

Town and Country Planning Act 1990 – Section 78

Town and Country Planning (Development Management Procedure) (England) Order 2013

Town and Country Planning (Inquiries Procedure) (England) Rules 2000

**Appeal by Bloor Homes NW**

Against the decision of Staffordshire Moorlands District Council to refuse to grant outline

planning permission for:

***“residential development with access considered (all other matters reserved)”***

**at land to the east of Froghall Road, Cheadle**

**Appeal Ref: APP/B3438/W/24/3351035**

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

**between**

**Staffordshire Moorlands District Council**

**&**

**Bloor Homes NW**

Signed *Alasdair Cross*

Date 20<sup>th</sup> December 2024

**ALASDAIR CROSS, Principal Planning Officer**

On behalf of Staffordshire Moorlands District Council

Signed *Ben Pycroft*

Date 20<sup>th</sup> December 2024

**BEN PYCROFT (Emery Planning)**

On behalf of Bloor Homes NW

# Statement of Common Ground on Housing Land Supply

## I. Matters of agreement

### 5 year supply requirement.

**HLS-01** It is agreed, that for the purposes of this appeal, the Council is required to demonstrate a 5 year housing land supply (5YHLS).

**HLS-02** It is agreed that sites that were not “deliverable” at the base date should not be included in the 5YHLS.

I.1. NPPF (Dec’24) retains paragraph 11d and footnote 8 concerning the engagement of the presumption in favour of sustainable development.

NPPF (Dec’24) Footnote 8 (our emphasis)

“8 This includes, for applications involving the provision of housing, **situations where: the local planning authority cannot demonstrate a five year supply of deliverable housing sites** (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.”

I.2. This requires that the Council carry out an assessment to demonstrate a 5 year housing land supply (5YHLS), in accordance with paragraph 78 of NPPF.

I.3. It stipulates that the assessment relates to ‘deliverable’ sites. The definition of ‘deliverable’ as set out in the Glossary to NPPF remains unchanged.

### The base date and the 5YHLS period.

**HLS-03** It is agreed that the base date is 1st April 2023 and the 5YHLS period is to 31st March 2028.

## Maintaining supply and delivery

**HLS-04** It is agreed that the deliverable supply should be calculated against the housing requirement set out within the adopted strategic Policy SS 3 of the Local Plan: “Future Provision and Distribution of Development”.

### I.4. NPPF (Dec’2024) states (our emphasis):

78. Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a **minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies**<sup>38</sup>, or against their local housing need where the strategic policies are more than five years old<sup>39</sup>. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) **5% to ensure choice and competition in the market for land;** or
- b) 20% where there has been significant under delivery<sup>40</sup> of housing over the previous three years, to improve the prospect of achieving the planned supply; or
- c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework<sup>41</sup>, and whose annual average housing requirement<sup>42</sup> is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

I.5. The adopted strategic policies of the Staffordshire Moorlands Local Plan (September 2020) are less than five years old, therefore they remain the relevant policies for the assessment of housing supply.

I.6. Policy SS 3 states:

*“Provision will be made for at least 6080 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands during the period 2014 to 2033 - an annual average of 320 homes per year. Sufficient deliverable land will be identified to provide at least 5 years of development at all times.”*

### Housing deliver and the shortfall

<b>HLS-05</b>	It is agreed that the housing delivery against target is;
	Housing Requirement (320 x 9 years) = 2,880
	Housing Delivery (2014~23) = 1,691
	Shortfall in delivery (2014~23) = -1,189

<b>HLS-06</b>	It is agreed for the purposes of this appeal that the shortfall should be spread over the remainder of the plan period (i.e. the Liverpool method).
	Remaining Plan Period = 2023~2033 = 10 years
	Annualised shortfall (-1,189 / 10) = 118.9
	Shortfall to be added to 5YLS (118.9 x 5) = 594

I.7. Both parties agree that between the start date of the Local Plan on 1<sup>st</sup> April 2014 and 31<sup>st</sup> March 2023, 1,639 net dwellings have been delivered in Staffordshire Moorlands (outside the Peak District National Park) and 52 dwellings have been delivered in the Peak Park (within Staffordshire Moorlands District).

### The latest Housing Delivery Test (HDT) result and 20% buffer

**HLS-07** The latest 2023 Housing Delivery Test published on the 12th December 2024 shows delivery against the prevailing standard method (Number of Homes Required) over the last 3 years in Staffordshire Moorlands to be 124%.

**HLS-08** It is agreed that as there has not been under delivery as measured by the Housing Delivery Test that the appropriate buffer to be applied is 5% and the 20% buffer does not apply.

## Deliverable Supply

**HLS-09** The Council agrees that the level of certainty concerning the deliverability of the Big Mill site (44 units), included in the published 2023 Statement of Five Year Housing Land Supply probably does not meet the threshold for inclusion in the 5 year supply. This site will be discounted from the 5 YHLS assessment

I.8. The Council has considered the sites queried by the appellant in the Matters of Disagreement Section below and concluded that the Big Mill site may not have the level of certainty concerning the timing of its delivery to be safely included within the 5 year land supply assessment. This site has been discounted from the Council’s calculations below.

Address	Status at 1 <sup>st</sup> April 2023	Council 5YHLS	Appellant 5YHLS	Difference (5 years)	Appellants summary reason for challenge
Big Mill, Mill Street, Leek	Extant permission from 2004 Full planning application submitted in 2019 pending determination	Was 44 <b>Now 0</b>	0	Was 44 <b>Now 0</b>	20 years since the 2004 permission was approved. No clear evidence of deliverability

## A 5YHLS cannot be demonstrated

**HLS-10** Both parties agree that a 5YHLS cannot be demonstrated in accordance with the Framework.

## 2. Matters of disagreement

### *The extent of the deliverable supply*

- 2.1. The extent of the deliverable supply is not agreed. The Council considers that the deliverable supply at 1<sup>st</sup> April 2023 is 1,651 dwellings. The Appellant considers that the deliverable supply at 1<sup>st</sup> April 2023 is 1,242 dwellings.
- 2.2. The reason for the difference of 409 dwellings between the two parties is set out in the following table:

**SOCG Table 1 – Disputed sites**

Address	Status at 1 <sup>st</sup> April 2023	Council 5YHLS	Appellant 5YHLS	Difference (5 years)	Appellants summary reason for challenge
Milltown Way, Leek	Outline pp allowed at appeal RM approved February 2022	25	0	25	Permission has expired
Brookhouse Way, Cheadle	Outline pp RM submitted in 2019 and pending determination	36	0	36	Category b) site with no clear evidence of deliverability.
Land at Blythe Park, Sandon Road, Cresswell	Outline pp RM applications submitted in 2022 and pending determination	60	0	60	Category b) site with no clear evidence of deliverability.
Big Mill, Mill Street, Leek	Extant permission from 2004 Full planning application submitted in 2019 pending determination	Was 44 Now 0	0	Was 44 Now 0	20 years since the 2004 permission was approved. No clear evidence of deliverability
Land at Barnfields Industrial Estate, Sunnyhills Road, Leek	Outline pp RM submitted in 2021 and pending determination	117	64	53	Lead in time extended by 1 year, resulting in a deduction of 53 dwellings

## Statement of Common Ground on Housing Land Supply – 20 December 2024

Address	Status at 1 <sup>st</sup> April 2023	Council 5YHLS	Appellant 5YHLS	Difference (5 years)	Appellants summary reason for challenge
Ayr Road / Cheadle North Strategic Phase 2	Outline pp RM submitted in 2021 and pending determination	132	101	31	Lead in time extended by 1 year, resulting in a deduction of 31 dwellings
Blythe Vale, Blythe Bridge (Phase 2)	RM approved	200	173	27	Lead-in time extended resulting in a deduction of 27 dwellings.
Land at Capri, Gallows Green	Outline planning application pending determination	13	0	13	Category b) site with no clear evidence of deliverability.
Small site windfall allowance	No planning permission	120	0	120	No compelling evidence for the inclusion of a small sites windfall allowance of 120 dwellings in addition to the 382 dwellings on small sites already included in the 5YHLS
				<b>409</b>	

2.3. The respective deliverable supply figures against the 5YHLS requirement are shown in the following table.

		Agreed	
Requirement			
A	Annual housing requirement	320	
B	Five year housing requirement (A X 5 years)	1,600	
C	Shortfall at 1 <sup>st</sup> April 2023	1,189	
D	Remaining Plan Period (2033-2023) Yrs.	10	
E	Shortfall to be addressed in 5YHLS period (C / 10 years X 5 years)	595	
F	Total 5YHLS requirement (B + E)	2,195	
G	5% Buffer (F x 5%)	110	
H	Total 5YHLS requirement + Buffer (F + G)	2,304	
J	Annual 5YHLS requirement (H/ 5 years)	460.8	
Supply		Council	Appellant
K	5YHLS at 1 <sup>st</sup> April 2023	1,618	1,242
L	Supply in years (K / J)	3.51	2.70
M	Surplus / shortfall in 5YHLS (K – H)	-686	-1,062

### 3. Revised Framework

3.1. The revised National Planning Policy Framework was published on the 12<sup>th</sup> December. Whilst every effort has been made to fully reflect the implications within this Statement of Common Ground, both parties consider that they should be afforded the opportunity to comment further on the implications of the revised Framework in relation to housing land supply.

[ENDS]