

---

**BROADLAND DISTRICT COUNCIL**

**TOWN AND COUNTRY PLANNING ACT 1990**

**APPEAL BY:** Mr Walker against the refusal of Broadland District Council to grant outline planning permission for the erection of one dwelling with all matters reserved except for access, at Land adjacent New House, Kerdiston Road, Reepham, NR10 4RY

**PLANNING INSPECTORATE REFERENCE:** APP/K2610/W/21/3275889

**LOCAL PLANNING AUTHORITY REFERENCE:** 20201799

**LOCAL PLANNING AUTHORITY STATEMENT**

---

**1. THE APPEAL PROPOSAL**

- 1.1 The application for planning permission to which this appeal relates to sought outline planning permission for the erection of one detached dwelling on land adjacent New House on Kerdiston Road in Reepham. The application was submitted in outline format with all reserved matters except access. The application was refused planning permission on 26 February 2021.

**2. THE SITE AND ITS LOCATION**

- 2.1 The appeal site is located outside of the settlement limits defined for Reepham. It is rectangular in shape and measures approximately 630 square metres in size. The land is located in between two residential properties, Beech Hill and Burgate Hill House, which both properties sit on large plots.
- 2.2 The site is located in Reepham which does have a defined settlement limit. However, the site is located outside of the settlement limit for Reepham within a countryside location in planning terms. The nearest settlement limit point is the corner of Stoney Lane, which is approximately 0.8 miles south east of the application site
- 2.3 The site is located on Kerdiston Road in Reepham which is a single lane adopted highway with limited passing places with no footway and has a national speed limit restriction of 60mph.

### 3. **RELEVANT PLANNING POLICIES**

- 3.1 Confirmation of the planning policies that are relevant to this appeal are set out in the officer's delegated report that was forwarded to the Planning Inspectorate with the appeal questionnaire.
- 3.2 Following the Local Planning Authorities decision on the application, further revisions have been made to the National Planning Policy Framework and a revised version was published in July 2021. It is considered that these changes do not result in any material changes to the decision made by the Local Planning Authority.

### 4. **RELEVANT PLANNING HISTORY**

- 4.1 Confirmation of the relevant planning history is set out in the officer's delegated report that was forwarded to the Planning Inspectorate with the appeal questionnaire.

### 5. **EXPLANATORY COMMENTS**

- 5.1 The Local Planning Authority (LPA) considers the main reasons for refusal for the appeal application and therefore main issues for consideration in the determination of this appeal are:-
- (i) The site is located outside of any defined settlement limits. Policy GC2 of the Development Management DPD 2015 does not permit new development outside of the settlement limits unless the proposal complies with a specific allocation and/or policy of the development plan. The proposal does not comply with a specific allocation and does not comply with any housing policies in the development plan and therefore fails to accord with Policy GC2 of the Development Management DPD 2015.
  - (ii) The Council can demonstrate a five-year land supply of housing and the proposed development is not supported by any specific development management policy which allows for development outside of the settlement limit. As such, the application does not comply with policy GC2 of the Development Management DPD 2015.
  - (iii) By virtue of the plot size, the proposed development is considered to be unsympathetic to the local character and a new dwelling in this location represents an intrusion into the open countryside adversely impacting on the character of the surrounding area. For these reasons, the proposal does not comply with Policy 2 of the Joint Core Strategy 2011/2014 and Policies GC4 and EN2 of the Development Management DPD 2015.

- (iv) Kerdiston Road (C265) serving the site is considered to be inadequate to serve the development proposed, by reason of its poor alignment, restricted width, lack of passing provision and restricted visibility at adjacent road junctions. The proposal, if permitted, would be likely to give rise to conditions detrimental to highway safety. The application does not comply with Policy TS3 of the Development Management DPD 2015.
- (v) As far as can be determined from the submitted plans, the Applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety. The application does not comply with Policy TS3 of the Development Management DPD 2015.

## 6. **LOCAL PLANNING AUTHORITY (LPA) COMMENTS**

- 6.1 The LPA considers that the decision notice sets out its position on the reasons for refusing full planning permission and that the officers delegated report adequately balances out the matters raised by the proposal. The officers delegated report has been forwarded to the Planning Inspectorate with the appeal questionnaire. However, there are some additional items that the LPA would like to draw to the Inspector's attention with regards to the reasons for refusal and with regards to the appellants appeal statement.

### **Sites location outside of the settlement limits**

- 6.2 Policy GC2 of the Development Management DPD (DM DPD) states that new development will be accommodated within the settlement limits defined on the policies map. The appeal site is located outside of the settlement limits defined for Reepham.
- 6.3 Policy GC2 continues to state that outside of these limits, development which does not result in any significant adverse impact will be permitted where it accords with a specific allocation and/or policy of the development plan. The site in question is located outside of the defined settlement limit, has not been allocated, and the application is not being advanced as meeting a specific need, for example in association with a rural worker or affordable housing. The application would be therefore contrary to Policy 17 of the JCS and Policies GC2 and H1 of the DM DPD.

### **Five year housing land supply (5YHLS)**

- 6.4 Whilst the principle of development in this location is contrary to the DM DPD and JCS, regard must also be had to the requirements of the NPPF. The NPPF requires authorities to supply sites sufficient to provide 5 years' worth of land for housing (in addition to a 5%, 10% or 20% buffer subject to circumstances). The Council can demonstrate in excess of a 5 year land supply, as set out in the Housing Land Supply (HLS) Appendix which has been published within the Greater Norwich Area Housing Land Assessment published April 2020. This can be found in Appendix A of this statement.

- 6.5 An appeal of note is an appeal decision made on 8<sup>th</sup> February 2021 for Appeal APP/L2630/W/20/3255672 at Wicklewood. The decision for this appeal is attached as Appendix B to this statement. In paragraphs 8 to 10 of the Inspectors decision the five year land supply is considered and in paragraph 10 the Inspector concludes that

*'I consider that whether judged on the basis of the Greater Norwich area or South Norfolk alone, the Council is able to demonstrate a 5-year supply of specific deliverable sites. It follows that the application of the 'tilted balance' set out in paragraph 11d) of the Framework is not triggered in this particular case.'*

- 6.6 The appellants have produced a GNDP AMR 5-YHLS Investigation report, which seeks to reduce the sources of supply. The Council do not share this view and have provided a response to this report, which can be found in Appendix D of this report.
- 6.7 The Council considers that it has clearly shown a demonstrable 5 year housing land supply. Even in the absence of a housing land supply however, the factual positions set out above clearly indicate that no substantial weight could be given to the benefits of additional housing as part of the planning balance that would justify a departure from the adopted development plan.

#### **Impact on the character of the area**

- 6.8 Policy 1 of the JCS states that 'the environmental assets of the area will be protected, maintained, restored and enhanced' whilst Policy 2 of the JCS states that 'all development will be designed to the highest possible standards, creating a strong sense of place'. Policy 2 goes on to say that 'in particular, development proposals will respect local distinctiveness'. Policy GC4 of the DM DPD states that 'development will be expected to achieve a high standard of design and avoid any significant detrimental impact'. It continues to state that, amongst other things, proposals should 'pay adequate regard to the environment, character and appearance of the area'. It also states that proposals should pay adequate regard to 'reinforcing local distinctiveness through careful consideration of the treatment of space throughout the development, the appearance of new development, the scale of the new development and landscaping'.
- 6.9 The site is currently a grassed field and due to its location outside of the settlement limits, is considered to be within a countryside location in planning terms. Although the planning application was submitted in outline format, a dwelling in this location would appear unsympathetic to the local character of the surrounding area which represents an intrusion into the open countryside adversely impacting on the overall character of the surrounding area.
- 6.10 When taking all of the above into account, it is considered that the proposal would not be sympathetic to the character or visual qualities of this rural area. The overall form and visual bulk of a building within the plot is not considered

to be visually attractive and it is considered that it fails to pay adequate regard to the environment, character and appearance of the area. It is also considered that the proposed scale and appearance of the development is not considered to reinforce local distinctiveness. The application is therefore considered to fail to accord with Policies 1 and 2 of the JCS and Policy GC4 of the DM DPD.

### **Impact on highway safety**

- 6.11 Norfolk County Council in their role as Highway Authority are going to provide their comments separately with regards to reasons for conditions 4 and 5 relating to highway safety.

### **Self-build**

- 6.12 The application for the erection of one dwelling was promoted as a self-build dwelling.
- 6.13 The Self-Build and Custom Housebuilding Act 2015 places a requirement on Local Authorities to maintain a register detailing the demand for self-build plots in their district. There is no requirement for the Council to provide plots, but there is a requirement to provide sufficient planning permissions that could be for self / custom build within a 3 year period of each base year to cover the numbers on the register in that base year.
- 6.14 Broadland District Council monitors planning permissions that could be available for self-build plots. This is based on single dwelling permissions that could reasonably be expected to be made available for self-build, and as such meeting the definition in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016). This is supplemented by monitoring of exceptions given for CIL payments for self-build schemes. The register is split into two parts based on meeting a number of criteria. The main difference being that you must meet a local connection test in order to be included on Part 1. For Part 2, the Council does not have to meet certain requirements under the Act (section 2A(6)) mentioned above relating to the number of planning permissions given for serviced plots.
- 6.15 There is a 3 year period within which to give sufficient relevant permissions for the numbers on the self-build register, so, Base Period 1 ended on 30 October 2016, which means there was until 30 October 2019 to meet the numbers entered on the register for that period. Base Period 2 finished on 30 October 2017, which means there was until 30 October 2020 to meet that requirement and so on. Based on the monitoring that has been conducted to date, the permissions that have been granted in the year following each base period has, so far, provided sufficient numbers of potential self-build plots to meet the numbers on the register for those periods. Any permissions that are granted during the current base period cannot be used to meet the demand on the register for the same time period and instead will be counted towards evidencing demand for the previous base period.

- 6.16 Comments were supplied regarding this application in January 2021. Since then the Council has started to review how it monitors the demand for self-build applications, which has resulted in taking a slightly different approach. This change means that only applications for single dwellings are now counted, unless the application specifically details a larger self-build scheme of more dwellings.
- 6.17 The Council are currently looking to meet the demand for Base Period 5 (31 October 2019 – 30 October 2020) and to do this we will use permissions given between 31 October 2020 and 30 October 2021. The number of entries on Part 1 of the register for Base Period 5 was 3. The full monitoring including details of specific self-build schemes and CIL exemptions will be completed in November 2021, however looking at permissions given for single dwellings as at 31 August 2021 shows that the Council have given permissions for 38 applications that could be suitable for self-build, therefore meeting the demand for base period 5.
- 6.18 It is important to note that entry on the register does not provide that specific individual with an advantage in achieving planning permission for a self-build property if they were to apply, nor does it provide a service to match entrants with serviced plots of land. The purpose of the register is to evidence demand for self-build plots across the whole district.
- 6.19 Notwithstanding the above information, even if the Inspector was to decide that there was a shortfall in supply, the LPA still consider that the adverse impacts of the development would significantly outweigh the benefits, when assessed as a whole.

## **7.0 SUMMARY**

- 7.1 In summary, the application is located outside of any defined settlement limits, is not allocated and does not meet any specific housing Policies in the development plan contrary to GC2 of the DM DPD. The appellants also haven't demonstrated that the dwelling would meet a demonstrable functional need which relates to a full-time worker that cannot be fulfilled by an existing dwelling and therefore fails to meet Policy H1 of the DM DPD.
- 7.2 The application is also considered to be contrary to aims of Policies 1 and 2 of the JCS and Policy GC4 of the DM DPD with regard to the harm caused to the character and appearance of the area. Overall, it is considered that the proposal fails to provide sufficient material considerations or benefits that outweigh the identified harm and therefore the application is considered to be unacceptable.
- 7.3 The Council considers that it has clearly shown a demonstrable 5 year housing land supply. Even in the absence of a housing land supply however, it is considered that the limited weight given to the benefits of a single additional dwelling as part of the planning balance, would not justify a departure from the adopted development plan.

- 7.4 As set out above, in respect of the objection from the Highways Authority, they will be submitting their own representation listing conditions to be imposed should the appeal be allowed.

## **8.0 CONCLUSION**

- 8.1 The Local Planning Authority remains of the view that the proposed development is unacceptable for the reasons set out above and within the decision notice.
- 8.2 The Inspector is respectfully invited to share this view and dismiss the appeal. If, after consideration of the representations made, it is decided that the appeal should be allowed, the Local Planning Authority recommends that the planning conditions outlined in the below Appendix C are imposed.

## Appendix A – Greater Norwich area Housing Land Supply Assessment

### Greater Norwich Area Housing Land Supply Assessment at 1<sup>st</sup> April 2020

#### Summary

This note sets out the housing land supply position for the Greater Norwich area for the period 1 April 2020 to 31 March 2025. The Revised National Planning Policy Framework (NPPF) requires local planning authorities to:

*"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, or against their local housing need where the strategic policies are more than five years old"*

The Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk was adopted in March 2011, with amendments January 2014. The JCS became five years old on 10 January 2019. Although the Greater Norwich authorities have commenced work to replace the JCS, the current plan has not been reviewed in line with the PPG to demonstrate that the housing requirement does not require updating. Indeed, publication of a 2017 SHMA had already indicated the need to update the housing requirement. Therefore, in accordance with NPPF paragraph 73, the Greater Norwich housing land supply must be measured against local housing need (LHN).

The revised NPPF also introduced the Housing Delivery Test (HDT) as an annual measurement of housing delivery. Broadland, Norwich and South Norfolk are measured jointly for the purposes of the HDT. The results of the HDT show that Greater Norwich has delivered 133% of the number of homes required between 2017/18 and 2019/20.

Policy 4 of the JCS sets out a three-district requirement, within which a policy decision was made to focus new allocations within a Norwich Policy Area. Similarly, the HDT is measured jointly across all of Broadland, Norwich and South Norfolk. LHN figures are only provided on a district basis, which can be aggregated up in accordance with Planning Practice Guidance. Lastly, the 2017 SHMA indicated that the vast majority of the three districts are within the same housing market area. Consequently, it is considered appropriate to measure land supply across this area. This approach effectively replaces that of separately measuring housing land supply across the Norwich Policy Area (NPA) and Rural Policy Areas (RPA) of Broadland and South Norfolk, although these areas are still considered in the AMR in relation to monitoring objective 2.

Based upon this calculation of five year housing land supply for Greater Norwich (including the 5% buffer required by the NPPF), the Greater Norwich Authorities can demonstrate:

- 123% (6.16 years / 2,455 home surplus)

Within each of the individual districts the following HLS can be demonstrated:

- Broadland: 184% (9.18 years / 2,270 home surplus)
- Norwich: 87% (4.35 years / 407 home deficit)
- South Norfolk: 113% (5.63 years / 593 home surplus)

Notwithstanding the existence of a housing land supply, the Greater Norwich Authorities recognise that further housing land, above and beyond the existing commitments, needs to be identified to 2038. The authorities have committed to the production of the Greater Norwich Local Plan (GNLP) to plan for these additional needs. Ahead of the adoption of the GNLP the authorities will continue to take a positive approach to development proposals that complement, rather than detract from, the existing and emerging development strategies.





---

## Appeal Decision

Site visit made on 2 December 2020

**by I Jenkins BSc CEng MICE MCIWEM**

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 08<sup>th</sup> February 2021

---

**Appeal Ref: APP/L2630/W/20/3255672**

**Land west of Milestone Lane, Wicklewood, Norfolk, NR18 9QL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr D Coldham against the decision of South Norfolk District Council.
  - The application Ref 2019/2522, dated 12 December 2019, was refused by notice dated 13 February 2020.
  - The development proposed is erection for two single storey self-build dwellings and associated access.
- 

### Decision

1. The appeal is dismissed.

### Main Issue

2. I consider that the main issue in this case is the effect of the proposal on the character and appearance of the locality.

### Reasons

3. In the vicinity of the appeal site, the eastern side of Milestone Lane is generally characterised by a row of residential development fronting on to the highway. In stark contrast, opposite that row on the other side of the lane, built development is limited to a single small bungalow, Highview. For the most part, that section of lane adjoins fields on its western side.
4. The main section of the appeal site comprises the eastern part of a field, which fronts onto Milestone Lane. It shares its northern boundary with Highview, and its southern boundary adjoins a small area of land, which appears to be used as amenity space. The main section of the site would be accessed from an existing track that runs from Milestone Lane alongside the northern boundary of Highview. The appellant acknowledges that the site is situated in the open countryside and around 320 metres to the southwest of the defined settlement boundary for Wicklewood. From the adjoining section of the lane, long distance views of the countryside are available across the site. There is limited planting along its frontage, and I consider that the relatively open and undeveloped nature of the site makes a positive contribution to the character and appearance of the countryside thereabouts.
5. The proposal includes the erection of two single storey dwellings, the external surfaces of which would be constructed from materials in keeping with local

---

<https://www.gov.uk/planning-inspectorate>

built development. However, together, the proposed dwellings would extend across almost the entire width of the appeal site, such that the long-distance views of the countryside across the site from the lane would be interrupted and replaced with views of blank rear walls.

6. I have had regard to the appellant's suggestion that when seen from Milestone Lane, the proposed dwellings would have the appearance of utilitarian former farm buildings. However, they would not be former farm buildings and to my mind, in the context of neighbouring built development predominantly characterised by dwellings whose road facing elevations are dominated by fenestration, the utilitarian character of the blank rear walls of the proposed dwellings would appear obtrusive and incongruous.
7. I conclude that the scheme would cause significant harm to the character and appearance of the locality. It would conflict with the aims of Policies DM 1.4(d), DM 3.8 and DM 4.5 of the *South Norfolk Local Plan Development Management Policies Document, 2015* (LP) as well as Policies 1 and 2 of the *Joint Core Strategy for Broadland, Norwich and South Norfolk, 2014* (JCS). Between them, and consistent with the *National Planning Policy Framework* (the Framework), these Policies seek to ensure that development does not make a negative contribution to local character and distinctiveness, and that it respects the landscape character of its immediate environment.

*Other matters*

8. Broadland, Norwich and South Norfolk have an adopted Joint Core Strategy; the JCS. The *Planning Practice Guidance* indicates that areas which have a joint plan have the option to monitor their 5-year housing land supply and have the Housing Delivery Test applied over the whole of the joint planning area or on a single authority basis. Whilst, for the reasons set out in its *Annual Monitoring Report 2018-19* (AMR), the Council's assessment of 5-year housing land supply is based on the whole Greater Norwich area, the appellant focuses on the position relative to South Norfolk on its own. The AMR identifies a housing land supply of 5.61 years for South Norfolk and 5.89 years for the wider Greater Norwich area. Based on his own assessment, the appellant has suggested that the deliverable supply would be likely to fall short of the expectation of the AMR in relation to South Norfolk such that the level of supply falls from 5.61 years to below the 5-year requirement by 291 dwellings; equivalent to a supply of 4.72 years. For the reasons set out below, I do not agree.
9. The largest potential shortfalls identified by the appellant are associated with 3 sites, each of which have outline planning permission: -200 units at Colney Lane; -180 units at Dereham Road; and, -160 units at Norwich Common. In response, the Council has set out the situation in relation to those sites and its own updated assessment relative to that set out in the AMR, which is: -63 units at Colney Lane; -15 units at Dereham Road; and, no reduction at Norwich Common. Across the 3 sites, this amounts to over 400 more dwellings than accounted for by the appellant. In my judgement, the Council's assessment is supported by clear evidence that housing completions will meet its expectations. At Colney Lane and Dereham Road progress has been made towards the discharge of pre-commencement conditions, the Council's assessment of likely delivery is informed by the developers' expectations and a substantial CIL payment has been made with respect to the Colney Road site, which I regard as a particularly strong indicator that they will proceed.

At Norwich Common the developer has a record of delivering significant numbers of dwellings on similar sized sites in the area and has also made a substantial CIL payment to the Council. Furthermore, the appellant has not provided any compelling evidence to show that delivery, if currently slowed by the pandemic, would not be likely to be recovered and ultimately achieved over the five-year period.

10. Against this background, I consider that whether judged on the basis of the Greater Norwich area or South Norfolk alone, the Council is able to demonstrate a 5-year supply of specific deliverable sites. It follows that the application of the 'tilted balance' set out in paragraph 11d) of the Framework is not triggered in this particular case.
11. I acknowledge that some services, facilities and job opportunities are likely to be reasonably accessible from the site by modes of transport other than by private car. For example, the appeal site is within reasonable walking distance of Wicklewood, a JCS Service Village which contains a number of services and facilities. In this respect, the scheme would be consistent with JCS Policies 1 and 6, LP Policy DM 3.10 as well as the Framework, insofar as they seek to minimise the need to use the private car, to promote healthy travel choices and thereby limit the contribution of transport to climate change. I have had regard to the Government's objective of significantly boosting the supply of homes and the Framework's aim of locating rural development where it will enhance or maintain the vitality of rural communities. However, whilst I acknowledge that the 2-dwelling scheme may well be built-out quickly, its contribution towards housing land supply in the area would be small and so I give it limited weight. Furthermore, the contribution made by future residents of only 2 dwellings to the viability and vitality of local shops and services would be small, as would any associated additional revenue due to the Council, such Council tax. Any local employment associated with the construction of the scheme would be short lived. I give those benefits of the scheme limited weight.
12. The appellant has indicated that the Council has recently approved planning applications for residential development in the countryside surrounding Wicklewood, one of which related to a site at Green Lane, which is set well apart from the defined settlement boundary. However, I saw that the site is located on higher ground than the highway, with rising ground to the rear. I consider that, as a result, local topography curtails views from the adjoining section Green Lane of the wider countryside. Consequently, the impact of development there on the character and appearance of the surroundings is unlikely to be as great as that associated with the appeal scheme.
13. Whilst the appellant has drawn attention to a number of previous appeal decisions in his Appeal Statement that make reference to housing land supply, I have found them to be of little assistance, not least as they pre-date the publication of the AMR and so the circumstances are not directly comparable to those in the case before me. Furthermore, I consider that the circumstances associated with the other appeal decisions referred to by the parties are not directly comparable to those in the case before me, which involves development in the countryside local to Wicklewood and I have considered it on its own merits.
14. The appellant has indicated it is his intention that the proposed dwellings would be self-builds for his son and daughter, which he suggests would enable them

**Appendix C** - Suggested Conditions should the appeal be allowed. These are in addition to any Highway Conditions that may be suggested in their separate response.

- (1) The Application for approval of ALL "reserved matters" must be made to the Local Planning Authority not later than the expiry of THREE YEARS from the date of this decision.

The development hereby permitted must be begun in accordance with the "reserved matters" as approved not later than the expiration of TWO YEARS from either, the final approval of the reserved matters, or in the case of approval on different dates, the final approval of the last such reserved matter to be approved.

Reason for the condition:

Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- (2) The development hereby permitted shall be carried out in accordance with the application form, plans and drawings and other documents and details received as listed below:

Location Plan received 28 September 2020

Proposed Site Plan received 28 September 2020

Reason for the condition:

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans, as required by the Spatial Vision and Spatial Planning Objectives of the Joint Core Strategy and the Broadland Development Management DPD 2015.

- (3) Application for the approval of the "reserved matters" shall include plans and descriptions of :

- 1) the details of the layout;

- 2) the scale of each building proposed

- 3) the appearance of all buildings including details of the type and colour of the materials to be used in their construction;

- 4) the details of the boundary treatment;

- 5) the landscaping of the site.

Approval of these "reserved matters" must be obtained from the local planning authority in writing before any development is commenced and the development shall be carried out in accordance with the details as approved.

Reason for the condition:

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans, as required by the Spatial Vision and Spatial Planning Objectives of the Joint Core Strategy.

- (4) Development shall not progress above slab level until a scheme including a plan indicating the positions, design, materials, planting and type of boundary treatment to be erected / planted / retained has been submitted to and approved in writing by the local planning authority. The boundary treatment shall be completed before the dwellings are first occupied. Development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason for the condition:

In the interests of the satisfactory appearance of the development in accordance with Policy GC4 of the Broadland Development Management DPD 2015.

- (5) PLUS ANY ADDITIONAL CONDITIONS AS REQUESTED BY NORFOLK COUNTY COUNCIL HIGHWAY AUTHORITY WHICH IS TO BE SUBMITTED SEPERATLEY.

## **Appendix D – Council’s Response to Parker Planning Services – GNDP 5YHLS Statement Investigation (April 2021)**

### **Introduction**

1. The following sections set out a response to the ‘5-YHLS Investigation’ report, prepared by Parker Planning Services (PPS), dated April 2021.
2. It should be noted that the Council has not sought to rebut each and every point in the appellant’s evidence with which it disagrees. The fact that the Council does not expressly rebut a point should not be taken as indicating that the Council accepts it. The conclusion at paragraphs 56-68 can be read as a summary of this response.

### **Development Plan Housing Delivery Context**

3. Before addressing the specific points raised by the appellant, the Council considers the following matters relevant to the consideration of the weight to be ascribed to the benefits of housing proposals that are otherwise contrary to the local plan:
  - Greater Norwich has consistently exceeded its Housing Delivery Test requirements by a considerable margin. The most recently published results (DHCLG, February 2021) demonstrate that Greater Norwich delivered 133% between 2017/18 and 2019/20. This follows results of 140% and 133% in the two preceding measurement periods.
  - Since the base date of the Joint Core Strategy (JCS) for Broadland, Norwich and South Norfolk, the total housing commitment (sum of planning permissions and allocations) has increased from 14,090 homes to 31,559 homes; an increase of 124%. This substantial increase in commitment has been delivered against a backdrop of the 20,326 housing completions between 1 April 2008 and 31 March 2020.
  - Broadland, Norwich and South Norfolk have already made substantial progress in the preparation of the Greater Norwich Local Plan (GNLP), which was submitted for Examination at the end of July 2021; the Inspectors for the Examination have been appointed and their initial questions submitted to the GNLP. The GNLP includes a substantial “delivery buffer” of housing above its minimum requirements and, once adopted, will supersede the JCS and ensure that development needs continue to be met to 2038.
  - The appeal site lies within the rural area of Broadland. The minimum housing requirement for the Broadland Rural area was exceeded in the 2018/19 monitoring year, 7 years before the end of the plan period.
  - The very recent decision, for Becket’s Grove, Wymondham (Ref. APP/L2630/W/20/3256206 dated 28 June 2021), found overwhelming in favour of the Council’s approach to calculating 5-year housing land supply, including its approach to evaluating sources of supply in regards, major sites of 10 or more homes, sites of 9 or fewer homes, windfall housing and student

and communal accommodation. This decision concluded that the Councils' maintained a 5.58 year housing land supply. It is in fact the case however that the reasoning in this decision, properly read, actually justifies a land supply of 6.05 years. This is explained in Appendix 2 of this response.

4. From the above it can clearly be seen that the Council is acting wholly in accordance with the Government's objective of "significantly boosting the supply of homes" (NPPF, para 60).
5. The following section will set out the clear reasons that show that the Council can demonstrate a 5-year housing land supply in accordance with the requirements of the National Planning Policy Framework (NPPF).

### **5 Year Housing Land Supply Statement 1 April 2020 "2020-5YRHLS"**

6. The 1 April 2020 5 Year Housing Land Supply Statement, hereafter referred to as the 2020-5YRHLS, (Appendix A to the Council's main statement) has been prepared jointly by Broadland, Norwich and South Norfolk Councils and covers the whole of the three local planning authority areas. It has been completed in a manner consistent with the requirements of the NPPF and advice contained in the Planning Practice Guidance at the time. The statement clearly sets out how the authorities have determined or dealt with:
  - a) the starting point for calculating 5-year land supply;
  - b) past under delivery of new homes;
  - c) Sources of Supply;
  - d) Methodology for Calculating Housing Land Supply; and,
  - e) the final Calculation of Housing Land Supply.

Appendices to the Housing Land Supply Assessment set out:

- a) the housing forecasts for individual sites of 10+ units;
  - b) Joint Delivery Statements between the Council and relevant house builders or site promoters regarding the delivery of sites, plus additional officer comments on particular sites; and
  - c) summaries of the summaries of windfall and lapse rate/non-implementation.
7. To avoid repetition, the full explanation contained in the Housing Land Supply Assessment in respect of the matters set out in paragraph 9 is not repeated here. However, key points from the assessment are as follows:
  - a) The Housing Requirement figure within the JCS became 5 years old on 10 January 2019 and has not been reviewed and found not to need updating, as set out in NPPF Footnote 37. Therefore, the standard methodology for the calculation of Local Housing Need (LHN) is the correct starting point for the calculation of 5 Year Housing Land Supply.



- b) The calculation of LHN includes an uplift to take account of past under-delivery, as part of the affordability adjustment. Therefore, no further adjustment is needed to LHN to address past under-delivery against the JCS housing requirement.
  - c) The correct geographical area over which to calculate 5-year housing land supply when using LHN as the starting point is the whole of Greater Norwich i.e. the combined areas of Broadland, Norwich and South Norfolk.
  - d) An assessment of the deliverability of major sites and the evidence supporting assumptions about minor development have been prepared in accordance with the requirements of the NPPF and advice in the Planning Practice Guidance.
  - e) Greater Norwich has delivered 133% of its requirement under the Housing Delivery Test between 2017/18 and 2019/20 (published February 2021). Therefore, a 5% buffer needs to be added to the supply of deliverable sites when calculating 5-year housing land supply.
8. Based on the above, the 2020-5YHLS concluded that the Greater Norwich authorities, comprising Broadland, Norwich and South Norfolk, had a **6.16-year supply** (Appendix A to the Council's main statement).
9. Since the Greater Norwich Authorities declared a five-year supply under the approach outlined above, numerous decisions have been issued on appeals where land supply has been contested. Whilst it is acknowledged that each of these is a snapshot in time based on the evidence presented, it is particularly notable that on 28 June 2021 South Norfolk Council has recently received an appeal decision which followed a two-day hearing in May 2021, at which land supply was considered in detail. The decision, for Land North East of Becket's Grove, Wymondham (Ref. APP/L2630/W/20/3256206), is included at Appendix 3 of this report. This decision clearly, and extensively examines the Greater Norwich approach to the assessment of 5 Year Housing Land Supply, and finds it robust on all counts and concludes that the authorities have a land supply, which:

*'is therefore contributing to a significant boost to the supply of housing'*

(Para 44, APP/L2630/W/20/3256206, 28 June 2021).

10. This Greater Norwich decision is referred to below in relation to particular aspects of the Parker Planning case.

### **Council's response to the appellants' 5-YHLS Investigation**

11. The appellant's '5-YHLS Investigation' critiques the Council's 5YHLS on the following grounds:

- Evidence supporting specific deliverable sites (Section 2);



- Optimism Bias (Section 3);
- Contribution of Windfall (Section 4); and,
- Purpose Built Student Accommodation (Section 5).

The Council has responded to each of these sections in turn.

### **Evidence supporting specific deliverable sites**

12. In considering the evidence that is needed to support the 5YHLS the starting point must be the NPPF Glossary definition of deliverability. The NPPF states that:

*“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

- a) Sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) Where a site has outline permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified in a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on sites within five years.”*

13. On the basis of the NPPF definition, the Council would question the appellant’s criticism as set out in paragraph 2.6 of their Investigation that *“clear evidence of deliverability should be provided (as a minimum) for all those sites that the GNDP are “including” within their 5-yhls and not just a select few”*. This goes beyond the requirements of the NPPF i.e. the NPPF clearly states that category (a) sites should be considered deliverable unless there is clear evidence to the contrary. It is only necessary to provide clear evidence to support the inclusion of sites within category (b). The approach that has been taken to category (a) sites is set out within paragraphs 16 to 18 and 20 to 21 of the Councils’ 2020-5YHLS (Appendix A to the Council’s main statement). This is wholly in accordance with the requirements of the NPPF. This conclusion is corroborated by the Inspector’s decision at Becket’s Grove (Ref. APP/L2630/W/20/3256206).

14. The appellant sets out in their Table 1 a series of brief comments which they consider justify the removal of some 2,951 homes from the five-year supply. The Council has set out its response to this in Appendix 1 of this statement. On the basis of this analysis, it is clear that a re-evaluation of the sites included in the appellants Table 1 only justifies the removal of the much more modest figures of 184 homes.

15. The appellant’s note in their paragraph 2.6 that not all sites in the 2020-5YHLS have an agreed delivery statement with the site promoter/agent/developer. The

Council would note that the 'select few' sites with agreed statements, referred to by the appellant's, actually provide substantial coverage of those sites that at the base date of the assessment did not benefit from detailed permission i.e., the category (b) sites.

16. The Council has set out below figures for the number JDS included in 2020-5YHLS as compared to the total number of sites and the number of category (b) sites below. A number of important conclusions that support the Councils' approach can be drawn from these. Specifically: significantly more sites were assessed than were actually included in the land supply- indicating that the Councils have taken a prudent approach only including sites where there is a realistic prospect that they will be delivered within 5 years; most sites included are category (a) sites and therefore should be included unless there is clear evidence to the contrary; there are more Joint Delivery Statements agreed that there are category (b) sites – this reflects the significant coverage of those agreed statements. It should be noted that the very limited number of cases where a category (b) site has been included without being supported by a Joint Delivery Statement the clear evidence that supports this decision to include the site in the land supply is set out in the Additional Officer Comments that accompany the 2020-5YHLS (Appendix A to the Council's main statement, pages 135-147).

- Broadland: Total number of sites assessed in HLS – 60. Total number of sites contributing to land supply – 49. Total number of category (b) sites contributing to land supply – 17, number of Joint Delivery Statements – 23.
- Norwich: Total number of sites assessed in HLS – 77. Total number of sites contributing to land supply – 24. Total number of category (b) sites contributing to land supply – 5, number of Joint Delivery Statements – 23.
- South Norfolk: Total number of sites assessed in HLS – 69. Total number of sites contributing to land supply – 57. Total number of category (b) sites contributing to land supply – 21, number of Joint Delivery Statements – 44.

17. At their paragraph 2.8 the appellant asserts that the PPG states that sites with detailed permission should be reviewed to ensure that they remain viable, there remains a demand for the type of housing provided and that sites are not subject to longer term phasing plans. However, there is actually no reference to a particular section of the PPG that specifically sets out the requirement expressed by the appellant; indeed, the PPG appears to make similar requirements only to site which don't have detailed permission (Paragraph: 007 Reference ID: 68-007-20190722) and which would be covered in the Greater Norwich Assessment by Joint Delivery Statements.

18. In the Council's view both the NPPF and PPG set out a distinction between category (a) sites, which "should be considered deliverable until permission expires", unless there is clear evidence that they will not be delivered and category (b) sites which require further evidence to be included.

19. This is a sensible approach as category (a) sites will, in the process of securing detailed planning permission, have already gone through an extensive assessment

to evaluate their suitability, viability and achievability in order to achieve that detailed permission. A simple review of the tables included in Appendices B1 to B3 of the 2020-5YRHLS illustrates that the Council is taking account of expected rates of delivery and phasing of detailed permission, an approach that is almost invariably informed by information on expectations from the site developer themselves.

20. Regarding the general criticisms levelled by the appellant through their “investigation” about the evidence of suitability, viability and constraints. The Council would submit that it needs to be recognised that all of the sites contained in the five-year land supply are either Local Plan allocations or sites with planning permission. As such they have an established baseline position that has considered relevant viability and deliverability information that supports those processes.
21. At paragraph 2.9 the appellant seeks to bring the validity of the Council’s approach to preparing its housing land supply statement into doubt by way of reference to a single appeal decision dated 18 December 2019. The Council considers that this decision is no longer directly relevant. The decision was based on an *interim* statement published in spring 2019 for the period 1 April 2018 to 31 March 2023, three further iterations of the 5YHLS statement have been published in the time since. Moreover, it was in fact the case that the Inspector for appeal ref APP/K2610/W/19/3226697 should have been updated with the final endorsed position, which had been published a few months prior to his decision. This statement would have removed some of the ambiguity of the status of the land supply position at 1 April 2018, which seems to have led the Inspector to conclude as he did. Notwithstanding the historic status of this decision, the Council would question whether this particular decision could reasonably be considered definitive, even at the time it was issued; for example, another Inspector at an earlier appeal based on the same evidence concluded:

*‘The appellant states that as a draft statement yet to be formally endorsed only limited weight should be given. It is nonetheless, the most comprehensive evidence before me and is logical in its approach in applying the latest LHN and HDT inputs. I ascribe considerable weight to the statement such that I conclude that a five-year supply of deliverable housing land has been demonstrated.’*

(APP/L2630/W/19/3226079, para 16, 3 September 2019)

22. Since the decision referred to at 2.9 of the appellant’s statement a number of other appeals have considered by written representation, at hearings and at inquiry. In none of the Inspectorate’s decisions has the basic approach used by the Greater Norwich Authorities been considered incorrect. In many decisions the appeal Inspector has found reasons to dismiss or allow the appeal without the need to address whether or not a land supply is present (and therefore have made the decision without applying the tilted balance). However, no decision has yet concluded that there is not a five-year supply for Greater Norwich; a number have specifically determined that there is no reason to conclude the Council cannot demonstrate a five-year housing land supply, whilst others, including the very recent appeal at Becket’s Grove that is referred to elsewhere and the decisions at

Milestone Lane, Wicklewood and Intwood Road, Cringleford have judged that there is a housing land supply.

23. At Milestone Lane, the Inspector made a decision following consideration of the appellants' site-by-site assessment of the sites that make up the land supply (as at 1 April 2019). The Inspector concluded that:

*I consider that whether judged on the basis of the Greater Norwich area or South Norfolk alone, the Council is able to demonstrate a 5-year supply of specific deliverable sites. It follows that the application of the 'tilted balance' set out in paragraph 11d) of the Framework is not triggered in this particular case.'*

(Para 10, APP/L2630/W/20/3255672, 8 February 2021)

24. The Inspector at Intwood Road, Cringleford, concluded that:

*'I am also persuaded by the evidence that there is a five-year deliverable supply of housing land across the Greater Norwich Area, demonstrating that the spatial strategy, including Policy DM1.3 is meeting identified development needs. Whilst there may be some impact from the Covid-19 pandemic on housing delivery it is far from certain whether this has significantly dented what appears to be reasonably buoyant levels of land supply.'*

(Para 13, APP/L2630/W/20/3260880, 8 February 2021)

25. The Inspector at Becket's Grove, Wymondham, following a detailed site by site evaluation that is explained in more detail at Appendix 2 of this response, concluded that:

*'This would provide a supply of housing land of approximately 5.58 years. Therefore the balance under Section 11 (d) of the Framework is not, in this instance, engaged on the basis of a lack of a 5YSHL'.*

(Para 129, APP/L2630/W/20/3256206, 28 June 2021)

26. It is noteworthy that all of these recent decisions are made taking into account the known impacts of the COVID-19 pandemic. The effect of Covid in regard to delivery is considered in paragraph 67 of the Becket's Grove, Wymondham decision. The Inspector at Becket's Grove did not conclude a further reduction was necessary as a result of additional uncertainty resulting from the pandemic. This conclusion is also relevant to the appellant's points at paragraphs 3.12 to 3.16 of their "investigation".

27. The Council would also refer to the March 2021 decision at Land to the Rear of 16 Norwich Common, Wymondham. The agent for this appeal was also Parker Planning Services. Within their Statement of Case for this appeal, the appellants also pointed to the same historic appeal to cast doubt over the Council's land supply. However, the Inspector did not conclude after considering the appellant's evidence that the Council's land supply statement was in any way unjustified or that it could not be relied upon:

*'The appellant casts doubt on the Council's ability to demonstrate its supply of land for new housing development. However, the 2020 Housing Delivery Test Results indicate that South Norfolk Council achieved 133% delivery over the preceding three year period. The accompanying table indicates that there are no consequences for South Norfolk Council in this regard. I have invited comments from both parties regarding this document. The appellant has added nothing that contradicts this document and the Council has re-affirmed its assurance of its housing land supply and performance to date. Therefore, it has not been demonstrated that there is justification, at this time, for allocation these two dwellings contrary to the development plan policies referred to on this basis'*

(Para 12, APP/L2630/W/20/3257384, 8 March 2021)

### **Optimism Bias**

28. Within this section of their "investigation" the appellant sets out what they consider to represent the evidence needed to demonstrate deliverability. The section repeats a number of the themes set out in the preceding section in respect of what constitutes clear evidence to justify a site as being deliverable. The Council has addressed these points within other parts of this response. The section goes on specifically criticise the evidence within the 2020-5YRHLS and in particular the Joint Delivery Statements (JDS), referred to as "proforma" in the appellant's "investigation". The section then goes on to make some general accusations around "optimism bias" within the Councils 5YHLS, supported by a limited number of examples of year on year re-profiling of sites within the Council's statement. The overall intent being to cast doubt on the credibility of the statement, albeit that the appellant does not actually draw any conclusions about the practical implications of their assertions i.e. they do not say whether this justifies any further reduction in the land supply.
29. One of the particular criticisms levelled by the appellant's relates to the developer declarations included on the Joint Delivery Statements, albeit that with the exception of the sites included in Table 1, which are responded to in Appendix 1 of this response, gives no particular reasons as to why those statements should be doubted.
30. It is in fact the case that the vast majority of these statements have been supplied by persons of professional standing. The appellant provides no compelling case as to why such persons would knowingly sign-off a document which they knew would be placed in the public domain, that they considered to be inaccurate. For the sake of clarity the specific developer declaration included on the Joint Delivery Statement is as follows:

*"I confirm that:*

- the site is available, viable and can be delivered at the point envisaged and at the build out rate shown in the delivery forecast.*

*and,*

- *that to the best of my knowledge the information included within this Site Assessment form is accurate.”*

31. In addition to this, the Council would note that the agreed Joint Delivery Statements often include further detail around progress towards planning applications or approvals, discharges of conditions, details of a delivery intentions including start dates and build out rates and progress with site assessments.
32. The Council would also point to the very specific conclusion of the Inspector at Becket's Grove, Wymondham who on the matter of the Joint Delivery Statements states that:

*‘These documents have been produced by the cooperation of professional persons with knowledge of the sites in question and these persons are signatories to the document. I therefore give these documents significant weight in my decision’.*

(Para 66, Ref. APP/L2630/W/20/3256206, 28 June 2021)

33. The Council agrees with this conclusion and is of the view that this is the only reasonable conclusion that can be drawn in respect of the Joint Delivery Statements.
34. The Appellant's Table 3 aims to show 'optimism bias' in relation to a small number of specific sites. However, rather than showing 'optimism bias', the table actually demonstrates that the Greater Norwich authorities have responded appropriately to the latest available evidence, as required by the NPPF and PPG, by re-profiling sites. This includes removing some from the land supply, where supporting information is updated or sites fail to progress as anticipated. The council would also note that Table 3 also includes some inaccuracies, as detailed in the table below:

<b>Site</b>	<b>Council's response and Conclusion</b>
<b>Brooke: 2014/2041</b>	This site is for 14 units and commenced in 2018/19 as originally anticipated. The appellant's evidence is inaccurate.
<b>Hethersett: 2017/1104</b>	This site commenced in late 2018/19 and 100 of the 107 units were complete at 31 March 2021, in line with the 2018/19 AMR projections. The appellant's evidence is inaccurate
<b>Roydon: DIS3</b>	Re-profiled in line with the completed joint delivery statement agreed with a Director of Rackham Builders.
<b>Harleston: HAR4</b>	Reprofiled out of the five-year supply, due to lack of a planning application which had previously been anticipated by the site promoter in 2018

**Wymondham:  
2014/0799** Reprofiled out of the five-year supply, due to lack of a reserved matters application. A reserve matters application has now been submitted and approved (2019/1788).

**Wymondham:  
2016/2668** Reprofiled in line with the completed joint delivery statement with Armstrong Rigg Planning. A reserved matters application has now been approved.

**Blofield Heath  
2016/2199 –** This was a site with full planning permission in the ownership of a housebuilder and therefore fell within category a of the NPPF definition. The delivery of the site has been re-profiled in both the 2019-5YRHLS and 2020-5YRHLS in line with the advice of the Development Director of Bennett Homes, which updated the advice provided in the previous year. Bennet Homes have commenced on site and paid the initial instalments of £200,000 CIL, with the intention of completing the site during 2022/23. It is noteworthy, that the 5YRHLS within the 2017/18 AMR assessed the period 2018/19 to 22/23. Whilst re-profiled the evidence still indicates that it will be delivered in this period.

35. The Council would also note that the appellant's only highlight sites which have been moved back between AMRs. Several sites explicitly identified/assessed for deliverability within the housing land supply statement in the 2017/18 AMR have however also been brought forward when comparing the 2017/18 and 2019/20 AMRs, these include:

Site	No. of Dwellings	Forecast start 2017/18 AMR	Forecast start 2019/20 AMR
Land adj. Hall Lane, Drayton 20130885 / 20161066	250	Post-2026	2022/23
Land South of Salhouse Road GT7	1,169 across three sites	Post-2026	2021/22 & 2022/23 (Two of these sites have now in fact commenced)
Land East of Broadland Business Park GT11	550	Post-2026	2022/23

North Rackheath GT16	3,000	Post-2026	2024/25
Gillingham: GIL1	22	2023/24	2021/22  (All units now complete and 1 home left for sale on the site)
Hales: HAL1 2018/1934	20	Post-2026	2022/23  (Site now controlled by a developer with a strong track record of delivering in South Norfolk Villages)
Scole: 2016/0165	18	2023/24	2021/22

36. In regards potential optimism bias, the Council would also point to the evaluation at paragraph 21 of this statement. This clearly illustrates that the Council has not included all of the sites it has assessed for deliverability but rather taken a view, in accordance with the NPPF/PPG, about whether a site meets the criteria for deliverability.

### **Windfall**

37. The appellants cite a number of reasons why they feel the windfall assumptions made by the Greater Norwich authorities are unrealistic and/or do not meet the test of compelling evidence. These can be summarised as:

- The forecast is based only on an assessment of historic delivery rate and no regard has been had to a SHLAA/SHELAA or future trends;
- That historic delivery rates will include delivery that has occurred as a result of a previous absence of a 5-year housing land supply in parts of Greater Norwich; and,
- Variable rates of historic delivery.

38. The Council will respond to each of these points in turn. The council would however point to the fact that, responding to concerns raised by appellants (but not inspectors) over the last year, the 2020-5YHLS has set out the compelling



reasoning that underpins the Council's windfall assumptions in much greater detail. For the sake of brevity this is not repeated at length here (2020-5YHLS paras 26 to 36).

39. The Council would also point to the fact that the Councils forecast of windfall was also specifically challenged at the recent Becket's Grove, Wymondham appeal. In this appeal the Inspector fully agreed with the Councils position, concluding that:

*'The precautionary approach taken by the Council provides a realistic assessment of the contribution the windfall sites can make to the overall supply of housing. Thus no change should be made to the 5YHLS on the basis of the supply of 'windfall sites'.*

(Para 76, APP/L2630/W/20/3256206, 28 June 2021)

40. The Council does not consider that the appellant has put forward any substantive evidence that would lead to a different conclusion.

### **Historic delivery trends, SHLAA/SHELAA and future trends**

41. The NPPF requires that regard is had to housing land availability assessments. The Council has had regard to the relevant assessment but for the reasons explained in detail in para 28 of the 2020-5YHLS, the housing and economic land availability assessment (HELAA) is considered of limited evidential value to the assessment of future windfall rates. As such, the Council has used its extensive assessment of historic windfall delivery as the basis of its future projections.
42. The assessment of historic delivery covers an extensive period from 2008/09 to 2017/18. It is important to note that the period assessed includes delivery that was achieved in the immediate aftermath of the 2008 global financial crash, a time during which house building was substantially depressed both locally and nationally. As such the assessment covers the large part of an economic cycle and as such avoids skewing by recent performance, trends or policy changes as might have occurred if a smaller sample size was considered.
43. In regards future trends, paragraph 32 of the 2020-5YHLS specifically addresses each source of supply considered in the assessment of historic trends. This assessment of future trends has also resulted in all sites of 10+ units Broadland and South Norfolk being excluded from their assessment of historic windfall delivery. The Council's approach of excluding windfall sites of 10+ dwellings in Broadland and South Norfolk, effectively mitigates the potential for the assessment of historic trends to be skewed by sites permitted at times when there was a housing land supply deficit, the majority of which were larger greenfield sites in these locations. Therefore, the Council does not consider the appellant's criticism at 4.13 justified.
44. Taking a precautionary approach, the Councils have also discounted past performance by the significant sum of 33% across all sources, irrespective of whether any uncertainty around specific sources of supply has been identified. The delivery of windfall has then been applied in a phased manner. This meant that the 681 units of windfall forecast to be delivered was actually less than 40% of the 1,703 homes that were actually delivered on windfall sites in the five years 2012/13 and 2016/17. It is also notable that the 1,703 home figure itself is an under

representation of actual windfall delivery as it excluded delivery on garden plots (due to the wording of the NPPF at the time) and larger sites in Broadland and South Norfolk.

### **Variable rates of historic delivery**

45. The Council does not agree that the assessment in any way conclusively shows diminishing supply as suggested by the appellant. What the yearly totals show is that there is fluctuation year on year but that dips in supply are typically followed by years of increased supply.
46. In any event, as is set out above the Council applies two discounts to its windfall assessment to avoid over-estimating supply, a 33% blanket discount and a stepped introduction of additional supply from windfall sites. The real terms impact in terms of assumed and actual historic windfall is set out above and shows how a prudent approach is being taken by the Councils. This 'precautionary' approach is specifically acknowledged by the Inspector at Becket's Grove.
47. It also needs to be borne in mind that sites of 10 or more have been completely excluded from the assessment of historic supply in Broadland and South Norfolk. This accounts for the clear evidence of a 5-year housing land supply in Greater Norwich. It is of course the case that some major windfall development will continue to take place even with the existence of the housing land supply and therefore actual levels of windfall delivery will exceed those set out in the table.

### **Student Accommodation**

48. The appellant criticises the inclusion of student accommodation in the 2019-5YHLS in terms of the effect of the delivery of purpose-built student accommodation (PBSA) in freeing up general market housing.
49. As a first principle the Council would comment that the appellant appears to be arguing that no account should be taken for PBSA. It seems inherently perverse for the delivery of PBSA to be taken into account when measuring past performance of the Council in accordance with government's specific guidance on the Housing Delivery Test, but not in terms of its future performance. Moreover, the Council does not consider such an approach to be consistent with National policy and guidance.

### **Impact on general market housing**

50. As identified by the appellant the PPG says that all student accommodation can in principle count towards an authorities housing land supply based on:
- *the amount of accommodation that new student housing releases in the wider housing market; and/or<sup>1</sup>*
  - *the extent to which it allows general market housing to remain in such use rather than be converted for use as student accommodation.*

---

<sup>1</sup> Emphasis added

51. The appellant essentially advances an argument at 5.1 to 5.6 of their Investigation that no account should be taken of student accommodation because it is not freeing up general market housing. In the appellant's view this is because the growth in student numbers is outstripping the rate at which student accommodation is being built.
52. The Council disagrees with the appellant's position. The PPG does not limit counting student accommodation to situations where previous student housing is being released back on the general market. **Explicitly** the second part of the above PPG extract allows for PBSA to be taken into account based on the extent to which it allows general market housing to remain in such use rather than be converted for use as student accommodation.
53. The construction of PBSA will allow more general needs housing to stay in such use, as it will not be converted to accommodate students who would otherwise need to meet their needs in the private rented sector (as referenced in the appellants Appendix B, para 1.9). The PPG sets out its two conditions above as *and/or*, therefore there is no requirement to fulfil both conditions.
54. The quoted judicial review is dated as 2015 and appears to be based on the approach to assessing housing needs/requirements, and the contribution to that from student accommodation, that preceded the much more recent national methodology for calculation Local Housing Need, Housing Land Supply and how student accommodation should be taken into account (as set out in the PPG). The council therefore ascribes the judgement little weight when compared to the much more recent PPG that properly should be applied in decision making.
55. The Council would also highlight that a similar argument to the appellant's was advanced by Barton Willmore at the Becket's Grove hearing. Despite said arguments, the Inspector continued, properly in light of the current PPG, to take account of student accommodation in the calculation of housing land supply and the ratio of 2.85 student rooms equating to 1 dwelling, or on a 1 to 1 basis for studio flats.

## **Conclusion**

56. The Council and its Greater Norwich partners continue to substantially exceed its housing delivery requirements under the Housing Delivery Test. Alongside this delivery, substantial increases have been achieved in amount of committed housing land (sum of permissions and allocations) since the 2008 base date of the current development plan. The Greater Norwich partners have also made substantial progress towards the allocation of further sites to exceed the identified needs to 2038 through the Greater Norwich Local Plan. On the basis of the above it is clear that the Greater Norwich partners are acting wholly in accordance with the Government's objective to "significantly boosting the supply of homes". The recent appeal decision at Holt Road, Horsford (5YHLS Appendix 4), which followed a hearing in June 2021, summarised this:

'... there is no dispute that the Council are currently able to demonstrate a land supply that is in excess of five years. The Council are therefore in the process of significantly boosting the supply of housing. The very positive

Housing Delivery Test results further attest to this. The Council has also over allocated to ensure housing is delivered at scale.'

(Para 43, APP/K2610/W/20/3260003, 23 July 2021)

### **Specific deliverable sites**

57. For the reasons set out in paragraphs 12–37 above, the Council does not consider that the evidence within the appellant's investigation of specific deliverable sites justifies the scale of reduction claimed. In respect of the 2020-5YHLS the Council considers that the appellant's evidence justifies a reduction of only 184 dwellings for those sites identified in the appellant's Table 1. The detailed reasoning for this conclusion is set out in 5YHLS Appendix 1 below.
58. Taking into account the addition of 142 units at the Royal Norwich Golf Club, which had not been included in the 2020-5YRHLS, but the addition of which was supported by the Inspector at Becket's Grove (5YHLS Appendix 3, paragraph 106), the appellant's evidence would only justify a net reduction of 42 units compared to the 2020-5YRHLS

### **Windfall**

59. As detailed in the 2020-5YRHLS, and further expressed in paras 37–47 above, the Council has put forward a compelling case for the inclusion of windfall development within the 5 year supply. Specifically, by:

- excluding contributions from major development in Broadland and South Norfolk from the assessment of historic delivery;
- discounting the overall annual average by 1/3; and
- including windfall on a stepped basis,

the Council has taken a cautious and prudent approach to the inclusion of windfall to avoid over-estimating supply.

60. As such, the Council considers that all 825 windfall dwellings should remain within the calculation of 5 year housing land supply. As set out in paragraph 39, this conclusion is explicitly supported by the Inspector at Becket's Grove (5YHLS Appendix 3).

### **Student Accommodation**

61. For the reasons set out in paragraph 48–55 above, the Council does not consider that the appellant's evidence justifies fully discounting the contribution of student accommodation from the housing land supply. Such an approach would be clearly contrary to the Planning Practice Guidance.

### **Impact on 2020-5YHLS**

62. Based on an evaluation of the appellant's "investigation" taken in isolation, the Council considers that only the following adjustments to the 2020-5YRHLS could be justified:
- Reduction of **42** from specific deliverable sites.

- Reduction of **0** homes from windfall.
- Reduction of **0** homes from Student Accommodation.

63. This would result in a reduction from the Council's 2020-5YRHLS figure of 12,998 homes of deliverable supply to 12,956 homes of deliverable supply or 6.14 years (12,956/2,109).

64. The Council prefers as its starting point, however, the conclusions of the Inspector at Becket's Grove. Properly understood the Inspector's conclusion at Beckett's Grove (5YHLS Appendix 2) justifies a reduction of 240 homes from the Council's supply of deliverable sites i.e. a deliverable supply of 12,758. This is equivalent to a 6.05-year housing land supply.

65. Based on the rationale set out in 5YHLS Appendix 1, the Council believes that on the basis of more recent evidence it would be justified to add an additional 100 homes to the supply from the Land North of Smee Lane, Great Plumstead site (Reference 20180193), for which there is now a submitted reserve matters on behalf of Orbit Homes.

66. Since the publication of the 2020-5YRHLS, it has also become apparent that the Councils were using the wrong multiplier for calculating the contribution from communal older people's accommodation: a ratio of 8 units being equivalent to 1 dwelling, instead of the correct ratio of 1.7 to 1.8 units being equivalent to 1 dwelling. Based upon corrected multipliers for older people's accommodation, there should be a reduction of only 9 homes not 12 homes from the site Former David Rice Hospital Site, Drayton High Road. Overall this would reduce the deductions applied by the Becket's Grove Inspector by 103 units to 137. This would be equivalent to a deliverable supply of 12,861 and a land supply of 6.10 years.

67. It should be noted that there are likely to be other gains in land supply if the correct multiplier for communal older people's accommodation were applied, which would yield more homes than the current multiplier used in the 2020-5YRHLS. Therefore, the actual supply is likely to be greater than 6.10 years. The Council does not intend to advance any evidence in this respect however and is content to rely on the 6.10-year figure.

68. In final conclusion, the Council does not consider that the appellant has advanced any credible evidence that would justify anything more than a very small reduction in the published housing land supply position. Using the Becket's Grove decision as a starting point, and taking into account additional more recent evidence as outlined in this response, the Council considers that it has robustly demonstrated a buoyant **6.10 year housing land supply**.

**Broadland District Council**  
**October 2021**

## 5YHLS Appendix 1 – Council's response to appellant's Table 1

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
Broadland				
<b>20161066</b>	136	Decision pending on Full planning application (20200640) submitted in respect of this site. There is no surety that the application will be approved and/or the site will be delivered in accordance with the trajectory identified.	<p><b>Land Adj. Hall Lane, Drayton</b> - As forecast by the Council the site has now secured full planning permission and is therefore now a category (a) site with 7 further applications have now been submitted for the discharge of conditions. The appellant provides no clear evidence that the site will not be delivered, but rather seeks to cast doubt on the likelihood of permission being granted. Such criticism is now proven to have been unjustified. The site is in the ownership of a developer who has informed the delivery forecast.</p> <p>As set out in paragraph 90 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206). It is notable that the inspector reached this conclusion even though at that point the full planning permission had not been approved.</p>	0
<b>20201729</b>	29	Reserved Matters pending decision. No clear evidence provided that this site will be delivered in accordance with the trajectory identified.	<b>Former David Rice Hospital Site, Drayton High Road</b> - As noted by the appellant an application for all reserve matters for all 29 units has now been submitted (District Reference: 20201185), although it does now appear that 19 of the 29 units will operated as care units, albeit with class C3. On these basis the council would consider these as communal accommodation to be counted at a ratio of 1:1.8.	9 (due to part of the site now being proposed to come forward as car housing within class C3)

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
			<p>Correspondence on the application file identified both a developer, BH2020Ltd for the scheme and an operator for the care element "Ethos Care".</p> <p>The case officer has also indicated that pre-commencement archaeological works are due to be begun before the end of 2021.</p> <p>The significant and demonstrable progress towards securing detailed consent and an identified developer is considered to be more than sufficient to provide clear evidence of a realistic prospect that housing will be delivered on the site within five years.</p>	
20190278	23	Reserved Matters pending decision. No clear evidence that site will be delivered as per the trajectory identified in the report.	<p><b>Former Lingwood First School, Chapel Road</b> - As noted by the appellant an application for all reserve matters for all 23 units has now been submitted (District Reference: 20201611). The applicant is housebuilder Torrington Properties Ltd.</p> <p>Torrington Properties, who are working with the landowner Norfolk County Council.</p> <p>NPS on behalf of Norfolk County Council has signed a Joint Delivery Statement to confirm their firm intentions to deliver the scheme, with the expectation of an 11 month build programme.</p> <p>The significant and demonstrable progress towards securing detailed consent and an identified developer is considered to be more than sufficient to provide</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
REP1	83	Allocated site but no approved application. No clear evidence that site will come forward as per trajectory identified in the report.	<p>clear evidence of a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 92 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p> <p><b>Land off Broomhill Lane, Reepham</b> - A full application for the development (District Reference 20200847) has been submitted by housebuilder Lovell Homes.</p> <p>A Joint Delivery Statement was submitted on behalf of Lovell Partnerships Ltd that confirmed the developer's intention to deliver 83 units of the 140 units proposed within the five year land supply period.</p> <p>On this basis the Council considers that the inclusion of the site in the 5 year housing land supply was justified and believes that housing is still likely to be delivered on the site within the relevant 5 year period.</p> <p>Nonetheless, the Council also accepts that site has not progressed as expected and also acknowledges the conclusions drawn by the Inspector at Becket's Grove (APP/L2630/W/20/3256206) on this site. As such the Council would not currently contest the removal of the site from the 5 year housing land supply.</p>	83



GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>20152035</b>	<b>19</b>	'Merely' an outline yet no details/evidence provided as to how delivery will accord with that identified in the trajectory.	<p><b>Land South of Moorsticks, Buxton Road - A</b> Reserve Matters application (District Reference 20191472) has been submitted for the development.</p> <p>There has been a recent re-consultation (24 March 2021) on a revised layout for the site, showing continued progress towards the resolution of outstanding issues.</p> <p>The significant and demonstrable progress towards securing detailed consent combined with the relatively small scale of the project is more than sufficient to provide clear evidence of a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 97 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0
<b>20141725</b>	<b>149</b>	The approval of the Reserved Matters has been delayed as a result of extensive negotiations over layout, drainage, and highways. No clear evidence that these issues are resolvable and/or the site can be delivered in accord with the identified trajectory.	<p><b>Land East of Buxton Road, Spixworth - Reserve</b> Matters approval was granted on 15 October 2020 (District Reference 20180443). This is therefore now a category A site.</p> <p>Multiple applications for the discharge of conditions have also been approved.</p> <p>The site is owned by house builder Orbit Homes, who have supplied a Joint Delivery Statement (pg. 48 of 2020-5YRHLS). Progress with the development remains in line with the submitted statement.</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
20121516	300	No clear evidence of delivery in accord with trajectory. By the LPA's own admission, delivery is delayed until the site has permission for the current strategic infrastructure reserved matters and future reserved matters applications from developer.	<p>The significant and demonstrable progress in securing detailed consent and discharging conditions, and the fact the site is controlled by a house builder indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years.</p> <p>The appellant has provided no clear evidence that would lead to a different conclusion.</p> <p><b>Beeston Park</b> - The current strategic investors in the site (U+I PLC) are seeking to gain permission for, and deliver, the strategic infrastructure and dispose of Phase 1 of the site on a "plug and play" basis to housebuilders.</p> <p>Whilst it is accepted that no housebuilder is yet on board, the Council is aware of ongoing, constructive discussions with a 3rd party to deliver the site.</p> <p>Phase 1 contains three sub-phases, A, B and C, which easily lend themselves to being delivered by multiple parties, or through multiple points of sale, which is what is reflected in the trajectory.</p> <p>Progress continues to be made towards the discharge of conditions for the strategic infrastructure and a design code is already agreed. The agreement of the design code will support the timely approval of future reserved matters applications. However, the Greater Norwich authorities have already taken a more cautious to delivery than expressed by the site promoter to allow for the completion of reserved matters applications.</p>	

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
20161896	225	Marketing campaign for site delayed. No developer identified or RM submitted. No clear evidence that site will be delivered in accord with trajectory.	<p>As set out in paragraph 98 of the decision, this conclusion was supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p> <p><b>Racecourse Plantation, Plumstead Road East -</b> Further to the Joint Delivery Statement (2020-5YRHLS, page 67), the marketing exercise for this site was successfully completed in September 2020. Housebuilder Hill has now been selected as the delivery partner for the scheme.</p> <p>In addition, the site promoter has continued to work up the Community Woodland Park element, which forms a significant part of the site, to speed up the process of securing reserved matters permission.</p> <p>Hill are in the process of preparing a detail planning application for the scheme. This was supported by a Public Consultation in September 2021 to inform the final form of the application. Hill have confirmed that their intention is to submit an application during 2021.</p> <p>The significant and demonstrable progress towards securing detailed consent and the fact that a house builder is now involved in the scheme indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 100 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
20180193	140	<p>Sale to housebuilder not yet completed and by the LPA's own admission, it is not possible to reflect a specific housebuilder's intentions in the delivery forecast. No clear evidence of delivery in accord with trajectory.</p>	<p><b>Land North of Smea Lane, Great Plumstead</b> - The Council considers it was reasonable to conclude on the basis of the Joint Delivery Statement submitted to support the 2020-5YRHLS that the site was deliverable in accordance with the NPPF definition. It also disagrees with the appellant's views that the intentions of a specific housebuilder are necessary in order to conclude that a site is demonstrably deliverable.</p> <p>The Council also acknowledges that the Inspector at Becket's Grove (APP/L2630/W/20/3256206) concluded that site has not progressed as expected and that as such all 140 homes should be removed from the supply.</p> <p>However, since the appeal decision was issued Orbit Homes have submitted a reserve matters application (District Reference 20211743), along with a series of applications to discharge conditions. This application was submitted on 27 September 2021. In this Council's view, had the Inspector been aware of an imminent detailed application from a house builder he would not have concluded as he did.</p> <p>On the basis that there is now a detailed application under consideration from a house builder, on an allocated site that benefits from outline planning permission, the Council considers this site to be clearly deliverable. However, the Council accepts that there has been some delay when compared to the forecast included in the 2020-5YRHLS. On this basis the Council considers that only 100 homes could</p>	40

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>20180194</b>	<b>10</b>	Plot sales to self-builders have not yet been completed, it is not possible to reflect any specific intentions in the delivery forecast. No clear evidence of delivery in accord with trajectory.	<p>justifiably be included in the land supply, a reduction of 40 homes compared to the 2020-5YRHLS. It should be noted that this assumes a yearly delivery rate consistent with the Joint Delivery Statement submitted for the site by the agent, but lower than Orbit Homes are forecasting for their nearby site at Land East of Buxton Road.</p> <p><b>Land North of Smea Lane, Great Plumstead</b> – The Joint Delivery Statement (2020-5YRHLS, page 57), sets out that the land promoter Landform Estates is undertaking further investigations to enable the sale of individual plots to self-builders.</p> <p>Whilst this has not occurred in line with the statement, progress has clearly been made with the adjacent application 20180193, also being dealt with by Landform Estates, this is indicative that the promoter is not idly sitting on these sites.</p> <p>The self-build plots are in an attractive location on the fringe of Norwich and it can reasonably be concluded that they would be attractive to self-builders.</p> <p>On this basis, the Council considers that there is clear evidence that there is a realistic prospect of housing being delivered on this site within five years. However, due to the delays evident on the site the Council would accept a year's delay to the forecast delivery, equivalent to a reduction of 3 units.</p>	<b>3</b>
<b>GT11</b>	<b>126</b>	A hybrid planning application (20181601) was submitted on 02/10/2018. Determination of the application has been delayed whilst issues relating to highways, layout and the	<b>Land Est of Broadland Business Park</b> - The hybrid application for the site, which included 315 dwellings in detail, (District Reference 20181601) was approved on 26 April 2021. Therefore substantially this is a	<b>0</b>

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
		mix of uses on site are resolved. No clear evidence that issues identified are resolvable and that site can be delivered in accord with trajectory.	<p>category (a) site. 13 separate applications to discharge conditions on the permission have now been submitted or determined.</p> <p>The site is under the control of Housebuilder Larkfleet Homes.</p> <p>The significant and demonstrable progress in securing a detailed consent and the fact that a house builder is involved in the scheme indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 102 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	
<b>GT16</b>	<b>50</b>	Contract with a housebuilder remains in the process of being finalised. Preparation and approval of planning applications and for development to be begun on site remains outstanding. No clear evidence that these issues are resolvable, and that site can be delivered in accord with trajectory.	<p><b>North Rackheath</b> - Housebuilder Taylor Wimpey have now finalised a contract to deliver the site. Preparation on an outline application for the whole site and a detailed application for the 1<sup>st</sup> stage is significantly advanced.</p> <p>Public consultation have been undertaken by the developer and pre-application discussions with the Council, highways authority and other relevant bodies are ongoing.</p> <p>Taylor Wimpey intention remains to submit their planning applications in the early part of 2022.</p> <p>The significant and demonstrable progress towards securing outline and detailed consent and the fact that a house builder is now involved in the scheme</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
			<p>indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 103 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	
GT18	75	No grant of planning permission and no agreement on a price and take-up option. No surety that site can be delivered in accord with trajectory.	<p><b>Land South of Green Lane West</b> - Full Planning Permission for the scheme was granted on 25 January 2021 (District Reference 20171464). The site is therefore now a category (a) site.</p> <p>A subsequent application to vary conditions in connection with the engagement of a second developer to deliver part of the site under application 20210472 was approved on 9 September 2021. 4 further applications to discharge condition have also been submitted.</p> <p>The scheme is now to be delivered jointly by Charles Church and Norfolk Homes. Whilst consent was issued later than anticipated in the Joint Delivery Statement, as two developers will be delivering the site it is reasonable to expect that the site will continue to be delivered in accordance with trajectory set out in the land supply statement.</p> <p>As set out in paragraph 104 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>GT20</b>	<b>378</b>	Decision on application 20191370 pending. No clear evidence that application will be approved of that site will be delivered in accord with identified trajectory.	<p><b>White House Farm (North East)</b> - Whilst the outline application is still awaiting determination, the site is allocated through the Growth Triangle Area Action Plan and has a resolution to grant permission. Significant progress has also been made towards finalising the accompanying S106 agreement and it is anticipated that this will be completed in the near future allowing for a permission to be issued.</p> <p>The site will be delivered by three separate housebuilders who are currently delivering an adjacent site. The delivery rates included in the forecast are based on the developers' local knowledge and experience of delivering the adjacent development site.</p> <p>The significant and demonstrable progress towards securing planning permission and the fact that a three house builder is now involved in the scheme indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years.</p> <p>As set out in paragraph 105 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0
<b>Sub-total</b>	<b>1,743</b>			<b>133</b>
<b>Norwich</b>				
<b>CC3</b>	<b>10</b>	Options stage only – Still owned by Norwich City Council. No developer identified or planning application submitted. No clear evidence that housing completions will begin	<b>10-14 Ber Street</b> - This site is adopted in the Norwich City Local Plan, is proposed for allocation in the emerging GNLP and is identified on the Norwich Brownfield Register.	0



GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
		on site within 5-years. No evidential presented in AMR regarding PPG evidential requirements	<p>As the appellant has correctly identified the site is in the ownership of Norwich City Council. It is also currently vacant.</p> <p>The appellant is incorrect in their statement that there is no developer identified. Norwich City Council are a developer. Norwich City Council intend to take the development forward through their wholly owned property development company Norwich Regeneration Ltd.</p> <p>The Joint Delivery Statement for the site (2020-5YRHLS, page 71) was completed by Norwich City Council as landowner and outlined their intention to submit a planning application for the site during in 2021.</p> <p>On the basis of the above information it is clearly the case that this site meets the definition of deliverable within the NPPF.</p> <p>As set out in paragraph 124 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	
C11	14	Still owned by Norwich City Council. No developer on appointed, no application progressing or submitted. Known difficult ground conditions likely to be a constraint on development and no evidence that such 'issues' are resolvable.	<p><b>Argyle Street</b> - This site is adopted in the Norwich City Local Plan, is proposed for allocation in the emerging GNLP and is identified on the Norwich Brownfield Register.</p> <p>As the appellant has correctly identified the site is in the ownership of Norwich City Council. It is also currently vacant and the site has been cleared.</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
			<p>The appellant is incorrect in their statement that no developer has been appointed. The City Council is a developer.</p> <p>The Joint Delivery Statement (2020-5YRHLS) was completed by Norwich City Council as landowner, outlining that approval to proceed with the scheme had been granted by the Council's Cabinet and funds had been allocated for the design work, with an application expected in 2021.</p> <p>Additional to the Delivery Statement, progress has been made over recent months on the RIBA stage 2 design phase, the budget for delivery has been approved with a planning application due to be submitted in due course.</p> <p>On the basis of the above, it is therefore clear that the site meets the definition of deliverable within the NPPF.</p> <p>As set out in paragraph 123 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	
<b>R36 Only DEM</b>	<b>156</b>	Still owned by Norwich City Council and no developer appointed. Remains to be tested on the 'open market'. No application submitted. Assumption that site is deliverable but there is no evidence provided to confirm this. No clear evidence that housing completions will begin on site within five years.	<p><b>Mile Cross Depot</b> - This site is adopted in the Norwich City Local Plan, is proposed for allocation in the emerging GNLP and is identified on the Norwich Brownfield Register.</p> <p>As the appellant has correctly identified the site is in the ownership of Norwich City Council. It is also currently vacant and the site has been cleared.</p>	<b>6</b>

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
			<p>The appellant is incorrect in their statement that no developer has been appointed. The City Council is a developer.</p> <p>The Joint Delivery Statement (2020-5YRHLS) was completed by Norwich City Council as landowner, outlining that the site had been cleared and that the Council is looking to appoint a design team with a view to submitting a planning application.</p> <p>Furthermore, Norwich City Council approved a development option at the Cabinet meeting on 10 June 2020 for a social housing scheme of 150 dwellings, with potential to increase this to 200 dwellings.</p> <p>The City Council has since gone out to tender for a design team, with tender applications having been assessed earlier this year.</p> <p>On the basis of the above, it is clear that the site meets the definition of deliverable as set out within the NPPF and should be counted toward the 5 year housing land supply.</p> <p>As set out in paragraph 125 of the decision, the conclusion that the site should be considered deliverable was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206), albeit with housing numbers reduced by 6 to 150 units. The Council accepts a reduction of 6 units from the 5 year period on the basis of the findings of the Becket's Grove appeal.</p>	

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>Sub-total</b>	<b>180</b>			<b>6</b>
South Norfolk				
<b>DIS2</b>	<b>15</b>	'No site progress at present'. This is the only information provided, i.e., no clear evidence that site will be delivered in accord with trajectory.	<b>Park Road</b> - This site relies on development on part of the site which is in Zone 1 Flood Risk. Since the allocation was made there has been a change in the Flood Risk Zones, therefore this site is not currently considered deliverable in the five year supply.	<b>15</b>
<b>2018/0121</b>	<b>24</b>	No evidence of deliverability provided in proforma. No surety that site can be delivered in accord with trajectory.	Agreed, 15 dwellings removed from supply. <b>Tunney's Lane Field, Ditchingham</b> – A Joint Delivery Statement has been agreed with developer Badger Building, page 102 of the 2020-5YHLS. A full application (2019/1925) was for an increased number of dwellings (27) was approved 30 March 2021. Further applications for the discharge of conditions have also been submitted. The delivery statement confirms the intention to deliver 16 of those units by 2023/24. This is consistent with the progress of the application. The delivery forecast is considered to remain fully justified.	<b>0</b>
<b>2018/1317</b>	<b>6</b>	No commentary/evidence provided in proforma. No surety that site can be delivered in accord with trajectory.	<b>Lodge Field, School Lane</b> - 2018/1317 is a full application for 16 units. This is therefore a category (a) site. The site is being delivered by housebuilder Cripps Developments.  A signed Joint Delivery Statement (JDS) is included on page 104 of the 2020-5YRHLS that confirms 10 units were completed in 2019/20 (the year prior to the basedate of the current land supply statement). The JCS also confirms developer's intentions to complete the remaining 6 units in 2020/21.	<b>0</b>

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2014/2611	280	Reserved Matters for Phase 1 submitted May 2020'. No further evidence of progress provided in proforma. No clear evidence that site can be delivered in accord with trajectory.	<p>It is inconceivable that a partially completed scheme with a signed statement confirming the developer's intentions to complete the site in a given year could be considered undeliverable. The appellant provides no clear evidence to justify their assertion.</p> <p><b>South and east of the village, Easton</b> - Site is being brought forward by house builder Persimmon Homes.</p> <p>Reserved Matters Application (Reference 2020/0962) for 291 dwellings was approved in March 2021. Discharge of conditions submitted Feb and March 2021.</p> <p>The Joint Delivery Statement for this site (2020-5YRHLS, page 103) was completed by Persimmon Homes; the covering email explained that they have increased their annual development rate to 80/year, to reflect delivery rates on their comparable sites/location where they use both the Persimmon and Charles Church branding (the initial reserved matters being a roughly 75/25 split).</p> <p>The projections provided by Persimmon were based on approval of the first reserved matters in Q1 2021, which was achieved.</p> <p>The significant and demonstrable progress towards delivery and the fact that a house builder is involved in the scheme indisputably shows that there is a realistic prospect that housing will be delivered on the site within five years in line with the trajectory in the 2020-5YRHLS.</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2019/1013	22	'Site Commencement delayed until July 2020 due to Covid Pandemic. All Dwellings likely to be completed by May 2022'. No further evidence provided. No surety that site can/will be delivered in accord with trajectory.	<p>As set out in paragraph 113 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p> <p><b>Norwich Road, Gillingham</b> - This is a category (a) site with full permission for 22 homes that is being delivered by house builder Hopkins Homes.</p> <p>The Joint Delivery Statement for this site (2020-5YRHLS, page 105) clearly sets out the developer's intentions to complete the scheme by May 2022.</p> <p>A review of Hopkins Homes website on 22 October 2021 shows that one of the 22 properties remains for sale, with the other properties having been completed and sold. The development has therefore progressed ahead of the timescale set out in the Joint Delivery Statement.</p>	0
2018/1934	20	No reserve matters. The LPA acknowledge that discharge of conditions will take time as will commencement on site. No clear evidence that site can be commenced within the 5-year period.	<p><b>Land at Yarmouth Road / west of Hales Hospital</b> - This is an allocated Local Plan site that now benefits from outline permission for 20 dwellings.</p> <p>A Joint Delivery Statement from the agent for the site is included in the 2020-5YRHLS at page 106.</p> <p>This is a small site in a popular village location; however, the Greater Norwich authorities have taken a more cautious approach than the agent and pushed the delivery back 12 months, as detailed in the statement on page 145 of the 2020-5YRHLS.</p> <p>This is considered to be clear evidence that there is a realistic prospect of development of the site within five years.</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>HAR4</b>	<b>15</b>	Progress ongoing in terms of site assessment work in relation to drainage and the site is yet to be marketed, with a sale to a developer expected thereafter. No submission and approval of planning applications. No clear evidence that site can be delivered within 5 years.	<p>As set out in paragraph 114 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206) <b>Spirkett's Lane/Limes Close, Harleston</b> - As detailed in the Joint Delivery Statement (2020-5YRHLS, page 108) work has already been undertaken to deliver this site, including: formal pre-application advice from the Council and drainage and service strategies. The stated intention is to market the site during 2021.</p> <p>The council considers it reasonable therefore to have identified the site as deliverable within the 2020-5YRHLS.</p> <p>Notwithstanding this, the Council acknowledges the conclusions drawn by the Inspector at Becket's Grove (APP/L2630/W/20/3256206) on this site as set out in paragraph 115 of the decision. As such the Council would concede the loss of 15 homes for the supply on this site.</p>	<b>15</b>
<b>LNGS1</b>	<b>60</b>	2018/0112/O – Outline permission (pending consideration). No other evidence provided. No clear evidence that site can be commenced within 5 years.	<b>Long Stratton, North West of the village</b> – It is agreed that delivery of this site is linked to securing permission and funding for Long Stratton Bypass. Norfolk County Council was received £500,000 from DfT to complete the Outline Business Case for Major Road Network funding, this was submitted to DfT in January 2021. The County Council envisage construction of the bypass starting in mid-2023 with the road open to traffic in 2024.	<b>0</b>

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2014/0319	105	No evidence of deliverability provided in proforma.	<p>A hybrid application (District Reference 2018/0112) is currently under consideration which seeks full permission for 213 dwellings and outline permission for 387 dwellings has been submitted by Norfolk Home. A re-submission package, to address outstanding matters, is being prepared and is expected to be submitted in the near future.</p> <p>As such, the agreed Joint Delivery Statement, page 114 of the 2020-5YHLS, delays the first completions to 2023/24. It should be noted that the Area Action Plan Policy allows for 150 dwellings to be completed prior to the bypass.</p> <p>As set out in paragraph 117 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p> <p><b>West of the Street / North of Shotesham Road, Poringland</b> - This is a category a site that benefits from detailed permission for 221 dwellings, of which 76 had been completed prior to the basedate of the 2020-5YRHLS 2020.</p> <p>The site is being delivered by house builder Norfolk Homes. The Joint Delivery Statement on page 118 of the 2020-5YRHLS clearly set out the developer's intentions to deliver the site in accordance with the stated trajectory.</p> <p>This is considered to be clear evidence that the site should be considered deliverable.</p> <p>The appellant has provided no evidence as to why this site should not be considered deliverable.</p>	0



GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2011/0476/0	15	Outline application only. No evidence of deliverability provided.	<p><b>West of the Street / North of Shotesham Road, Poringland</b> - As set out in the statement on page 146 of the 2020-5YRHLS, detailed permission for the development has been secured under application 2019/2209. Therefore this is a category (a) site.</p> <p>An application for the discharge of conditions under application 2020/2459 has also been submitted.</p> <p>The site is in the control of house builder Big Sky.</p> <p>This is considered to be clear evidence that demonstrates a realistic prospect of housing being delivered within 5 years.</p>	0
DIS3	42	Allocation but no commentary on progress with any applications or commentary on deliverability provided within the context of the 'Statement'.	<p><b>Denmark Road, Roydon</b> – Developer Rackham Builders have confirmed in their agreed Joint Delivery Statement (page 120 2020-5YHLS) that they are preparing a planning application, with the intentions of submitting it during the 2021/22 monitoring year, starting on site shortly after. Rackham Builders expect construction to take place during 2022/23 and 2023/24.</p> <p>As set out in paragraph 111 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0
SCO1	15	Application is yet to be submitted. LPA acknowledge more time required for the approval of a planning application and for development to be begin. No clear evidence that site can be delivered within 5 years.	<p><b>Old Norwich Road, Scole</b> -This is an allocated development site. The agent for the site submitted a Joint Delivery Statement (2020-5YRHL, page 122), that confirmed the intention to submit an application for 25</p>	15

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2014/0981	63	RMA pending consideration. No clear evidence provided that site can be delivered in accord with identified trajectory.	<p> dwellings. The Greater Norwich authorities took a more cautious approach that the agents did in their forecast within the 5YRHLS. Nonetheless, the council considered it reasonable to identify the site as deliverable within the 2020-5YRHLS.</p> <p>Notwithstanding this, the Council acknowledges the conclusions drawn by the Inspector at Becket's Grove (APP/L2630/W/20/3256206) on this site as set out in paragraph 119 of the decision. As such the Council would concede the loss of 15 homes for the supply on this site.</p> <p><b>Devon Way / Hudson Avenue, Trowse</b> - Reserved Matters Application (2017/2670) was withdrawn and Outline consent has lapsed. However, a separate full application (2019/2318) was approved for 83 dwelling as an extension (Phase 2) of White Horse Lane scheme. This scheme is to be developed by Norfolk Homes, who also delivered phase 1 of White Horse Lane.</p> <p>Joint Delivery Statements for both parts of this site have been submitted together by the Land &amp; Planning Manager for Norfolk Homes (2020-5YRHLS pages 125 and 126), an established regional builder with a strong track record of delivery, indicating that they were clearly aware of the overlap of sites when submitting the information.</p> <p>Previous experience of Norfolk Homes delivery of a 700+ unit allocation in Poringland, South Norfolk has indicated that their delivery rates are not always 'linear' and overlaps between delivery on different phases does occur. The applicant has also started to</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
			submit the relevant discharge of conditions applications.	
			Therefore the Council considers that all 63 are deliverable as set out in the 2020-5YRHLS.	
			As set out in paragraph 120 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)	
<b>2016/0466</b>	<b>23</b>	Outline approval only yet no proforma/evidence provided in respect of deliverability.	<b>Rear of Georges House, Woodton</b> - This is an allocated site that secure Full permission for 23 dwellings on 23 August 2021. This is therefore now a category (a) site.  The site is controlled by FW properties, a local developer with a strong track record of delivering smaller sites in South Norfolk. Further applications have now been submitted for the discharge of conditions related to the full permission.  This site is therefore clearly deliverable. The Inspector at Becket's Grove (APP/L2630/W/20/3256206) found no reason to disagree with this conclusions as set out in paragraph 121 of the decision.	0
<b>2014/2495</b>	<b>140</b>	2019/1804/D – Reserved matters (pending consideration) for 246 dwellings. No further evidence in proforma in respect of deliverability of site. No clear evidence provided in respect of 'deliverability'.	<b>London Road/Suton Road, Wymondham</b> - Reserve matters permission under application 2019/1804/D was granted on 14 January 2021. This is therefore now a category (a) site. The site is in the control of builder Lovell.  The Joint Delivery Statement (2020-5YRHLS) signed by the developer themselves, sets out clear delivery forecast. The forecast is consistent with the date that the detailed permission was achieved.	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
2014/0779	90	LPA acknowledge that issues related to the development need to be resolved. No detailed planning application submitted. No housebuilder identified. No clear evidence of delivery as per trajectory identified in 5-yhls report.	<p>It is therefore clear that there is more than a realistic prospect that housing will be delivered in line with the forecast. The appellant has put forward no clear evidence that would justify the removal of a category (a) site from the housing land supply.</p> <p><b>Former WRFC, Wymondham</b> – As clearly set out in the statement on page 147 in respect of this site a Reserve Matters application (District Reference 2019/1788) on behalf of Saffron Housing has been submitted. Saffron Housing are a housebuilder.</p> <p>Application 2019/1788 was granted approval on 19 March 2021. This site is therefore now a category (a) site under the NPPF definition of delivery.</p> <p>On the basis of the information set out above it is clear that this site meets the definition of deliverable and should be counted towards the five year housing land supply.</p>	0
2016/2668	58	No RM consent. The viability of this delivery is dependent on RM consent being granted for 0% affordable housing. Development viability must therefore be marginal at best. No clear evidence of delivery in accord with identified trajectory.	<p><b>Former Sale Ground, Cemetery Lane, Wymondham</b> - Reserved matters consent for the site was granted on 2 June 2021 under application 2020/1439. This is therefore a category (a) site.</p> <p>The agreed Joint Delivery Statement, page 130 5YHLS 2020, confirms the intention to deliver 20 units in 2022/23 and 2023/24 and 18 units in 2024/25.</p> <p>This is considered to be clear evidence that there is a realistic prospect that housing will be delivered on site within 5 years.</p>	0

GNDP Site Reference	Appellant's Proposed Reduction (No. of Homes)	Appellant's Comments on Deliverability	Council's Comments on Deliverability	Actual Justifiable change to 2020-5YRHLS
<b>DIS1</b>	<b>35</b>	No application submitted and no evidence presented in the AMR on any other of the PPG evidential requirements. The only activity/progress recorded is that of discussions taking place with the neighbouring landowner. No surety (clear evidence) that this site will be delivered/commenced within the 5-year period.	<p><b>Vinces Road, Diss</b> - An experienced local agent expects has re-affirmed in the agreed Joint Delivery Statement on page 101 of the 2020-5YHLS that the site is available, viable and can be delivered at the point envisaged. Based on the agent's knowledge of the site they anticipates the development starting in 2023/24. The suitability of the site has previously been established through its allocation as part of the plan making process.</p> <p>As set out in paragraph 111 of the decision, this conclusion was fully supported by the Inspector at Becket's Grove (APP/L2630/W/20/3256206)</p>	0
<b>Sub-Total</b>	<b>1,028</b>			<b>45</b>
<b>Total</b>	<b>2,951</b>			<b>184</b>

## **Appendix 2 – Council Review of the Inspector’s Assessment of the Greater Norwich 5-Year Land Supply at Becket’s Grove, Wymondham appeal (APP/L2630/W/20/3256206).**

1. The conclusions of the Becket’s Grove inspector are instructive in many regards, with the Inspector giving clear and well-reasoned conclusions on a number of specific sites and also in fully supporting the Council’s approach to the treatment of sites of 9 or fewer units; the approach to Windfall Housing; and the approach to Student Accommodation.
2. The hearing for the appeal was delayed because of the impact of the Covid 19 pandemic and a change from initial proposals for an inquiry to a hearing. As a result, when the appellants statements for the appeal were submitted in September 2020, these were based on the 1 April 2019 housing land supply statement, the “2019-5YRHLS”. By the time the appeal was heard in May 2021, the 1 April 2020 housing land supply statement, the “2020-5YRHLS, has been published. The 2020-5YRHLS was the land supply statement on which the application was determined.
3. Unfortunately, the fact that there were statements and agreements between the parties relating to both the 2019-5YRHLS and 2020-5YRHLS has led to some misinterpretation. This resulted units for some sites being removed from the deliverable 5-year supply at 1 April 2020, when in fact they formed no part of the 2020-5YRHLS.
4. The following commentary clarifies the housing land supply position in light of the Becket’s Grove Appeal. (APP/L2630/W/20/3256206).

### **Deduction of Homes from Sites that did not form part of the deliverable supply in the 2020-5YRHLS**

5. **Paragraph 80** of the Inspector’s report lists sites which ‘*prior to the hearing the Council acknowledged that the current evidence suggests insufficient progress has been made to satisfy the requirements of demonstrating delivery*’.
6. However, this statement refers the Council’s commentary on Barton Willmore’s September 2020 assessment of the 2019-5YRHLS. As would be expected, the Council has already removed the sites that were the subject of this statement from the 2020-5YRHLS. To repeat the point set out at paragraph 3 above, the 2020-5YRHLS was the land supply statement which was finally used to determine the Becket’s Grove appeal.
7. The specific sites in question are:
  - Norfolk Learning Difficulties Centre - **loss of 30 units**;
  - The Former Piggeries site at Manor Farm, Yarmouth Rd, Blofield - **loss of 13 units**;
  - Land at Jordan’s Scrapyard, Coltishall - **loss of 30 units**;
  - Phases 2 and beyond at the Royal Norwich Golf Club, Hellesdon - **loss of 197 units** (it should be noted that on the basis of the most recent evidence the Inspector finally determined that 142 of these units should be reinstated, this is referred to in this sites listed under paragraph 16 below);

- Land west of Burlingham Road, South Walsham - **loss of 21 units**;
  - West of Norwich Road, Dickleburgh - **loss of 22 units**;
  - Main Road, Swardeston - **loss of 30 units**;
  - Land adjacent to The Fields, Tacolneston - **loss of 21 units**;
  - Church Road, Tasburgh - **loss of 10 units**, and;
  - Friarscroft Lane, Wymondham - **loss of 14 units**.
8. On this basis of sites listed above the Inspector removed a total of 388 units from the land supply. However, for the reasons set out in paragraph 6 these units did not actually feature in the 2020-5YRHLS. As such they were subtracted in error.
9. **Paras 81 – 82** of the Inspector's Report cover the implications of changing the Student Accommodation ratio from 1:2.5 used in the 2019-5YRHLS to 1:2.85 that was used in the 2020-5YRHLS, and also the acknowledgement that the Mary Chapman Court Development in Norwich overstated net supply as it was in fact replacing existing Student Accommodation. Again this is a commentary on the 2019-5RHLS not the 2020-5YRHLS.
10. The specific sites in question here are:
- 112 St Mildred's - **loss of 2 units**;
  - St Stephen's Street - **loss of 36 units**;
  - Mary Chapman Court - **loss of 107 units**.
11. On this basis of sites listed in paragraph 10 the Inspector removed a total of 145 units from the land supply. However, again for the reasons set out in paragraph 6 these units did not actually feature in the 2020-5YRHLS. As such they were again subtracted in error.
12. **Paras 83 – 86** of the Inspector's report details four further sites where the deductions were conceded by the Council against the 2019-5YRHLS. Three of these sites relate to occurrences where the Council has proactively proposed that larger numbers should be deducted from the 2019-5YR HLS than Barton Willmore. This was based on the latest evidence available to the Council. It also identified that one site had been mistakenly double counted in the 2019-5YRHLS.
13. The specific sites in question here are:
- Land at St Faiths Road, Old Catton - **loss of 31 units**;
  - Land South of Salhouse Road, Sprowston - **loss of 240 units**;
  - London Road/Suton Lane, Wymondham - **loss of 100 units**;
  - South of Long Lane, Stoke Holy Cross - **loss of 10 units**.
14. On this basis of sites listed in paragraph 13 the Inspector removed a total of 381 units from the land supply. However, again for the reasons set out in paragraph 6 these units did not actually feature in the 2020 -5YRHLS. As such they were again subtracted in error.

**Deduction of Homes from Sites that did form part of the deliverable supply in the 2020-5YRHLS**

15. **Paras 87-128** of the Inspector's Report cover the sites that remain in dispute between Barton Willmore and the Council in relation to the 2020-5YRHLS.

16. The specific sites in question here are:

- North of Norwich Road, Acle – **0 homes reduction, agreed with the Council;**
- Rectory Road, Coltishall – **0 homes reduction, agreed with the Council;**
- Hall Lane/School Road, Drayton – **0 homes reduction, agreed with the Council;**
- David Rice Hospital, Drayton High Road – **12 unit reduction.** The reduction reflects the fact that part of the site is coming forward for communal care accommodation (it should be noted that the Council has provided a specific commentary on this site in Appendix 1 of this statement, included a revised reduction in light of latest evidence on the appropriate multiplier to be used for communal accommodation);
- Lingwood First School – **0 homes reduction, agreed with the Council;**
- Old Station Yard, Cawston Road/Stoney Lane, Reepham – **reduced by 2 dwellings;**
- Broomhill Lane, Reepham – **83 unit reduction;**
- Oasis Sport & Leisure, Thorpe – **3 unit reduction;**
- St Faiths Road, Old Catton – **0 homes reduction, agreed with the Council;**
- Moorsticks, Buxton Road – **0 homes reduction, agreed with the Council;**
- Beeston Park – **0 homes reduction, agreed with the Council;**
- Phase 3, Land South of Salhouse Road (BDW) – **0 homes reduction, agreed with the Council;**
- Racecourse Plantation – **0 homes reduction, agreed with the Council;**
- Smee Lane, Great Plumstead – **140 unit reduction,** (it should be noted that the Council has provided a specific commentary on this site in Appendix 1 of this statement, included further evidence, which was not before the Becket's Grove Inspector, that justifies the site being included in the land supply based);
- East of Broadland Business Park – **0 unit reduction, agreed with the Council;**
- North Rackheath – **0 unit reduction, agreed with the Council;**
- South of Green Lane West – **0 unit reduction, agreed with the Council;**
- White House Farm (North East) – **0 unit reduction, agreed with the Council;**
- Royal Norwich Golf Club – **Add 142 units to the supply, agreed with the Council;**
- BRA1, Bracon Ash – **20 unit reduction;**
- Roundhouse Park, Cringleford – **32 unit reduction;**
- South of the A11, Cringleford (Big Sky) – **0 unit reduction, agreed with the Council;**
- North of A11, Cringleford (Barratts) – **0 unit reduction, agreed with the Council;**
- Vines Road, Diss – **0 unit reduction, agreed with the Council;**
- Park Road, Diss – **15 unit reduction,** (conceded by the Council);
- North and South of Dereham Road, Easton – **0 homes reduction, agreed with the Council;**
- Yarmouth Road, Hales – **0 unit reduction, agreed with the Council;**
- Limes Close/Spirkett's Way, Harleston – **95 unit reduction,** (It should be noted that whilst the whole scheme would deliver 95 units in total, the Council had in



fact only included 15 of those dwellings in the deliverable supply as set out in the 2020-5YRHLS. Therefore the consequence to the land supply of removing this site has been over estimated in the Becket's Grove decision);

- Phases B1B/B2, North Hethersett – **22 unit reduction**;
- LINGS1, Long Stratton – **0 unit reduction, agreed with the Council**;
- Denmark Lane, Roydon – **0 unit reduction, agreed with the Council**;
- Old Norwich Road, Scole – **25 unit reduction**;
- Devon Way/Hudson Avenue, Trowse – **0 unit reduction, agreed with the Council**;
- WOO1, Woodton – **0 unit reduction, agreed with the Council**;
- South Wymondham – **0 unit reduction, agreed with the Council**;
- Argyle Street, Norwich – **0 unit reduction, agreed with the Council**;
- 10-14 Ber Street – **0 unit reduction, agreed with the Council**;
- Mile Cross Depot – **6 unit reduction**;
- Queens Road/Surrey Street – **0 unit reduction, agreed with the Council**;
- Three Score, Bowthorpe – **7 unit reduction**;
- Duke Street – **0 unit reduction, agreed with the Council**;

17. As can be seen from the above commentary in paragraph 16, the Becket's Grove inspector has found overwhelmingly in favour of the Council's case in respect of the deliverability of sites.

18. Taking account of the small number of occasions when the Inspector did not find favour of the Council a total of 320 units would be removed from the land supply. However, as set out in paragraph 16 the Inspector did in fact remove 95 units from the site referred to as Limes Close/Spirkett's Way, Harleston when it was in fact only 15 of those units were included in the 2020-5YRHLS. Taking this into account the Inspector in fact removed only 240 units from the 2020-5YRHLS.

### **Conclusions**

19. The Inspector concluded that a total of 1,234 dwellings should be removed from the Council's housing land supply. This was made up of the 388 units considered in paragraph 7, the 145 units considered in paragraph 11, the 381 units considered in paragraph 13 and the 320 units considered in paragraph 16. This left the Council with a, still credible, housing land supply of 5.58 year.

20. However for the reasons set out in paragraphs 7, 12 and 14 it can be clearly seen that 914 of these units related to sites that were included in the 2019-5YRHLS but which had already been removed from the not the current 2020-5YRHLS. In addition, for the reasons set out in paragraph 18, 80 of the 95 units removed as a consequence of the conclusions on the Limes Close/Spirkett's Way, Harleston did not actually form part of the 2020-5YRHLS. As a consequence, the total reduction to the 2020-5YRHLS that was found to be justifiable by the Becket's Grove inspector was only 240 units. This would be equivalent to a buoyant **6.05** year housing land supply.

21. In the Council's view, the fact that the Becket's Grove inspectors was able to remove an additional 994 units from the Council's beyond that which truly reflected

the findings in that appeal speaks strongly to the resilience of the Council's housing land supply position.

**5YHLS Appendix 3 – Appeal Decision for Land North East of Becket's Grove, Wymondham (Ref: APP/L2630/W/20/3256206, 28 June 2021)**

Attached separately.

**5YHLS Appendix 4 – Appeal Decision for Land at Holt Road, Horsford (Ref: APP/K2610/W/20/3260003, 23 July 2021)**

Attached separately.