance, in the event of a shortfall in supply, the extent of the shortfall is likely to be material, as will how long it is likely to persist, any action the LPA has taken, or is taking to address the shortfall, and the contribution a site can make to a shortfall.
- Whilst little weight should be afforded to the proposed changes to the Framework, for the purposes of deciding whether there is a shortfall in the 5YHLS those changes are relevant in so far as they recognise that to a LPA's HDT performance and their past completion rates are relevant to the LPA's overall performance in meeting housing targets, and thus affect the weight which should be attached to any shortfall, in line with the principles enunciated in the Hallam Land judgment.

### **8.3 The Council's Development Plan Status**

- 8.3.1 The extant development plan for Mid-Sussex consists of the Mid Sussex District Plan and the Site Allocations Development Plan Document.
- 8.3.2 The Mid Sussex District Plan (MSDP) 2014-2031 was adopted in March 2018. The MSDP outlines a delivery strategy for how the district will evolve and develop over the Plan period. Policy DP4, which set out the housing requirement for MSDC, is now more than 5 years old. Therefore, Local Housing Need should be calculated using the Standard Methodology.
- 8.3.3 The Site Allocation Development Plan Document (SADPD) contains housing allocations which make a considerable contribution to the supply to meet housing needs. The SADPD was adopted in June 2022 and allocates a total of 21 housing sites for a total of 1,704 dwellings. A further four strategic allocations are also made in the MSDP, equating to 5,080 dwellings. Therefore, together, upon adoption the allocations accounted for nearly 6,784 dwellings.
- 8.3.4 The SADPD was examined in June 2021 and latterly adopted in June 2022. The Inspector (paragraph 84) noted that the Council's assessment of their supply was:  
*'a detailed site-by-site analysis of every planning permission, including sites under construction, major (10+ dwellings) and minor sites, together with an assessment of site allocations which it is considered are likely to yield dwellings within the 5-year period.'*
- 8.3.5 And concluded that the Council's assessment was beyond reasonable doubt.
- 8.3.6 The Council's emerging review of the development plan is underway and submission of the new plan is expected in Winter 2023 with the adoption anticipated in Summer 2024.

### **8.4 Past housing delivery during the adopted MSDP period**

- 8.4.1 Past housing delivery in MSDC has been positive and has to the end of the 2022/23 monitoring period exceeded the cumulative housing requirement by 389 dwellings. The Government's measure of housing delivery has also been passed, the most recently published figure for 2021 shows a measurement of 124%. This has been achieved by delivering some of the highest completion rates in the district in recent years of 1,116 dwellings, 1,187 dwellings and 1,053 dwellings – all whilst many other areas in England experienced a drop off in housing delivery because of Covid-19. This shows improved rates of delivery, going higher than the delivery rates in achieving the most recent HDT result of 124%.

**8.5 The Housing Requirement**

- 8.5.1 As set out in the SoCG, it is agreed that the period for assessing the five year housing land supply position in Mid Sussex is 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2028.
- 8.5.2 The annual requirement for housing has been calculated using the Standard Method. This results in an annual requirement of 1,090 dwellings. This is subsequently multiplied by 5 to get the 5 year requirement, giving 5,450, before the 5% buffer is applied. Including the buffer, the final requirement is 5,723 dwellings.

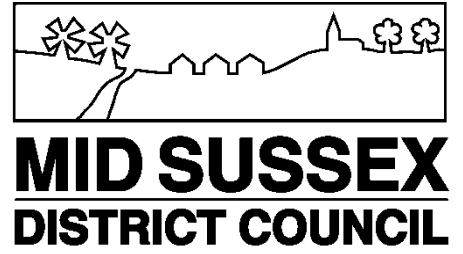
**8.6 The Five Year Housing Land Supply**

- 8.6.1 The Appellant disputes a total of 13 sites the Council includes within the 5YHLS. These sites are disputed over their rates of delivery or whether there is clear evidence to demonstrate that they are deliverable sites.
- 8.6.2 The Council's position on those sites (Category A Sites) which the Appellant challenges the delivery rates is robust and supported by clear evidence. The Council's position on those sites (Category B Sites) the Appellant challenges their deliverability, is robust and supported by clear evidence. The site-specific evidence is set out within Section 6 of my proof and is not repeated in my summary. However, the evidence relied upon by the Council falls within that suggested within the PPG and that which has been accepted by Inspectors in other decisions.
- 8.6.3 The Council considers that a 5YHLS of 5.04 years can be demonstrated in Mid Sussex.

**APPENDIX 1**

**Mid Sussex District Council and Homes England, Statement of Common  
Ground for Delivery at Brookleigh, Burgess Hill, July 5<sup>th</sup>, 2023**

# Mid Sussex District Council



Mid Sussex District Council  
Homes England

## **Statement of Common Ground** Delivery at Brookleigh, Burgess Hill

July 5<sup>th</sup> 2023

## **Purpose**

The Statement sets out anticipated delivery rates at Brookleigh, Burgess Hill. The site was allocated in the Mid Sussex District Plan (2018) and will deliver 3,500 homes and associated infrastructure over a 15 year period.

This Statement provides an update to the one signed in June 2021, which was prepared to support the examination of the Site Allocations Development Plan Document.

In 2022 the marketing name for the Northern Arc was changed to 'Brookleigh'. This document therefore refers to the site as 'Brookleigh' rather than the Northern Arc, although it should be noted that some historic documents still contain reference to the Northern Arc.

## Master Planning and Housing

The Northern Arc Masterplan (2018), which sets out the vision and strategic development principles for the site, Infrastructure Delivery Plan (IDP) and Phasing Strategy (2018) were approved at the Mid Sussex District Council on 24th September 2018 as a material consideration for all the planning applications in relation to Brookleigh.

Outline Planning consent for the 3,040 homes (30% affordable) was granted in October 2019 (DM/18/5114). Since then, work has progressed with the approval of Reserved Matters applications for homes, discharge of pre-commencement conditions and planning obligations, as well as applications for significant infrastructure including the Western Link Road (WLR) and Eastern Bridge and Link Road (EBLR) to support site delivery.

A plan showing the residential phases and sub-phases detailed below is attached in Appendix A.

Phase 1A, Oakhurst (formally known as Freeks Farm) was disposed by Homes England via a Building Lease to Countryside. Countryside has since been taken over by Vistry. Vistry will be delivering the remaining Phase 1A homes, associated infrastructure and open space. Vistry will operate under the original Building Lease. As part of the disposal contract, Countryside was tasked with meeting an ambitious programme to obtaining planning permission. The site, for 460 homes in addition to the 3040 homes referred to above, was subject to a separate Outline Planning Permission (DM/18/0509), which was approved in July 2019 and Reserved Matters were approved in December 2019 (DM/19/3945). Work commenced on the site preparation during 2020. Access to the site from Maple Drive (which required the relocation of a playground and the installation of a replacement playground and Multi Use Games Area), has been completed and the first housing completions took place during 2022 with first occupations in November 2022. To date, there have been 50 completions with 50 occupations.

Phase 1B, also at the eastern end of the site has been purchased by Bellway under a Building Lease which was entered into in March 2023. Reserved Matters permission for this site was granted in May 2022 (DM/21/3870) for 249 new homes. Work commenced on this parcel in March 2023.

Homes England have acquired Woodfield House, a parcel of land outside, but adjacent to the Brookleigh District Plan Site Allocation/outline planning application boundary. Bellway will be delivering 30 homes on this site as part of Phase 1B. Outline Planning Permission was granted for 30 homes on this site in 2020 and has since expired. Pre-application discussions have taken place on an amended scheme and a full planning application is anticipated July 2023.

Procurement has taken place on phase 1C, which includes the Eastern Neighbourhood Centre and approximately 270 homes, including 60 extra care homes. A Developer Partner has been selected and Homes England is currently in the process of contracting. The Developer Partner is currently in pre-application discussions with MSDC. A planning application is anticipated in late Summer/early Autumn 2023.

Homes England is in the process of procuring developer partners for the western end of the site which will include the Western Neighbourhood Centre (Phase 1Da) and employment centre (Phase 1E). A Developer Partner has been chosen to develop the first western parcel (Phase 1Da), which includes the neighbourhood centre and approximately 255 homes. Pre-application discussions are at an advanced stage and a Reserved Matters application is anticipated in Autumn 2023.

Phase 1Db, also on the western side, has been out to market for a further 34 homes. However, there was limited interest due to the Homes England procurement process which is complex for SMEs. Homes England is currently reviewing its procurement process to make it more effective for



SMEs. Phase 1Db will be re-marketed once the new process has been put in place which is likely in Autumn 2023.

## Infrastructure

The key pieces of infrastructure required to unlock the development of this allocation are the new roads that will link the site to the existing highway network. Homes England has entered into construction contracts to deliver two key pieces of infrastructure – EBLR and the WLR. The EBLR is anticipated to complete December 2023 and the WLR Phase 1 is anticipated to complete September 2023. This infrastructure opens up opportunities to enable further serviced parcels to be disposed of via Building Leases at both the Western and Eastern ends.

Pre-application discussions are at an advanced stage for the next pieces of road infrastructure including:

- Between the A2300 and the western Bridge over the river Adur
- From the western bridge over the river Adur to Isaacs Lane (Northern Arc avenue Central Section)
- A2300 and Jane Murray Way improvements

Reserved Matters applications are anticipated for all these pieces of infrastructure in Autumn 2023 and these phases will unlock access to serviced parcels later in the programme.

The upgrade of the A2300 (link road to the A23) is also a critical piece of infrastructure required to support the development. Work was completed in 2022. The cost of this was c £27.6 million and has been funded by the Local Growth Fund and S106 contributions including from Homes England as a requirement of the Section 106 Agreement on the Outline Planning Permission. The Homes England contribution was £2,882,000. The Business Case for funding of this major project was conditional on the Brookleigh development proceeding and the homes coming forward in line with the District Plan trajectory.

In terms of infrastructure requirement to support the delivery of the first residential phase of the site, there is a planning condition on the Freeks Farm (Oakhurst) Outline Planning Permission that prevents no more than 199 homes from being occupied until the bridge over the River Adur and the road link between the bridge and Isaacs Lane is completed.<sup>1</sup> This infrastructure is due to complete in November 2023, in advance of 199 dwellings being completed and will therefore not prejudice delivery rates.

The development also required investment in the Goddard's Green Wastewater Treatment works to reduce the odour contours arising from the site, to enable the development potential of the allocation to be maximised. A £15.24m funding package has been secured for this work, which consists of £4m Local Growth Funding, £6.54m from the Housing Infrastructure Fund and £4.70m from Southern Water. These works are due for completion by the end of 2023.

The first primary school to be delivered at Brookleigh in the eastern end is due to open in September 2026. Homes England is funding and directly delivering this school and have completed a full site feasibility study. Homes England is currently in the process of procuring a lead consultant to design, and procure a contractor to deliver the school, this process is anticipated to be complete in Autumn 2023.

Homes England is working closely with MSDC and West Sussex County Council (WSCC) to deliver the secondary school in the eastern end. Reserved Matters permission for the secondary

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<sup>1</sup> This condition was amended from 130 dwellings to 199 dwellings in the Section 73 Application to the Freeks Farm Outline Planning Permission (DM/22/1655)

school was secured in December 2022 (DM/22/2553). WSCC have appointed a contractor to deliver the secondary school with construction on the secondary school to start in Summer 2023 and be completed by February 2025 for a September 2025 opening.

Pre-application discussions are underway for the Centre for Outdoor Sports which includes sports pitch infrastructure and a Local Equipment Area for Play, along with the first element of Green Circle in the western part of the site. The Green Circle is a key piece of off road pedestrian, cycling and equestrian infrastructure. A Reserved Matters Application is anticipated in Autumn 2023 with construction anticipated to commence in January 2024.

The Phase 1E employment area in the western end has been out to market and Homes England are in the process of evaluating the submissions. Pre-application discussions are anticipated to commence on this parcel this Summer.

## **Delivery Rates**

The District Plan trajectory indicated that the full 3,500 homes would be delivered by March 2036.

A Development Phasing and Specification Plan was approved via an application to discharge an obligation in the legal agreement (DM/21/0787) which provided an accelerated delivery trajectory from that identified in the District Plan.

An updated Delivery Trajectory has been provided dated December 2022, updating those set out in the Development Phasing and Specification Plan. The current housing trajectory confirms that the 3,500 homes would be delivered in the District Plan period. This indicates that delivery rates have slipped in relation to those agreed as part of the Development Phasing and Specification Plan. The reason for the slippage is as follows:

- On site delays for Phase 1A including Covid-19, labour, supply chain issues and the delays in completion of the EBLR and underground of UKPN cables which run through the EBLR, Phase 1A, Phase 1B and secondary school site.
- Trajectory for later phases is based on general assumptions arising from earlier parcels that:
  - there is typically a 12 month period between the Agreement for Lease and Start on Site, and another 12 month period between Start on Site and first housing completions;
  - each phase is assumed to complete 6 homes a month, which is more realistic than the 10 or 11 previously assumed in the earlier version;
  - Wherever possible the overall delivery rate per financial year across the whole scheme shouldn't exceed much more than 300 homes, to avoid risk of 'flooding the market.

There is a peak in 2027/2028, at which point there will be 5-6 outlets/developer partners on site including Phase 1A, Phase 1B, Phase 1C and Phase 1D as well as early Phase 2 parcels. The use of multiple delivery outlets and simultaneous development from the western and eastern sides of the site is one of the ways Homes England will be ensuring accelerated delivery.

To ensure timely consideration of the planning applications and supporting documentation a Planning Performance Agreement (PPA) for the masterplan and preparation of the outline planning applications was entered into. A second PPA has been agreed for the next stage of the work, including comprehensive pre-application discussion processes for each sub-phase. The agreement sets out clear timelines for the achievement of key milestones. In addition, MSDC has appointed a member of staff whose sole responsibility is dealing with Brookleigh planning matters.

Notwithstanding this slippage, Homes England has been able to accelerate progress on the site overall by reducing lead in times to start on site and through a range of mechanisms to ensure once on site development is delivered at pace.

In February 2020, Lichfields Insight – Start to Finish (second edition)<sup>2</sup> identified that the average lead in time for the delivery of large sites of 500+ homes following the grant of consent was 36 months (3 years). This document states that this figure rises to 96 months (8.4 years) from validation of the first planning application to completion of the first homes for sites of 2,000+ homes.

At Brookleigh, Homes England has reduced overall lead in times from acquisition (March 2018) to Freeks Farm housing starts (March 2020) to only 24 months (2 years) – significantly less than seen elsewhere – and this demonstrates the ability of Homes England to reduce the lead in time for major sites.

Homes England has entered into a Building Lease with Bellway to deliver 249 homes at Phase 1B (parcels east of Isaacs Lane). As part of Bellway’s contract, a Reserved Matters application was required to be submitted within 100 days from the start of the contract. This clause will be replicated in the contracts relating to future phases. A comprehensive pre-application meeting programme has been set via a PPA to ensure Reserved Matters applications are submitted within the timeframes.

Homes England has recently published a new Strategic Plan 2023-28<sup>3</sup>. As set out in the new Strategic Plan, Homes England’s mission is to drive regeneration and housing delivery to create high-quality homes and thriving places. This will support greater social justice, the levelling up of communities across England and the creation of places people are proud to call home. A key focus for Homes England is the quality of what is being delivered, including championing environmental sustainability, design and beauty in homes and places that we support to create distinctive places and spaces that are designed for people to use and thrive. Homes England also recognise that mixed-use regeneration to deliver housing alongside employment, retail and leisure space helps to create vibrant and successful places.

There is a range of mechanisms available to Homes England to accelerate housing quality, sustainability and delivery. Specifically, in relation to strategic sites such as Brookleigh and in its capacity as master developer. Homes England is able to use its expertise and test innovative delivery models and financing options that will support the accelerated delivery of large settlements.

Homes England believe that these measures create the conditions necessary to accelerate housing delivery on large sites such as Brookleigh. This aligns broadly to a number of the findings of the Letwin Review<sup>4</sup> which recommended more diversity of the type and tenure of new homes, to accelerate market absorption and the build out rate of large sites. By adopting the following mechanisms to accelerate delivery on large sites, Homes England can ensure that housing delivery is greater than can be delivered by the market alone and therefore meet local housing needs.

- **Diversification** – Homes England is providing support for smaller builders and new entrants to create a more diverse, resilient and competitive market. Diversification is also being encouraged by providing access to land and short-term development finance through

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<sup>2</sup> <https://lichfields.uk/content/insights/start-to-finish>

<sup>3</sup> <https://www.gov.uk/government/publications/homes-england-strategic-plan-2023-to-2028>

<sup>4</sup> Letwin 2018. Independent Review of Build Out, Final Report. Rt Hon Sir Oliver Letwin MP, October 2018 -

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the Home Building Fund. This can be seen at Brookleigh with Bellway contracted to delivery at one of the sub-phases via a SME.

- **Modern Methods of Construction (MMC)** – Homes England is accelerating the delivery of homes without eroding value by incorporating MMC to drive innovation, quality and productivity in the industry. Covering a range of offsite and modular building techniques, MMC have the potential to be significantly more productive than traditional building methods; allowing homes to be built more quickly, addressing labour and skills shortages and improving the quality, consistency and energy efficiency of newly built homes. As part of Homes England's new Strategic Plan, we are seeking to improve construction productivity and encourage the uptake of MMC in housing delivery, a series of Homes England's own sites will deliver ambitious levels of MMC which are higher than the market norm. As part of the procurement process, developers are scored on their ability to deliver homes through MMC and phases 1A, 1B, 1C and 1Da all include MMC. Each procurement for a developer partner includes a minimum score for MMC and is a pass/fail criteria.
- **Simplifying Procurement** – Homes England delivery framework (Delivery Partner Panel 3 (DPP3)) was replaced in 2022 with the Delivery Partner DPS which is more efficient and enables developers to join it at any time, throughout its ten-year life span. The application process is quicker than the previous DPP3 Framework which creates efficiencies for Homes England and for all developers. Homes England is confident that this flexible approach will help diversify the housing market and work with a wider range of housebuilders large and small. The DPS provides Homes England with a procurement compliant approach to land disposals so that Homes England can control the speed and quality of housebuilding through Building Leases and deliver government objectives of higher quality urban and building design, increased delivery speed through use of MMC and higher sustainability standards.
- **Increasing the Pace of Delivery** – through DPS Framework, Homes England is able to use their Building Lease arrangements to ensure their developer partners deliver at predetermined contractual pace levels over and above what would be expected through the market alone. Current contract data from Homes England sites shows that sites procured through the former DPPS3 and DPS are contracted to deliver between 115% - 150% of the market rate and this is expected to be continued through the DPS Framework. A direct example of how Homes England are increasing the pace of delivery at Brookleigh, is that the two contracted housebuilders have minimum acceleration clauses in their Building Leases to ensure they build at a required rate. The construction pace for Countryside / Vistry at Freeks Farm is a minimum 8 homes per month and for Bellway at Phase 1B it is 6 homes per month. Homes England undertakes monthly monitoring through compliance inspectors to ensure the housebuilders meet these targets. This will be the case for all phases which are being delivered by developer partners with each phase minimum number of homes being determined by site specific circumstances and the method of delivery i.e. MMC is expected to deliver at an increased pace.

In the five years since Homes England acquired the site and by end of 2023, two pieces of key highways infrastructure (EBLR and WLR) will be completed. 35% (1,234 homes) of the whole allocation (including Freeks Farm) will be under contract with delivery partners.

## Statement of Common Ground

Site address	Land North and North-west of Burgess Hill (Brookleigh)
District Plan allocation	DP9 – up to 3,500 homes

### Planning Status

For the purposes of this statement the site is split into the Brookleigh (Northern Arc) (3,040 homes) and Freeks Farm (460 homes) giving 3,500 homes in total.

### Freeks Farm

Planning application Reference		Date of Permission
DM/18/0509	Outline planning permission for 460 homes	24.07.2019
DM/19/3845	Reserved matters for 460 homes	19.12.2019

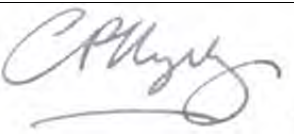
### Brookleigh


Planning application Reference		Date of Permission
DM/18/5115	Outline Permission for 3,040 homes	04.10.2019
DM/19/3313	Full planning permission Bridge and Eastern Link Road	17.01.2020
DM/20/0254	Reserved matters for Western Link Road	10.07.2020
DM/21/3870	Reserved matters for Phase 1B (249 homes and associated development)	24.05.2022
DM/22/2553	Reserved matters for Secondary School	19.12.2022

I, Graham Hyslop, Project Director, Homes England can confirm that the information set out in the table below are an accurate reflection of the anticipate delivery rates on this site.

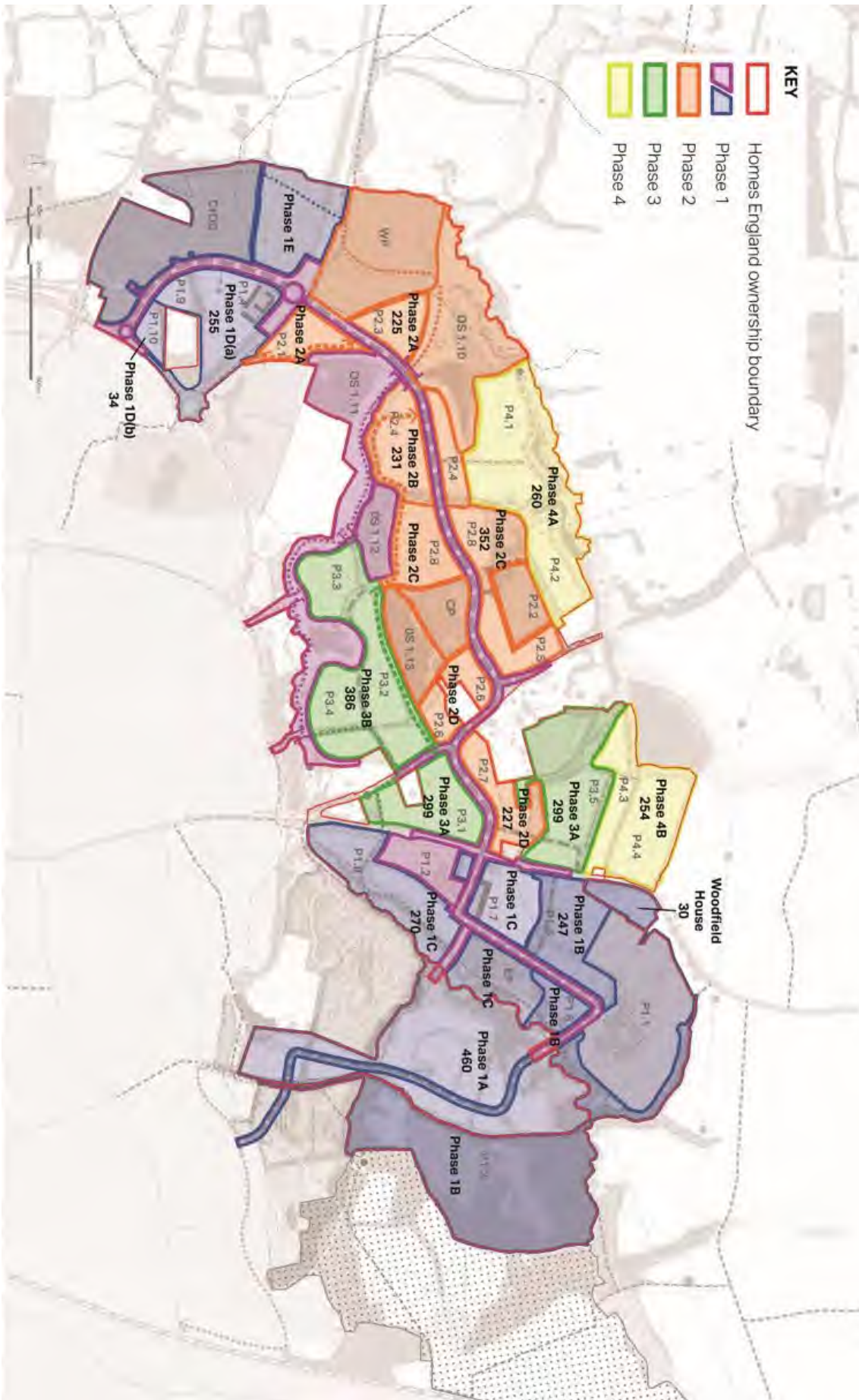
<b>Freeks Farm, Burgess Hill - 460 homes</b>		
<b>Financial Year (1<sup>st</sup> April – 31<sup>st</sup> March)</b>	<b>Actual Completions</b>	<b>Projected number of Completions</b>
2022/23	50	0
2023/24		92
2024/25		96
2025/26		96
2026/27		96
2027/28		30
<b>Total</b>	<b>50</b>	<b>410</b>

<b>Brookleigh – 3,040 homes</b> (2,310 homes within plan period)	
<b>Financial Year (1<sup>st</sup> April – 31<sup>st</sup> March)</b>	<b>Projected Number of completions</b>
2023/24	50
2024/25	168
2025/26	245
2026/27	238
2027/28	300
2028/29	278
2029/30	268
2030/31	291
2031/32	281
2032/33	322
2033/34	263
2034/35	234
2035/36	102
<b>Total</b>	<b>3040</b>

Signed: Graham Hyslop Project Director Homes England	
Date:	5 July 2023

Signed: Sally Blomfield AD for Planning and Sustainable Economy Mid Sussex District Council	
Date:	5 July 2023

# Appendix A – Phasing Plan

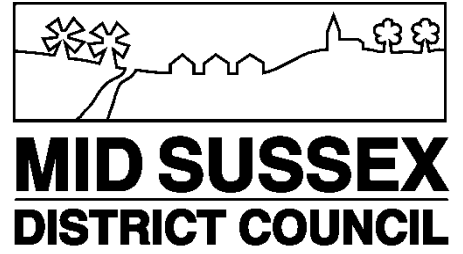


**APPENDIX 2**

**Mid Sussex District Council and Homes England, Statement of Common  
Ground for Delivery at Hurst Farm, Haywards, July 3<sup>rd</sup>, 2023**



# Mid Sussex District Council



Mid Sussex District Council  
Homes England

## **Statement of Common Ground** Delivery at Hurst Farm, Haywards Heath

July 3<sup>rd</sup> 2023

## **Purpose**

This Statement of Common Ground relates to the Hurst Farm, Haywards Heath. The site was allocated in the Haywards Heath Neighbourhood Plan and an outline planning application is currently pending consideration by the District Council. This statement confirms the anticipated delivery trajectory for the site.

## History

The site was allocated for a mixed used development in the Haywards Heath Neighbourhood Plan made in 2016. The site is allocated for 350 dwellings, together with the retentions of the existing employment site, the provision of new school, informal open space to include a burial ground and allotments.

The site was acquired from the District Council by Homes England in 2021. An application for outline permission for up to 375 dwellings was submitted to Mid Sussex District Council in July 2022, and is pending consideration (DM/22/2272). Part of the sites lies within Lewes District Council administrative boundary and therefore a duplicate applications as been submitted to both authorities (LW/22/0517).

## Infrastructure

Early infrastructure delivery includes off site highway improvements and enabling work to secure the transfer of the school site (access, burial of overhead power lines and services) and access to the burial ground and Country Park. This will not prevent commencement on site but will require careful phasing to avoid delay. Homes England is mitigating this, where reliant on third parties such as UKPN, through advancing engagement.

## Delivery rates

The anticipated key milestones and delivery rates for the site are set out below:

Resolution to Grant Outline Planning Permission	August 2023	
Appointment of development partner	March 2024	
Engagement on pre-application advice on REM application/s	April 2024	
Submission of REM application/s	July 2024	
Decision on REM	Dec 2024	
Commence on site	May 2025	

Delivery Trajectory is set out as follows:

2023/24	0
2024/25	0
2025/26	40
2026/27	75
2027/28	100
2028/29	100
2029/30	60
2030/31	0


It is anticipated that works will commence on site during 2025 with the first completions during 25/26. Homes England is confident in the delivery rates and seeks to achieving higher than normal delivery by specifying delivery rates in our Building Lease with the developer and requiring the use of Modern methods of Construction (MMC) on the site.


## Statement of Common Ground

Site address	Hurst Farm, Hurstwood Lane, Haywards Heath
Neighbourhood Plan allocation	Policy H1

I, Charlotte O'Mahony, Head of Planning & Enabling at Homes England, can confirm that the information set out in the table below is an accurate reflection of the anticipated delivery rates on this site

Financial Year (1 <sup>st</sup> April – 31 <sup>st</sup> March)	Number of completions
2025/26	40
2026/27	75
2027/28	100
2028/29	100
2029/30	60
2030/31	0

Signed: Charlotte O'Mahony Head of Planning & Enabling  Homes England	
Date:	3 <sup>rd</sup> July 2023

Signed: Sally Blomfield AD for for Planning and Sustainable Economy Mid Sussex District Council	
Date:	3 <sup>rd</sup> July 2023

**APPENDIX 3**

**Email Correspondence for SA26: Land South of Hammerwood Road,  
Ashurst Wood (Redacted)**

## Natalie Sharp

---

**From:** Stephen Spooner  
**Sent:** 22 May 2023 11:24  
**To:** Kate Brocklebank  
**Cc:** [REDACTED]  
**Subject:** Stephen Spooner RE: SA26: Land South of Hammerwood Road, Ashurst Wood

Dear Kate

Thank you for your email of 17<sup>th</sup> May. You correctly identify that no planning application has yet been made. This was not the plan!

My clients have been through a process of identifying a suitable developer with the best available credentials to provide an efficient and sympathetic scheme providing homes, minimising the negative impact on the environment and maximising the benefits. They entered into a negotiation with the selected developer in autumn 2021 and instructed solicitors in November 2021. By March 2022 the terms of an option agreement had been largely agreed, subject to a requirement for a deed of variation [REDACTED]

[REDACTED]. Once the deed of variation has been completed, the option agreement can be signed and the developer can start work on the planning application. The option agreement contains tight, but realistic, timescales for the developer to submit an application.

I know that my clients are very unhappy that this has taken so long and the developer, who has remained engaged throughout, is equally frustrated. I hope and expect this to be resolved and be moving forward within a couple of weeks.

I hope that helps but if you have any further questions, please do not hesitate to contact me.

Regards

Stephen Spooner FRICS

[REDACTED]

---

**From:** Kate Brocklebank  
**Sent:** Wednesday, May 17, 2023 10:32 AM  
**To:** Stephen Spooner  
**Subject:** SA26: Land South of Hammerwood Road, Ashurst Wood

Dear Mr Spooner,

### SA26: Land South of Hammerwood Road, Ashurst Wood

As you may be aware, the Council has been working on the review of the 2018 District Plan. The first consultation stage (Regulation 18) of the [draft District Plan 2019 – 2039](#) was undertaken at the end of 2022. The draft Plan, supporting evidence base and representations are available to view on our [consultation page](#).

**APPENDIX 4**

**Pre-application submission form for Land south of The Old Police House,  
Birchgrove Road, Horsted Keynes (Redacted)**

<b>Your Data</b>	
<b>Applicant Details</b>	
<b>Name</b>	Sunley Estates Ltd
<b>Copy of Address</b>	[REDACTED]
<b>Email</b>	[REDACTED]
<b>Phone</b>	[REDACTED]
<b>Agent Details</b>	
<b>Applicable?</b>	Yes
<b>Name</b>	Amanda Sutton
<b>Email</b>	[REDACTED]
<b>Phone</b>	[REDACTED]
<b>Address</b>	[REDACTED]
<b>Location</b>	
<b>Is location the same as your address?</b>	No
<b>Address</b>	Land South of The Old Police House Birchgrove Road Horsted Keynes West Sussex RH17 7BL
<b>Site Accessibility</b>	
<b>Is the entire site accessible?</b>	No
<b>Ownership</b>	
<b>The applicant is the:</b>	[REDACTED]
<b>Meeting Request</b>	
<b>Would you like a site meeting?</b>	Yes
<b>Application type inc. site meeting:</b>	Major
<b>Description of the Proposed Development</b>	
<b>Description:</b>	Erection of 25 dwellings and associated car parking, attenuation basins and landscaping
<b>Supporting Information</b>	
<b>A site location plan</b>	[REDACTED]
<b>Existing drawings</b>	
<b>Proposed drawings</b>	
<b>Photographs</b>	
<b>Declaration</b>	
<b>I/we the undersigned, confirm and that I/we are seeking pre-application advice on the proposed</b>	yes



development described in the attached documentation.-

<b>Date</b>	19/01/2023
<b>Payment Ref</b>	[REDACTED]
<b>Name</b>	Amanda Sutton

Amount to be paid: [REDACTED]

Order summary:

Item	Price	Total
Application type inc. site meeting: - Major	[REDACTED]	[REDACTED]
<b>TOTAL</b>	[REDACTED]	

[REDACTED]

**APPENDIX 5**

**Email Correspondence for SA31: Land to the rear of Firlands, Scaynes Hill  
(Redacted)**

## Natalie Sharp

---

**From:** Richard Skelley <[REDACTED]>  
**Sent:** 08 June 2023 13:35  
**To:** Natalie Sharp  
**Cc:** Steven Doel  
**Subject:** RE: SA31: Land to the rear of Firlands, Scaynes Hill

Hi Natalie

Thank you for the information on the review of the Plan, myself and my colleague Steve Doel (Planning Manager) are monitoring the progress.

Yes you are correct, we have had 2 pre-application meetings with your colleagues, and I am pleased to say we had valuable input from those meetings.

We are working with the design team on an amended scheme including the feedback following the last pre-application meeting. We do anticipate this will be a detailed application rather than outline and will be supported by the requisite surveys and consultant reports.

We aim to be able to submit the planning application (allowing for the requisite ecology surveys, etc), in Autumn this year. On a project of this scale, assuming we get an application determined in 3-6 mons, allowing for condition approval we anticipate the first completions being 1 year from site commencement, say Summer 2025 and final completions a further 6-9 months to Spring 2026.

I trust this this is helpful but please do not hesitate to contact myself or Steve as I am on leave next week.

Kind regards

**Richard Skelley**

[REDACTED]

**Denton Homes Ltd**

The Rear Barn, The Manor Farm  
124 Manor Road North  
Thames Ditton, Surrey, KT7 0BH  
Tel: [REDACTED]  
e-mail: [REDACTED]

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*Statutory information: Denton Homes Limited is registered in England & Wales with a company number 2043978. The company's VAT registration number is 332 7691 91. The company's registered office is: Upper Deck, Admiral's Quarters, Portsmouth Road, Thames Ditton, Surrey KT7 0XA.*

---

**From:** Natalie Sharp [REDACTED]  
**Sent:** Wednesday, May 17, 2023 9:45 AM  
**To:** Richard Skelley [REDACTED]  
**Subject:** SA31: Land to the rear of Firlands, Scaynes Hill

Good morning Richard,

**APPENDIX 6**

**SA31: Land to the rear of Firlands, Scaynes Hill - Pre-Application Enquiry  
(Redacted)**



## **Denton Homes Limited**

The Rear Barn, The Manor Farm, 124 Manor Road North, Thames Ditton,  
Surrey, KT7 0BH

Tel: (020) 8398 7575 Fax: (020) 8398 0707

[www.dentongroup.com](http://www.dentongroup.com)

### **Planning Department**

Mid Sussex District Council  
Oaklands Road,  
Haywards Heath,  
RG16 1SS

13 December 2022

Dear Sir/Madam,

### **Proposed residential development on land to the rear of Firlands, Church Road, Scaynes Hill**

On behalf of Denton Homes Ltd. please find enclosed a follow-up pre-application enquiry in respect of proposed residential development on land to the rear of Firlands, Scaynes Hill ("the Site"). This application is accompanied by the following drawing:

- 1005 Rev 2 – Sketch Scheme 2.

### **Background**

The Site in this case is allocated for development comprising 20 residential dwelling under policy SA31 of the adopted Site Allocations DPD.

An initial pre-application enquiry was submitted in April 2022, showing how 20 dwellings could be accommodated on the site.

**[REDACTED]**

**APPENDIX 7**

**Email Correspondence for Land at Hanlye Lane to the east of Ardingly Road,  
Cuckfield (Redacted)**

## Natalie Sharp

---

**From:** Chris Kelly  
**Sent:** 19 May 2023 14:54  
**To:** Estelle Maisonnial; [REDACTED]  
**Subject:** RE: Land at Hanlye Lane to the east of Ardingly Road, Cuckfield - Housing Trajectory

Estelle

That was good timing indeed. We have just this afternoon exchanged contracts with a regional housebuilder for the sale of the site; that contract includes the obligation to submit a detailed planning application in accordance with the allocation within 4 months of today's date so by 19<sup>th</sup> September. The party are well advanced with their proposals and background reports and I would expect that your Officers will be hearing from them imminently.

Kind Regards

Chris

---

**From:** Estelle Maisonnial [REDACTED]  
**Sent:** Friday, May 19, 2023 11:10 AM  
**To:** Edward Hanson [REDACTED]  
**Cc:** Chris Kelly [REDACTED]  
**Subject:** Land at Hanlye Lane to the east of Ardingly Road, Cuckfield - Housing Trajectory

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Edward,

I hope this email finds you well.

### **SA23 – Land at Hanlye Lane to the east of Ardingly Road, Cuckfield**

As you may be aware, the Council has been working on the review of the 2018 District Plan. The first consultation stage (Regulation 18) of the [draft District Plan 2019 – 2039](#) was undertaken at the end of 2022. The draft Plan, supporting evidence base and representations are available to view on our [consultation page](#).

Over the past few months, we have been working through the representations and considering the comments raised.

Part of the work we are currently undertaking for Regulation 19 is to prepare a housing trajectory to cover the Plan period. To this end, we are contacting site proponents requesting a position update on the delivery programme.

From our files, we note that a planning application has not yet been submitted. Please are you able to provide an update on the site's progress towards submission? Are there any supporting documents/surveys being prepared in advance of submission? And is there an anticipated date for seeking pre-application advice or submission of an outline/ full planning application?

Thank you in advance for your assistance and, if you wish to keep informed of the next stages of the District Plan Review, and have not already done so, please register for email alert updates through our consultation page. If you have any questions, please do not hesitate to contact myself or another member of the Planning Policy Team.

Kind regards,

**APPENDIX 8**

**Email Correspondence for SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead (Redacted)**



## Natalie Sharp

---

**From:** Wilson, Gareth [REDACTED]  
**Sent:** 17 May 2023 17:19  
**To:** Kate Brocklebank  
**Cc:** Damon Turner; Steve Ashdown  
**Subject:** RE: SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Kate

On behalf of Damon / Welbeck, I can confirm we will be submitting the planning application in around a month from now.

I have left you a VM to chat through the background, do give me a call when convenient.

I have set out the anticipated programme for delivery below:

- Planning Submission: Mid June 2023
- Decision Notice: December 2022
- Completion of Phase 1 (Primary Infrastructure / Sports Provision / SANG): Mid 2026
- Commence Construction of Residential Phases: 2025
- First Housing Occupations: Mid 2026
- Completion of Scheme: 2031

Kind regards  
Gareth

---

**From:** Kate Brocklebank [REDACTED]  
**Sent:** 17 May 2023 10:31  
**To:** Damon Turner [REDACTED]  
**Cc:** Wilson, Gareth [REDACTED]  
**Subject:** SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead

Dear Damon,

### **SA20: Land South and West of Imberhorne Upper School, Imberhorne Lane, East Grinstead**

As you may be aware, the Council has been working on the review of the 2018 District Plan. The first consultation stage (Regulation 18) of the [draft District Plan 2019 – 2039](#) was undertaken at the end of 2022. The draft Plan, supporting evidence base and representations are available to view on our [consultation page](#).

Over the past few months, we have been working through the representations and considering the comments raised.

Part of the work we are currently undertaking for Regulation 19 is to prepare a housing trajectory to cover the Plan period. To this end, we are contacting site proponents requesting a position update on the delivery programme.

We are aware that pre-application has been submitted and a PPA drafted however a planning application is yet to be submitted. I'd be most grateful for an understanding on the likely timescales for submission of a planning application and without prejudice to the ultimate decision, a understanding of the timescales you are working towards for commencement on site. It will also be helpful to understand when first completions are anticipated and how many years the development is expected to take to build out.

EP10

**South Kesteven District Council Housing Deliverability Form**

**April 2022**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>														
<b>Site Reference</b>		<b>S19/0338 Bridge End Road, Grantham, NG31 7TS (205)</b>												
		<i>Completions to 31<sup>st</sup> March 2022: 0</i>												
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	40	40	40	40	45	0	0	0	0	0	0	0	0
<i>Explanation: Site projections based on site of similar size and location.</i>														

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
	<input type="radio"/>	No	<input type="radio"/>	Yes

If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
<b>Comments</b>														

## Part B: Deliverability

### Section 1 – About the Site

Site Reference	S19/0338
Site Address	Bridge End Road, Somerby Hill, Grantham, NG13 7TS
Agent/Landowner	Cerda Planning Ltd /Balderson Brothers

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	
Not Aware	✓

### Section 2 – Deliverability

Landownership		
1	Do all landowners with an interest in the site support the development of the site?	<u>Yes</u>
2	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	<u>Yes</u>  <u>Not aware of</u>
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	<u>Not available</u>
Timescales		
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	<u>24/25</u>

<b>5</b>	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	<u>N/A</u>	
<b>6</b>	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?	<u>N/A</u>	
<b>Site Delivery</b>			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full		
	Outline	✓	S19/0338 – 29 Nov 2021
	Reserved Matters		
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	<u>2022 – Q3</u>	
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?	<u>N/A</u>	
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	<u>No</u>	
<b>10</b>	When do you think that the affordable housing element will be delivered?	<u>25/26</u>	
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	<u>Not aware</u>	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?	<u>3 months</u>	
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?	<u>24/25 – Q3</u>	

### Section 3 – Infrastructure

<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	<b>None</b>
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	<b>24/25</b>
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure? If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	<b>No</b>

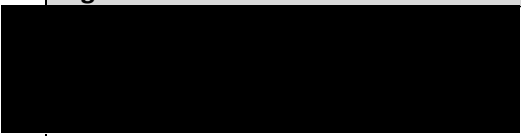
### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

<b>Site Reference</b>	<b>S19/0338</b>
<b>Site Address</b>	<b>Bridge End Road Grantham Lincolnshire NG31 7TS</b>

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

Landowner(s)	
Signature(s)	
Date	
Developer (where an option agreement is in place)	

Signature	Date
 <b>DEBBIE FARRINGTON DipTP MRTPI</b> On behalf of Balderson Brothers	25/04/2022

**South Kesteven District Council Housing Deliverability Form**

**April 2022**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>														
<b>Site Reference</b>		<b>S18/1557 The Grantham Church High School, Queensway, Grantham, NG31 9RA (40)</b>												
		<i>Completions to 31<sup>st</sup> March 2022: 0</i>												
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	0	40	0	0	0	0	0	0	0	0	0	0	0
<i>Explanation: Council’s projections based on site of similar site and location.</i>														

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	Yes		No	
--	-----	--	----	--

If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
<b>Comments</b>														

## Part B: Deliverability

### Section 1 – About the Site

Site Reference	
Site Address	
Agent/Landowner	

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	
Not Aware	

### Section 2 – Deliverability

Landownership		
1	Do all landowners with an interest in the site support the development of the site?	
2	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	
Timescales		
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	



<b>5</b>	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)		
<b>6</b>	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?		
<b>Site Delivery</b>			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full		
	Outline		
	Reserved Matters		
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?		
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?		
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?		
<b>10</b>	When do you think that the affordable housing element will be delivered?		
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?		
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?		
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?		

### Section 3 – Infrastructure

<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure? If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	

### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

<b>Site Reference</b>	
<b>Site Address</b>	

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

Landowner(s)	
Signature(s)	
Date	
Developer (where an option agreement is in place)	

<b>Signature</b>	<b>Date</b>

## Amy Bonfield

---

**From:** Amy Bonfield  
**Sent:** 17 May 2021 11:37  
**To:** Amy Bonfield  
**Subject:** FW: South Kesteven District Council Annual Position Statement Housing Deliverability Request Form APS041

---

**From:** Angela Rennie [REDACTED]  
**Sent:** 04 May 2021 17:59  
**To:** Jessica Dewar <[J.Dewar@southkesteven.gov.uk](mailto:J.Dewar@southkesteven.gov.uk)>  
**Subject:** RE: South Kesteven District Council Annual Position Statement Housing Deliverability Request Form APS041

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Jessica  
Thank you for your email.  
We are content for the delivery rates to be based on the Council's own assumptions and expect the site to be brought forward for development once a decision has been issued but we are unable to put a timeframe on this.  
Hope this helps.  
Kind regards

Angela Rennie  
Office Manager

Tel : [REDACTED]  
[REDACTED]



[REDACTED]

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**From:** Jessica Dewar [<mailto:J.Dewar@southkesteven.gov.uk>]  
**Sent:** 04 May 2021 12:01  
**To:** Angela Rennie [REDACTED]  
**Cc:** Amy Bonfield <[A.Bonfield@southkesteven.gov.uk](mailto:A.Bonfield@southkesteven.gov.uk)>  
**Subject:** South Kesteven District Council Annual Position Statement Housing Deliverability Request Form APS041

Dear Angela,

Thank you for your email. The request for a submission on delivery rates is to inform the Council's APS and the anticipated delivery of housing on all sites across the District. The site LV-H7 Main Road (South), Long Bennington is allocated for housing within the Local Plan and the principle of development for housing is accepted by the Local Plan. Should you wish to continue to not submit a response, the site is considered to be deliverable and delivery rates will be based on the Council's own assumptions.

I would be grateful if you could confirm that once a decision has been issued the site will be brought forward for development?

Kind regards,

Jessica.

---

**From:** Angela Rennie [REDACTED]  
**Sent:** 28 April 2021 17:20  
**To:** Amy Bonfield <[A.Bonfield@southkesteven.gov.uk](mailto:A.Bonfield@southkesteven.gov.uk)>  
**Cc:** PLANNING POLICY <[PLANNINGPOLICY@southkesteven.gov.uk](mailto:PLANNINGPOLICY@southkesteven.gov.uk)>  
**Subject:** FW: South Kesteven District Council Annual Position Statement Housing Deliverability Request Form APS041

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Amy

Thank you for your email below, requesting information on **Local Plan Allocation LV-H7 Main Road (South), Long Bennington.**

This site refers to application ref : S20/0775, which is still undetermined; we are waiting for a date when the application will be heard at committee.

Until a decision has been issued unfortunately we are not able to complete the information you are requesting.

Kind regards

Angela Rennie  
Office Manager

Tel : [REDACTED]  
[REDACTED]



[REDACTED]

**Part A: Projected Completions**

The table below contains data from the Council's previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council's Projected Completions</b>														
<b>Site Reference</b>		<b>Local Plan Allocation LV-H10 Thistleton Lane and Mill Lane (34)</b>												
		<b>Completions to 31<sup>st</sup> March 2022: 0</b>												
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	0	0	8	9	9	8	0	0	0	0	0	0	0
<i>Explanation: Council's projections based on previous APS submission (site was removed from supply in accordance with Inspectors report). Site has two landowners, part of site temporary occupation of a poultry farm. Planning application expected within 1 year for Bullimores Sand and Gravel parcel.</i>														

<b>Do you agree that the information provided in the above Council's Projected Completions table is correct?</b>	Yes		No	<input checked="" type="checkbox"/>
--	-----	--	----	-------------------------------------

If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	6	8	10	10	0	0	0	0	0	0	0	0	0
<b>Comments</b>														
we are moving towards the submission of an outline planning permission application in 2022 which, once approved, should accelerate the future development of the site														

**Part B: Deliverability**

**Section 1 – About the Site**

Site Reference	ALLOCATION LV - H10
Site Address	THISTLETON LANE + MILL LANE
Agent/Landowner	BULLIMORES

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	<input checked="" type="checkbox"/>
Not Aware	<input type="checkbox"/>

POTENTIAL ECOLOGICAL ISSUES

**Section 2 – Deliverability**

Landownership		
1	Do all landowners with an interest in the site support the development of the site?	YES
2	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	YES  NO AGREEMENT AS YET
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	
Timescales		
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	2024 ONWARDS

5	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	OPP TO BE APPLIED FOR IN SUMMER 2022	
6	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?	N/A	
<b>Site Delivery</b>			
7	Has the site got planning permission	Yes/No	Application number and date of decision
	Full	NO	
	Outline	NO	
	Reserved Matters	NO	
7a	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	N/A	
8	If you do not have planning permission, when do you intend to submit a planning application?	OPP TO BE APPLIED FOR IN SUMMER 2022	
9	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	POSSIBLE ECOLOGY ISSUES	
10	When do you think that the affordable housing element will be delivered?	NOT KNOWN	
11	What is the planned phasing of delivery and are there any specific reasons for this?	SEE PART A	
12	If site is not under construction what time has been allowed for site preparation works?	18 + MONTHS	
13	If site is not under construction when do you expect to complete the first dwelling?	2024?	

### Section 3 – Infrastructure


14	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	NEW ACCESS TO MILL LANE AND FOOTPATH LINK VIA HAROLD ROAD
15	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	NO
16	Is the site dependent upon the provision of off-site infrastructure? If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	NO


### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

Site Reference	ALLOCATION LV - H10
Site Address	TRISTLETON LANE + MILL LANE, SOUTH WITHAM

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

Landowner(s)	BULLIMORES
Signature(s)	
Date	12 APRIL 2022
Developer (where an option agreement is in place)	N/A

Signature	Date
	12 APRIL 2022



**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>														
<b>Site Reference</b>		<b>Local Plan Allocation LV-H10 Thistleton Lane and Mill Lane (34)</b>												
<i>Completions to 31<sup>st</sup> March 2022: 0</i>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	0	0	8	9	9	8	0	0	0	0	0	0	0
<i>Explanation: Council’s projections based on previous APS submission (site was removed from supply in accordance with Inspectors report). Site has two landowners, part of site temporary occupation of a poultry farm. Planning application expected within 1 year for Bullimores Sand and Gravel parcel.</i>														

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	Yes		No	No
--	-----	--	----	----

If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
	8	9	9	8										
<b>Comments</b>														
This is due to the short term extension to the life of the poultry farm at South Witham.														

## Part B: Deliverability

### Section 1 – About the Site

<b>Site Reference</b>	LV-H10
<b>Site Address</b>	Land to the west of Thistleton lane, South Witham, NG33 5QE
<b>Agent/Landowner</b>	Landowner

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

<b>Aware</b>	
<b>Not Aware</b>	Yes

### Section 2 – Deliverability

<b>Landownership</b>		
<b>1</b>	Do all landowners with an interest in the site support the development of the site?	Yes, the shareholders of GW Padley Holdings Limited support the development of this site.
<b>2</b>	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	Yes and the developer not identified as yet.  No.
<b>3</b>	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	Yes, please find attached.
<b>Timescales</b>		
<b>4</b>	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	Within the plan period.

<b>5</b>	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	We are currently discussing the site with our planning consultant.	
<b>6</b>	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?	<u>N/A.</u>	
<b>Site Delivery</b>			
<b>7</b>	<b>Has the site got planning permission</b>	<b>Yes/No</b>	<b>Application number and date of decision</b>
	Full	No	
	Outline	No	
	Reserved Matters	No	
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	N/A.	
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?	Within the plan period.	
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	Market trends/demand.	
<b>10</b>	When do you think that the affordable housing element will be delivered?	To be agreed with the LPA and subject to viability.	
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	To be agreed with the LPA.	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?	3-6 months.	
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?	Within the first 12-18 months.	

### Section 3 – Infrastructure


<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	None to our knowledge, local services are available.
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	N/A.
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure? If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	No.

### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

<b>Site Reference</b>	LV-H10
<b>Site Address</b>	Land to the west of Thistleton Lane, South Witham, NG33 5QE

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

<b>Landowner(s)</b>	Richard G Padley
<b>Signature(s)</b>	
<b>Date</b>	03/04/2022
<b>Developer (where an option agreement is in place)</b>	N/A

<b>Signature</b>	<b>Date</b>
N/A	N/A

**South Kesteven District Council Housing Deliverability Form**

**April 2022**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b><i>Council’s Projected Completions</i></b>														
<b><i>Site Reference</i></b>		<b><i>Local Plan Allocation DEP1-H1 Towngate West, Market Deeping (75)</i></b>												
		<b><i>Completions to 31<sup>st</sup> March 2022: 0</i></b>												
<i>22/23</i>	<i>23/24</i>	<i>24/25</i>	<i>25/26</i>	<i>26/27</i>	<i>27/28</i>	<i>28/29</i>	<i>29/30</i>	<i>30/31</i>	<i>31/32</i>	<i>32/33</i>	<i>33/34</i>	<i>34/35</i>	<i>35/36</i>	<i>2036 and beyond</i>
0	0	0	0	23	50	0	0	0	0	0	0	0	0	0
<i>Explanation: Council’s projections based on previous APS submission.</i>														

<b>Do you agree that the information provided in the above <i>Council’s Projected Completions</i> table is correct?</b>	Yes		No	✓
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If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
			23	50										
<b>Comments</b>														

## Part B: Deliverability

### Section 1 – About the Site

<b>Site Reference</b>	DEP1-H1
<b>Site Address</b>	Land West of Peterborough Road (Towngate West), Market Deeping
<b>Agent/Landowner</b>	The Rathbone Trust, c/o Mr Robert Love, Principal Planner, Bidwells, John Ormond House, 899 Silbury Boulevard, Milton Keynes, MK9 3XJ

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

<b>Aware</b>	
<b>Not Aware</b>	✓

### Section 2 – Deliverability

Landownership		
<b>1</b>	Do all landowners with an interest in the site support the development of the site?	Yes.
<b>2</b>	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	Yes.
<b>3</b>	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	Confirmed.
Timescales		
<b>4</b>	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	Approximately 2025/26.

<b>5</b>	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	The intention is to prepare and submit an outline planning application by the end of 2022.	
<b>6</b>	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?	N/A	
<b>Site Delivery</b>			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full	No	
	Outline	No	
	Reserved Matters	No	
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	N/A	
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?	The intention is to prepare and submit an outline planning application by the end of 2022.	
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	Unknown.	
<b>10</b>	When do you think that the affordable housing element will be delivered?	Delivery of affordable housing to be confirmed.	
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	Planned phasing of delivery to be confirmed.	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?	To be confirmed.	
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?	Approximately 2025/26.	

### Section 3 – Infrastructure

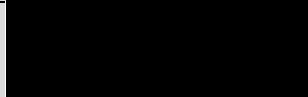
<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	To be confirmed.
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	To be confirmed.
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure? If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	To be confirmed.


### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

<b>Site Reference</b>	DEP1-H1
<b>Site Address</b>	Land West of Peterborough Road (Towngate West), Market Deeping

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

Landowner(s)	The Rathbone Trust, c/o Mr Robert Love, Principal Planner, Bidwells, John Ormond House, 899 Silbury Boulevard, Milton Keynes, MK9 3XJ
Signature(s)	
Date	12 <sup>th</sup> April 2022
Developer (where an option agreement is in place)	N/A

<b>Signature</b>	<b>Date</b>
	12 <sup>th</sup> April 2022



**South Kesteven District Council Housing Deliverability Form**

**April 2022**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b><i>Council’s Projected Completions</i></b>														
<b><i>Site Reference</i></b>		<b><i>SKDC Council Capital Programme –Brittain Drive (16)</i></b>												
		<b><i>Completions to 31<sup>st</sup> March 2022: 0</i></b>												
<i>22/23</i>	<i>23/24</i>	<i>24/25</i>	<i>25/26</i>	<i>26/27</i>	<i>27/28</i>	<i>28/29</i>	<i>29/30</i>	<i>30/31</i>	<i>31/32</i>	<i>32/33</i>	<i>33/34</i>	<i>34/35</i>	<i>35/36</i>	<i>2036 and beyond</i>
0	0	16	0	0	0	0	0	0	0	0	0	0	0	0
<i>Explanation: Site in Council’s Capital Programme and Housing Revenue Account. Submission of planning application anticipated late 2022.</i>														

<b>Do you agree that the information provided in the above <i>Council’s Projected Completions</i> table is correct?</b>	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>														
22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
<b>Comments</b>														

## Part B: Deliverability

### Section 1 – About the Site

Site Reference	Brittain Drive
Site Address	Land to rear of 63-89 Brittain Drive, Grantham
Agent/Landowner	SKDC

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	x
Not Aware	

### Section 2 – Deliverability

Landownership		
1	Do all landowners with an interest in the site support the development of the site?	<u>Yes</u>
2	Have the landowners agreed to sell the land for development?  If so, are there any restrictions included in the option /developer agreement	<u>NA</u>
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site	
Timescales		
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	22/23

<b>5</b>	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	<b><u>Pre-app submitted 22/12/21</u></b>	
<b>6</b>	If the site is not expected to be built within the next five years (i.e. by 2026/27) what are the reasons for this?		
<b>Site Delivery</b>			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full	NO	
	Outline	NO	
	Reserved Matters	NO	
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	<b><u>NA</u></b>	
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?	<b><u>22/23</u></b>	
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	<b><u>Possibility of other sites being prioritised</u></b>  <b><u>Some technical constraints with pylon and unregistered ransom strip on access</u></b>	
<b>10</b>	When do you think that the affordable housing element will be delivered?	<b><u>All affordable</u></b>	
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	<b><u>One phase</u></b>	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?	<b><u>tbc</u></b>	
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?	<b><u>23/24</u></b>	

EP11



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# **Report to South Kesteven District Council**

**by Christina Downes BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Date 28 September 2023

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## **Report on the Council's 5 Year Housing Land Supply Annual Position Statement 2023**

The Annual Position Statement was submitted by the Council on 31 July 2023

## **RECOMMENDATION TO THE SOUTH KESTEVEN DISTRICT (the Council)**

1. The Council's draft Annual Position Statement (APS) dated July 2023 can demonstrate a 5 year supply of deliverable housing sites, subject to the **removal of 866 dwellings** as follows:
  - a. APS 017: Land north of Barnack Road, Stamford (**110 dwellings to be removed from the supply**)
  - b. APS 023: Land north of Towngate East and south of Northfield Road, Market Deeping (**120 dwellings to be removed from the supply**)
  - c. APS 041: Main Road (South), Long Bennington (**39 dwellings to be removed from the supply**)
  - d. APS 043: Thistleton Lane and Mill Lane, South Witham (**28 dwellings to be removed from the supply**)
  - e. APS 045: Towngate West, Market Deeping (**73 dwellings to be removed from the supply**)
  - f. APS 048: Rectory Farm (Phase 2 North West Quadrant), Grantham (**100 dwellings to be removed from the supply**)
  - g. APS 049: Prince William of Gloucester Barracks, Grantham (**175 dwellings to be removed from the supply**)
  - h. APS 054: Folkingham Road, Morton (**71 dwellings to be removed from the supply**)
  - i. APS 058: Stamford North (**150 dwellings to be removed from the supply**)
2. The total deliverable supply is 3,950 dwellings against a requirement (plus 10% buffer) of 3,942 dwellings. This results in a **housing land supply of 5.01 years**.
3. The Council is now entitled to rely on the supply as shown in the draft APS and subject to the above revisions, until 31 October 2024.

## **CONTEXT TO THE RECOMMENDATION**

4. Paragraph 75 of the National Planning Policy Statement (the Framework) allows a Council to establish that it has a 5 year supply of deliverable housing sites through an APS. The procedures to be followed are set out in the Planning Practice Guidance (the PPG)<sup>1</sup>. The Council advised the Planning Inspectorate of its intention to do so by 1 April 2022 as required.

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<sup>1</sup> PPG paragraphs ID: 68-004-20190722- ID: 68-018-20190722 (revision 22 July 2019).

5. The PPG says that the Planning Inspectorate will carry out a two-stage assessment when considering the draft APS. The first stage considers whether the correct process has been followed and the second stage considers whether the supporting evidence is sufficient.
6. The draft APS has been considered solely on the written evidence that has been submitted by the Council.

## **THE STAGE 1 ASSESSMENT**

### **Whether the circumstances permit the APS procedure to be followed**

7. The PPG indicates that the Council can seek to confirm their land supply through an APS where they are able to renew a previously confirmed APS. In this case, APS's have been submitted for the previous 3 years. In each case PINS has confirmed that a 5 year supply of deliverable housing sites can be demonstrated. The 2022 APS remains valid until 31 October 2023. The Council is therefore eligible to renew its land supply for the period commencing 1 April 2023.
8. The 5 years in the draft APS covers the period 1 April 2023 to 31 March 2028. It therefore follows on from the 2022 APS, which was confirmed on 5 October 2022. The circumstances permitting the APS procedure to be followed are therefore met.

### **Whether engagement with stakeholders has been satisfactory**

9. The PPG indicates that the Council needs to engage with stakeholders who have an impact on the delivery of sites. This is so that delivery assumptions can be robustly challenged, and consensus reached where possible. The Council has followed a similar deliverability and stakeholder consultation format to its previous APS's. It has produced a Statement of Engagement (July 2023), which explains the engagement process.
10. Deliverability Information Request (DIR) forms were sent out to developers, agents and landowners of sites with an extant planning permission of 10 or more dwellings, allocations in the South Kesteven District Local Plan (the LP) and the Council's Capital Programmes. The intention was to gain an up-to-date picture of how the delivery on the sites in question was progressing. This exercise was undertaken in April 2023 for a period of 3 weeks and reminders were sent out towards the end of that period. Responses were received for 68% of the sites and there was a 74% response for Local Plan sites.
11. The information that was obtained from the above exercise informed the draft APS which was published for consultation over 4 weeks in May and June 2023. Consultees included large and small developers, private and public landowners, land promoters as well as infrastructure providers, Lincolnshire County Council and neighbouring local authorities. The stakeholders broadly covered those referred to in the PPG. A higher

proportion of those invited to comment were from the development industry to meet a criticism made by my colleague in his 2022 Report.

12. Stakeholders were contacted directly about the consultation but also the documents were placed on a dedicated webpage as well as the main webpage for consultations within the Council's website. It therefore seems to me that those who wished to comment on the draft APS will have had ample opportunity to do so. The range of stakeholders and the consultation process was thorough and robust, and I consider that the engagement process has been undertaken satisfactorily.

## **THE STAGE 2 ASSESSMENT**

### **The housing requirement**

13. The housing requirement for 650 dwellings per year is set out in policy SP1 of the LP, which was adopted in January 2020.
14. The LP Inspector agreed that the circumstances in South Kesteven District justified the use of the "Liverpool" method to address past under supply. This essentially spreads the shortfall over the whole LP period rather than seeking to address it over a 5 year period as in the "Sedgefield" method. The approach has been considered in the previous APS's and in each case the continuance of the Liverpool method was endorsed. Since the 2022 APS Report there has been no objection on the grounds that a change to the Sedgefield approach would be more appropriate. Accordingly, there is no evidence to justify applying a different approach and I consider that the use of the Liverpool method is acceptable in this case.
15. The requirement over the 5 year period (2023-2028) is therefore 3,583 dwellings, taking account of the shortfall.

### **The appropriate buffer**

16. The buffer is not part of the housing requirement. It is brought forward from later in the trajectory to increase choice and competition in the market for land. Paragraph 74 in the Framework confirms that the minimum buffer for the purposes of an APS is 10%. However, the PPG indicates that the buffer should be appropriate and can be higher in the event of under delivery over the past 3 years. Unfortunately, the 2022 Housing Delivery Test (HDT) result has not yet been published. However, the 2021 HDT result was 110% and the 2020 HDT result was 99%, so well above the 85% threshold. I have no evidence to indicate that delivery has declined to the extent that a higher buffer would be justified or appropriate.
17. The requirement plus buffer is 3,942 dwellings over the 5 year period.

### **The housing supply**

18. The Council considers it has a supply of deliverable housing sites for 4,816 dwellings. Based on the above, this would be a supply of 6.1 years. The



Framework includes a definition of “deliverable” in the Glossary. The overall requirement is that the housing site should be suitable, available and have a realistic prospect of delivery on the site within 5 years. The Framework identifies two main categories of site:

- a. Category A: Small sites with planning permission and all sites with detailed planning permission are considered deliverable unless there is clear evidence that homes will not be delivered within the 5 year period.
- b. Category B: Major developments<sup>2</sup> with outline planning permission, allocations in a development plan, grants of a permission in principle or developments identified on a Brownfield Register are considered deliverable where there is clear evidence that there will be housing completions on site within 5 years.

### **Whether a 5 year supply of deliverable housing sites has been demonstrated**

19. The draft APS divides the supply into a number of categories, and I consider these below. It is noted that there was no specific objection relating to the deliverability of any of the sites forming the 5 year housing supply in the engagement to the draft APS. However, in the initial engagement some respondents suggested alternative delivery rates. In most cases the Council adjusted its trajectories to take account of these suggestions, which did not alter the overall delivery over the 5 year period. I have considered each of the sites on the basis of the written evidence. Following that exercise, I have looked more closely at 15 of the major sites as set out below.

#### ***Small sites with planning permission***

20. These include 275 dwellings that are under construction and 468 dwellings that have planning permission, but construction has not started. Of the latter, the vast majority have full planning permission and involve under 5 dwellings. A 10% lapse rate has been applied as recommended by the LP Inspector and endorsed by my colleagues in previous APS's. I note however that this does not seem to be backed up by monitoring and that in previous years respondents have commented that it should have been set significantly higher. Whilst there was no such criticism this time, the Council would be well advised to consider addressing this matter when it considers its supply in 2024.
21. In the circumstances, I agree that 669 dwellings from this source is a reasonable assessment.

#### ***The windfall allowance***

22. The windfall allowance is 30 dwellings per year, applied to the last 3 years of the trajectory. I appreciate that it has been accepted by my colleagues in the

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<sup>2</sup> The Framework defines major housing development as that with 10 or more dwellings.

previous APS's and I have no reason to doubt the 30 dwelling per year allowance. However, great care needs to be taken to avoid double counting with the permitted small sites. Windfalls are unexpected but, in many cases, so are small sites and there can be an overlap between the two. Of the sites where construction has not commenced, there is no information about when the planning permission was granted, and it is reasonable to assume that some permissions could still be extant into year 3. Whilst I will not make an adjustment this time, the Council needs to consider in its assessment next year whether it would be more prudent to apply windfall allowances only to the last 2 years of the trajectory.

***Large sites with planning permission not under construction***

*APS 006: 1 Station Approach, Ancaster (30 deliverable dwellings)*

23. This site was not part of the supply in the 2022 APS. Full planning permission was granted in October 2022 for 30 dwellings, which includes the conversion and extension of the former railway warehouse to form 20 apartments. Although the site falls within Category A, the information indicates that the site is a bus depot. There is no evidence as to whether the use is currently operational and, if so, when the site will be available for redevelopment. No response had been made by the landowner or land agent and the draft APS and Statement of Engagement provides very little information.
24. The trajectory shows delivery in the last 2 years. Furthermore, the new build element is not anticipated until year 5. This is a relatively small development, and on balance I am inclined to agree that the site will be delivered within the 5 year period.

***Large sites under construction***

*APS 002: The Old Quarry, Station Road, Castle Bytham (81 deliverable dwellings)*

25. The site has full planning permission for 87 dwellings, including 6 self-build plots which are under construction. These have been included as a small site and so have been removed from the large sites supply leaving 81 dwellings. The information indicates that there are no infrastructure constraints, and the landowner seems to concur with the Council's trajectory of all dwellings being built out in years 2 to 4. This though is subject to the sale of the land.
26. The evidence suggests that progress with this site has not been straightforward. Outline planning permission was granted some years ago and the site was divided into 3 plots. Plot A was to be 18 self-build dwellings but the Inspector's 2020 APS Report records that there was little interest, probably due to the economic situation and the Covid-19 pandemic. The Report anticipated that reserved matters for Plots B and C would be approved by September 2020. Although the Inspector considered the trajectory optimistic, he did think that the site was deliverable.

27. The next reference to the site is in the 2022 APS Report. By this time there were 6 self-build plots under construction. The Inspector thought there were clear signs of progress and agreed to all 81 dwellings being included in years 3, 4 and 5. The situation today has not changed significantly and the 6 self-build plots are still said to be under construction. The issue seems to be moving from the permission stage to the construction stage.
28. There is no information as to what efforts have been made in this respect, whether active marketing has been started or whether there is any interest, formal or informal, in constructing the site. The site is capable of being developed but the question is one of timing. On balance I consider that it should stay in the trajectory but that it should be moved back to years 3, 4 and 5. This means that the 81 dwellings would still be delivered within the 5 year period. However, if progress is not made within the next year the Council should seriously consider the extent to which the site should continue to be included in its 5 year supply.

*APS 017: Land north of Barnack Road, Stamford (110 deliverable dwellings)*

29. This site is partly owned by the Council. In the 2022 APS Report the Inspector indicated that outline planning permission had been granted, some conditions had been discharged and demolition of the factory was underway. He agreed that 80 dwellings would be delivered in years 4 and 5. The landowner appears confident that completions will come forward in what is now year 3 but suggests a lower build rate of 18 rather than 40 dwellings, albeit that this would rise to 46 dwellings in years 4 and 5.
30. This is a complex mixed-use scheme and although site preparation works are said to be underway, it is not clear what needs to be done before the dwellings are built or how the development and its commercial elements are to be phased. The landowner engagement indicated that there is site wide infrastructure to be provided and more worryingly that off-site infrastructure is to be provided to accord with triggers within the Section 106 Agreement. The effect of this on delivery and thus whether the optimism that homes will be completed in 2025/6 is justified is not explained. Finally, there is no indication as to when reserved matters are to be approved or whether one or more housebuilders are on board to deliver the housing part of the scheme.
31. The 2022 APS Inspector found the lack of fuller information about this site, which is partly owned by the Council, "somewhat surprising" and so do I. This is a Category B site where there should be clear evidence of deliverability within 5 years. Unfortunately, there are too many unknowns to be satisfied that this will be the case. In the circumstances, 110 dwellings should be removed from the supply.

*APS 023: Land north of Towngate East and south of Northfield Road, Market Deeping (120 deliverable dwellings)*

32. The site has planning permission for 240 dwellings and 117 have already been completed. Phases B and C appear to remain, but the housebuilder has

indicated that it is not in a contractual position to build out these parts of the site. Whilst it has indicated a trajectory that would complete the remaining 123 dwellings from year 2, this is dependent on the situation being resolved. In the absence of any further information about what the difficulties actually are, there is insufficient clear evidence that the remainder of this Category A site will be delivered within the time period. For some reason the trajectory in the draft APS includes 120 dwellings. In the circumstances 120 dwellings should be removed from the supply.

### **Sustainable Urban Extensions with planning permission**

*APS 031: Poplar Farm, Grantham (77 deliverable dwellings)*

33. This is part of the Grantham North-West Quadrant Sustainable Urban Extension (SUE). Outline planning permission was granted for 1,800 dwellings. 673 dwellings have been completed and so 1,127 remain. However, delivery is capped at 750 before the Pennine Way Link Road has been delivered and it seems at the present time that no further building is taking place. The landowners have responded to the engagement by indicating that the remaining land can be sold to housebuilders if the cap is removed. They argue that the Link Road and new railway bridge is no longer necessary because of the Grantham Southern Relief Road, which is expected to be completed in 2025. The landowners have therefore proposed an alternative trajectory whereby 350 dwellings would be built within the 5 year period starting in year 2. They say that pre-application discussions have been carried out with the District and County Councils and that a formal application to vary the requirement is to be submitted in 2023.
34. It seems clear that the landowners are keen to get on with the development and that there have been approaches from several interested housebuilders. It is unclear whether reserved matters beyond the 673 dwellings have been submitted or approved but, in any event, the main constraint is the Pennine Way Link Road and railway bridge and whether it will go ahead or not. The Council has objected to any change based on the assumption that the 750 dwelling cap will be lifted and this seems a reasonable position.
35. There would be scope for the outstanding 77 to be built out. The landowners may or may not choose to do that, but it is reasonable at the present time to retain the 77 dwellings in the supply. This has been put in year 5 of the trajectory when it is reasonable to surmise that a decision will have been made on the matter.

### **Allocations in the LP**

*APS 039: Swinstead Road/ Bourne Road, Corby Glen (250 deliverable dwellings)*

36. This is a site that was allocated in the LP and has full planning permission for 265 dwellings. There are two outlets, which are both under construction with 66 dwellings being built by Allison Homes and 199 dwellings by David Wilson Homes. Information was provided by both housebuilders that indicated that

Allison Homes has 47 dwellings left to complete and David Wilson Homes has all 199 dwellings left to complete. The Council's information is that 15 of the Allison Homes dwellings have been completed, which would mean that there are actually 51 dwellings outstanding. This discrepancy has probably arisen through a difference in the way that completions are recorded. This needs to be consistent and so I have relied on the Council's record rather than that of the developer.

37. From the evidence I am satisfied that the 250 remaining dwellings can be delivered within the 5 year period.

*APS 041: Main Road (South), Long Bennington (39 deliverable dwellings)*

38. The site is a LP allocation with outline planning permission granted in May 2022. The 2022 APS Inspector deleted the 10 dwellings shown in year 5 on the grounds of a lack of information. This time the landowner has returned a DIR form anticipating 39 dwellings being delivered in years 3 to 5. There is little other information provided other than that the site is to be re-marketed in 2023. This implies that marketing has been unsuccessful thus far. The landowner indicates that reserved matters are likely to follow the sale but that the delivery schedule will depend on the economic outlook.

39. The Council say that there are no infrastructure constraints but nonetheless there is insufficient clear evidence that this category B site is deliverable. In the circumstance, 39 dwellings should be removed from the supply.

*APS 043: Thistleton Lane and Mill Lane, South Witham (28 deliverable dwellings)*

40. This site was allocated in the LP for an indicative number of 34 dwellings. There are 2 landowners, and the 2022 APS Inspector did not consider that there was sufficient information or signs of progress in bringing the site forward to retain it in the supply. Both landowners have provided information this time and it seems that the landholdings are intended to be brought forward separately. The Council has accepted the trajectories that indicate 28 of the 34 dwellings being brought forward in the 5 year period.

41. However, the Council has provided very little justification for why it considers that this site should be put back into the supply. My colleague expressed a number of concerns about whether the subdivision of the allocated site would be acceptable and constraints such as the existing poultry farm, ecology issues and an off-site footpath. These points have not been addressed at all in the Statement of Engagement or draft APS. One of the criteria in LP policy LV-H10 is that a comprehensive Masterplan is required for the whole site. There is no information about whether this has been provided or how it would be accommodated with two separate proposals.

42. I acknowledge that an outline application has been submitted for 18 dwellings on the northern part of the site and that the landowner of the southern part is in discussion with a planning consultant. I also appreciate that the allocation is for a relatively small number of dwellings. However,

clear evidence has not been provided for this category B site to be considered deliverable. In the circumstances, 28 dwellings should be removed from the supply.

*APS 045: Towngate West, Market Deeping (73 deliverable dwellings)*

43. This site was allocated in the LP for an indicative number of 73 dwellings. The 2022 APS Inspector did not consider that this site was deliverable. The DIR form had indicated that an outline application would be submitted in 2022 and the land marketed for development. However, there was no indication that any preparatory work or site assessment had been undertaken and the answers relating to infrastructure was non-committal.
44. The DIR form proposes 80 dwellings for delivery in years 4 and 5 and it is said that an outline application will be submitted by mid-2023. There is no evidence that this has happened yet. The answers regarding infrastructure are non-committal as before. I find it surprising that the site has reappeared in the supply despite the circumstances remaining unchanged from when my colleague considered the site in 2022. There is no clear evidence of delivery so 73 dwellings should be removed from the supply.

*APS 047: Spitalgate Heath – Garden Village (Southern Quadrant), Grantham (50 deliverable dwellings)*

45. This site is part of the Grantham Southern Quadrant SUE, which is allocated for 7,700 dwellings. The Garden Village is a large mixed-use development, including 3,700 dwellings. An outline application was submitted in 2014 but remains undetermined and the landowner indicates that there is no date for it to be considered in 2023. The 2022 APS Inspector has included considerable detail in his Report about the various issues and constraints, including that relating to foul drainage and electricity supply. However, he also points out that there is a commitment by the Council and the other parties to deliver the scheme. One positive new element is that the Council has now appointed a Case Officer specifically to progress the application. This hopefully will help speed things up and provide more consistency in terms of what is being expected prior to permission being granted.
46. The landowners envisage that once planning permission is granted and the Section 106 Agreement completed, a development partner will be selected. There is clearly interest from major developers to be involved in the delivery of the scheme. The DIR form from the landowners indicates there is still a considerable amount of work to be done and issues to resolve. However, it seems to me, on balance, that there is sufficient clear evidence to be satisfied that 50 dwellings will be delivered in year 5.

*APS 048: Rectory Farm (Phase 2 North-West Quadrant), Grantham (428 deliverable dwellings)*

47. The site is adjacent to the Poplar Farm site and also comprises part of the Grantham North-West Quadrant SUE. In Phase 2, the LP shows an indicative

allocation of 1,150 dwellings. This site has featured in all 3 of the APS Reports both in term of the timing of delivery and its rate. The 2022 APS Inspector did not consider that there would be any housing completions before year 3 and he considered that the build rate would not exceed 90 dwellings per year.

48. Since my colleague considered the matter progress has been made. Full planning permission was granted for 220 and 228 dwellings in January 2023. However, I consider that the Council's trajectory is overly optimistic. This indicates that there will be 28 completions in year 1. There was no reported response to the engagement process from the two housebuilders concerned. Whilst a response was received from the landowner of the northern parcel, as I understand it this land has no planning permission at the moment and its delivery appears to be linked to progress on the adjoining Poplar Farm site. This has issues as I have already reported.
49. There is no information about progress with the discharge of pre-commencement conditions or site preparation. In the circumstances I consider that it would be more realistic for delivery to start in year 2. The rates of delivery start relatively low and then increase to 110. On the assumption that there would be 2 outlets this does not seem unreasonable. Nonetheless, with only 4 years of delivery, 100 dwellings should be removed from the supply.

*APS 049: Prince William of Gloucester Barracks, Grantham (175 deliverable dwellings)*

50. This site forms part of the Grantham Southern Quadrant SUE and has an indicative allocation in the LP for 3,500 to 4,000 dwellings. The site is owned by the Ministry of Defence and has featured in all 3 APS's. The main issue is one of timing in view of the considerable constraints that affect the site. The 2022 APS Inspector raised the issue that military use would remain operational until 2028 and that it was unclear how this would relate to the early phases of the development. There is also the question of delays to the completion of the Grantham South Relief Road and how that will affect the site. Furthermore, the site depends on the new electricity and sewage infrastructure for the Southern Quadrant and how the site will contribute to their funding. The Inspector therefore pushed back the delivery programme to year 5.
51. The Statement of Engagement shows that the Council is working closely with the Defence Infrastructure Organisation on behalf of the Ministry of Defence. The DIF form indicates that survey work is being undertaken in connection with the outline planning application. In terms of when this will be submitted it is said to be subject to review but potentially in 2023. Delivery is expected in 2026 but this appears to depend on utility provision and environmental considerations. The former airfield is indicated as the first phase with 2 years anticipated for site preparation. There is also a rider at the end of the response that the commitment to the development is subject to viability, environmental considerations and Government sign off.

52. There seems to be a bit of a disconnect between the Statement of Engagement and the response from the Ministry of Defence. The latter is quite cautious and raises a few red flags, which do not seem to have been taken into account. The Grantham Southern Relief Road is expected to be fully open in 2025 and therefore does not appear to be a constraint. Furthermore, the liaison between the Council and the Defence Infrastructure Organisation seems to be positive. Nevertheless, I have particular concerns about the reference to viability and seemingly the need for the Government to approve the project. In the absence of any information on these matters I do not consider that there is clear evidence that this Category B site will deliver in the 5 year period. In the circumstances 175 dwellings should be removed from the supply.

*APS 052: Low Road, Barrowby (171 deliverable dwellings)*

53. This is a site allocated in the LP for up to 270 dwellings. Policy LV-H3 in the LP requires a Masterplan for the whole site and for detailed proposals to be in accordance with it. The Council has indicated that a decision on the Masterplan is expected in September 2023. Notwithstanding this, 49 dwellings have already been completed. There are two housebuilders involved with the remainder of the site.

54. Persimmon Homes has submitted a planning application for 67 dwellings, which is under consideration, although the Council say it will not be determined until the Masterplan has been approved. Persimmon anticipate that the development will be built out in years 2 and 3. Even if there is a delay there seems no reason why the 67 dwellings would not be completed well within the 5 year period.

55. Allison Homes proposes 175 dwellings and from its response said it anticipated submitting a planning application in July 2023. To my knowledge this remains outstanding. Work is anticipated to start on site in December 2024 with completions from July 2025. Apart from the approval of the Masterplan there do not seem to be any other constraints. Allison Homes appears to be an active housebuilder in the locality and its delivery programme, which would commence in year 3 and extend beyond the 5 year period seems to me reasonable and achievable.

*APS 054: Folkingham Road, Morton (71 deliverable dwellings)*

56. This is a LP allocation with outline planning permission for 71 dwellings granted in July 2021. The site is owned by Lincolnshire County Council. In the 2022 APS Report the Inspector agreed that 50 dwellings should remain in the trajectory as negotiations were underway for the sale of the land to a developer who would submit the reserved matters application. This sale now appears to have fallen through and the site is to be remarketed.

57. The County Council has suggested 30 dwellings would be completed in year 5. It is indicated that Phase II ground investigation works have now been completed, which should speed up delivery once the site is sold. There is no



information about whether there are any infrastructure constraints. The Council anticipate that a reserved matters application is likely in the next 12-24 months, although the grounds for such optimism are unclear.

58. Although in the Statement of Engagement, the Council has agreed with the landowner's trajectory, its supply in the draft APS anticipates 71 dwellings starting in year 3. There is no explanation for this discrepancy, which I assume is a rather unfortunate error. In the circumstances 41 dwellings need to be removed from the supply. I have carefully considered whether there is sufficient evidence to be confident that the remaining 30 dwellings will start in year 5. The County Council is clearly keen to sell the site and has undertaken preparation works. On the other hand, there is no information about why the sale, which had reached contract stage, fell through. It is relevant to know whether it was related to the site or for some other reason. There is not sufficient clear evidence that this Category B site will deliver within the period in question. In the circumstances 71 dwellings should be removed from the supply.

*APS 058: Stamford North (320 deliverable dwellings)*

59. This is part of a larger SUE which includes Quarry Farm in Rutland County Council's area. The South Kesteven part has an indicative allocation in the LP for 1,300 dwellings. The developer of the Rutland part of the SUE is Allison Homes and an outline application has been submitted for up to 650 dwellings. The South Kesteven part of the SUE is owned by Burghley House Preservation Trust (BHPT) and is to be developed by GummerLeathes, a "Master Developer" who will co-ordinate the development process. An outline application has been submitted for up to 1,350 dwellings. Both applications are said to be working towards a September 2023 Committee date with completion of the legal agreements, including a joint infrastructure planning agreement, by December 2023. A Masterplan has been produced to accompany the planning applications.
60. The developers on the two sites are clearly working collaboratively together to drive the process forward. Information provided in response to the engagement indicated that the aim is to start work on both sites in 2024/5. Based on this start date, the east to west link road between Old Great North Road and Ryhall Road is anticipated for completion between 2028/2029. However, it also appears that further traffic modelling has now agreed to be undertaken based on the new Stamford Transport Model.
61. The housing supply does not take account of any delivery from the Rutland part of the site, not least because its Local Plan has now been withdrawn. Progress is clearly being made but this is a complex site, and the further traffic modelling could cause delay. It seems to me that the GummerLeathes trajectory, which anticipates completions from 2024/5 is overly optimistic, especially given the current position with the planning application and legal agreements. The Allison Homes trajectory suggests completions from year 3 and this seems more realistic.

62. The trajectory in the draft APS does not seem to reflect that put forward by BHPT/ GummerLeathes on the DIR form, despite indicating in the Statement of Engagement that the Council has accepted it. In the absence of any explanation for this discrepancy I have followed the trajectory of the developer but moved it back a year. The overall contribution would be 170 dwellings. This means that 150 dwellings should be removed from the supply.

### **Conclusions on supply**

63. For all of the reasons I have given I consider that the Council can demonstrate a deliverable supply of 3,950 dwellings. This is against a requirement (plus buffer) of 3,942 dwellings, which results in a housing land supply of 5.01 years.

### **OVERALL CONCLUSIONS**

64. The circumstances in this case permit the APS procedure to be followed.

65. The engagement process followed by the Council was satisfactory.

66. The Council's draft APS dated July 2023 has succeeded in demonstrating that a 5 year supply of deliverable sites can be achieved.

*Christina Downes*

INSPECTOR

EP12



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

# South Kesteven District Council

Annual Position Statement 2023  
Statement of Engagement

Appendix 3: Site Deliverability Information



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

**South Kesteven District Council Housing Deliverability Form**

**April 2023**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>													
<b>Site Reference</b>		<b>S20/2056 Land North of Barnack Road, Stamford (190)</b>											
		<i>Completions to 31<sup>st</sup> March 2023: 0</i>											
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
0	0	40	40	40	40	30	0	0	0	0	0	0	0
<i>Explanation: Site has Outline planning permission approved February 2022 for mixed use including c190 dwellings. Demolition of the former Cummings factory building completed December 2022. Council’s projections based on 2022 APS.</i>													

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	Yes		No	X
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If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>													
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
		18	46	46	36	36	8						
<b>Comments</b>													
A reduced number in year 1 to reflect site preparation works and delivery of joint infrastructure. Figures derived from developer input.													

## Part B: Deliverability

### Section 1 – About the Site

Site Reference	APS017
Site Address	Land at Barnack Road, Stamford
Agent/Landowner	Burghley Land Ltd/South Kesteven DC

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	
Not Aware	x

### Section 2 – Deliverability

Landownership					
1	Do all landowners with an interest in the site support the development of the site?	Yes	x	No	
2	Have the landowners agreed to sell the land for development?	Yes	x	No	
	If so, are there any restrictions included in the option /developer agreement	<b>None</b>			
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site.				
Timescales					
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	2025/26			
5	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)	N/A			
6	If the site is not expected to be built within the next five years (i.e., by 2027/28) what are the reasons for this?	N/A			

Site Delivery			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full		
	Outline	Yes	S20/2056
	Reserved Matters		
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?	2023	
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?	N/A	
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?	N/A	
<b>10</b>	When do you think that the affordable housing element will be delivered?	Phased throughout the development in accordance with s106	
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	Phasing plan to be submitted under condition of the outline permission.	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?	Site preparation works already under way.	
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?	2025/26	

### Section 3 – Infrastructure

Infrastructure Provision		
<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	Roads, utilities etc
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	Site-wide infrastructure to be provided in accordance with phasing plan
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure?  If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	Yes, but the timing of the provision is phased within the s106 with trigger points during development.

#### Section 4 – Signed Statement

Section 2 question 3 requests a signed statement to demonstrate the commitment of landowners and developers to the development of this site. Please use this page to confirm that all parties involved in the site are committed to its development

<b>Site Reference</b>	APS017
<b>Site Address</b>	Land at Barnack Road, Stamford

The parties signed below confirm that they are committed to the development of this site for housing/mixed use development.

<b>Landowner(s)</b>	Burghley Land Ltd and South Kesteven DC
<b>Signature(s)</b>	M Flood  (on behalf of the landowners)
<b>Date</b>	28 April 2023
<b>Developer (where an option agreement is in place)</b>	-



**South Kesteven District Council Housing Deliverability Form**

**April 2023**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>													
<b>Site Reference</b>		<b>S10/1204 Fossitt &amp; Thorne, Eastgate, Bourne, PE10 9LB (11)</b>											
		<i>Completions to 31<sup>st</sup> March 2023: 0 Completions to be confirmed mid-April.</i>											
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
11	0	0	0	0	0	0	0	0	0	0	0	0	0
<i>Explanation: Council’s projections based on previous 2022 APS submission. Site under construction and near completion. Completions to be confirmed mid-April 2023.</i>													

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	Yes		No	
	X			

If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>													
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
<b>Comments</b>													

**South Kesteven District Council Housing Deliverability Form**

**April 2023**

**Part A: Projected Completions**

The table below contains data from the Council’s previous trajectories for the below site, where data is not available best estimates have been used from a site of similar size and location.

<b>Council’s Projected Completions</b>													
<b>Site Reference</b>		<b>S16/0112 Land North of Towngate East and South of Northfield Road, Market Deeping (300)</b>											
		<i>Completions to 31<sup>st</sup> March 2023: 117 units completed as at February – to be confirmed mid-April.</i>											
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
40	40	40	40	23	0	0	0	0	0	0	0	0	0
<i>Explanation: Site under construction. 117 units completed (to be confirmed mid-April). Phase D completed. Phase A under construction. Council’s projections based on completed units and previous 2022 APS trajectory.</i>													

<b>Do you agree that the information provided in the above Council’s Projected Completions table is correct?</b>	Yes		No	X
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If no, then please complete the table below with any changes and write your reasons in the comments below. If the projected build out rate is not known, then please show build out rates based on the nature of the site using best possible estimates.

<b>Projected Completions</b>													
23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33	33/34	34/35	35/36	2036 and beyond
	30	40	40	13									
<b>Comments</b>													
The site has planning permission for 240 units, rather than the 300 (including the 117 already completed) in the projected completions. We are unsure where the council has got the extra 60 units from.													
Allison Homes are also in no contractual position to build out the site. The projected completions are if Allison Homes were to agree terms with the landowner and build out phases B and C.													

## Part B: Deliverability

### Section 1 – About the Site

Site Reference	APS023
Site Address	Land North of Towngate East and South of Northfield Road, Market Deeping
Agent/Landowner	Allison Homes

Please can you confirm that you are not aware of any technical constraints which would limit development or affect the viability of development?

Aware	
Not Aware	X

### Section 2 – Deliverability

Landownership					
1	Do all landowners with an interest in the site support the development of the site?	Yes	X	No	
2	Have the landowners agreed to sell the land for development?	Yes	X	No	
	If so, are there any restrictions included in the option /developer agreement				
3	Please provide a signed statement (as attached – section 4) to demonstrate the commitment of all landowners and developers to the development of this site.				
Timescales					
4	When do you expect development of the site to commence (subject to assumptions relating to the planning process)? If commencement is delayed, please explain why.  <i>If site is under construction, please state commencement date and total of units completed so far. If delivery has exceeded or not progressed as expected, please explain why.</i>	Commencement in 2018 and total units completed 117.			
5	If you do not have planning permission but completions are expected on site within 5 years, please provide evidence (e.g. progress towards detailed permission)				
6	If the site is not expected to be built within the next five years (i.e., by 2027/28) what are the reasons for this?				

Site Delivery			
<b>7</b>	Has the site got planning permission	Yes/No	Application number and date of decision
	Full	X	S16/0112- Dec 2017
	Outline		
	Reserved Matters		
<b>7a</b>	If you answered Outline to question 7 and no reserved matters have been submitted when do you intend to submit a reserved matters application?		
<b>8</b>	If you do not have planning permission, when do you intend to submit a planning application?		
<b>9</b>	Are there any events that may change the delivery schedule (such as other sites being prioritised elsewhere)?		
<b>10</b>	When do you think that the affordable housing element will be delivered?		
<b>11</b>	What is the planned phasing of delivery and are there any specific reasons for this?	Phases A and D are completed to build the spine road connecting Northfield Road and Towngate East.	
<b>12</b>	If site is not under construction what time has been allowed for site preparation works?		
<b>13</b>	If site is not under construction when do you expect to complete the first dwelling?		

### Section 3 – Infrastructure

Infrastructure Provision		
<b>14</b>	What new or improved infrastructure is needed within the scheme to ensure the development is deliverable and attractive to the market?	
<b>15</b>	Is an implementation plan in place for the provision of infrastructure and if so, what are the timescales for delivery?	
<b>16</b>	Is the site dependent upon the provision of off-site infrastructure?  If so, is delivery of this infrastructure likely to affect the delivery of development on your site?	