



**CBC01P**

**TOWN AND COUNTRY PLANNING ACT  
1990 APPEAL UNDER SECTION 78 BY  
GLADMAN DEVELOPMENTS LTD**

**CHORLEY REFERENCE: 19/00654/OUTMAJ**

**PLANNING INSPECTORATE REFERENCE:**

**APP/D2320/W/20/3247136**

**PROOF OF EVIDENCE**

**OF**

**KATHERINE GREENWOOD**

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## **1. Introduction**

- 1.1 This Proof of Evidence has been prepared by Katherine Greenwood, Planning Policy & Housing Officer at Chorley Council.
- 1.2 I am a chartered member of the Royal Town Planning Institute, and I hold a Masters Degree in Town and Country Planning from the University of Manchester.
- 1.3 This evidence is provided on behalf of Chorley Council in relation to the appeal against the refusal to grant outline planning consent for up to 180 dwellings with associated open space and landscaping with all matters to be reserved except for site access.
- 1.4 The evidence which I have prepared and provide for this appeal within this proof is true and has been prepared and is given in accordance with the guidance of my professional institution, the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.
- 1.5 I address the matter of five year land supply (issue b)), excluding the establishment of the requirement. Miss Zoe Whiteside covers the matter of planning policy and the planning balance. Mrs Leona Hannify covers the standard method, the NPPG context for and rationale for re-distribution within the HMA and default standard method re-distribution.
- 1.6 This Proof of Evidence reinforces the second part of the reason for refusal. My evidence refers to a number of supporting evidence documents contained in the Core Documents for the inquiry. In this proof they are referred to by reference number in the Core Documents List to assist the Inspector's appreciation of the case. The case will be discussed at the Public Inquiry due to commence at 10am, 23rd June 2020.

## 2. The Case for Chorley Council

### Preface

- 2.1 The Appellants dispute the Council's ability to demonstrate that it has a five year housing land supply with a view to the most important policies for determination of the current appeal being considered to be out of date.

### Five Year Land Supply - Housing Land Requirement

- 2.2 The following table sets out in summary how the requirement aspect of the five year land supply has been calculated in accordance with the Council's case:

**Table 1: Summary of housing land requirement based on MOU2**

Annual requirement	278
Total requirement for five year period	1,390
Total requirement for five year period including 5% buffer	1,460
Annual requirement for five year period including 5% buffer	292

### Five Year Land Supply - Deliverable Housing Land Supply

- 2.3 The following section of my proof sets out the sites which the Council relies upon as its deliverable supply. The Council's current Five Year Housing Supply Statement for Chorley, May 2020 (CD7.21) has a base date of 1<sup>st</sup> April 2020. I have prepared this document and consider that it is an accurate representation of the Council's current housing land supply position.
- 2.4 Covid-19 has been taken into consideration when preparing the five year supply. A number of developers were contacted to obtain updates on the development timescales of their sites. Feedback from the developers whose sites were under construction at 1<sup>st</sup> April 2020 was that they will get back on site as soon as possible. Feedback from developers whose sites had not started at 1<sup>st</sup> April 2020 was that the development was still planned to go ahead. Where the sites were due to commence early 2020/21 the developers advised that the start will be delayed until they are able to get on site. No developers indicated that their site may no longer go ahead due to Covid-19. These delays have been factored into the five year supply. At the time of

preparing the five year supply a delay of around 3-4 months was assumed when calculating delivery on specific sites.

- 2.5 NPPF paragraph 73 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.
- 2.6 Annex 2 (Glossary) of the NPPF defines 'deliverable' in terms of five year housing land supply calculations. Additionally, Paragraph: 007 Reference ID: 68-007-20190722 of the PPG provides further guidance on what constitutes a 'deliverable site'.
- 2.7 The Council relies on three components of supply, allocations from the Chorley Local Plan (with and without planning permission), windfall sites with planning permission (large and small), and a windfall allowance.

#### Allocations from the Chorley Local Plan

##### *With planning permission [663 deliverable dwellings]*

- 2.8 NPPF Annex 2 states that sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be regarded as deliverable until permission expires, unless there is clear evidence that the schemes will not be implemented within five years. Appendix 1 of CD7.21 contains information on the allocations which have planning permission. The Council has obtained updates from developers for a number of these sites, details of which are provided in the commentary for each site. The Council does not count all units with permission as being deliverable within the five year period.

##### *Without planning permission [112 deliverable dwellings]*

- 2.9 In regard to allocations without planning permission, NPPF Annex 2 states that they should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. PPG (Paragraph: 007 Reference ID: 68-007-20190722) provides further guidance on the evidence to be used. Many of

the sites which are allocated in the Local Plan have been developed or are now progressing through the planning system. Appendix 2 of CD7.21 contains information on the allocations without planning permission and why the Council considers an element of these sites are deliverable within the five year period.

- 2.10 There are a number of allocations where the Council has not counted any units as coming forward within the Plan period, however there is nothing preventing these sites from coming forward, and as allocated sites they would likely gain planning permission and move to construction in a timely manner.
- 2.11 The Housing Requirement and Five Year Housing Supply Supplementary Statement of Common Ground 2 between the Appellant and the Council addresses the areas of common ground in respect of the housing requirement and five year housing supply. The only dispute in regard to the five year supply is the inclusion of Cowling Farm as the Appellant states that there is no clear evidence that housing completions will begin on site within five years.
- 2.12 The Council considers that there is sufficient evidence to include the site in the five year supply. A land exchange took place between the Council and Homes England in March 2017, with Homes England now owning the residential part of the allocation. The Council and Homes England are working together to progress a joint masterplan for the site. At the time of preparing the Five Year Housing Supply Statement Homes England confirmed in writing that the site will be delivered in the five year period therefore all 158 dwellings allocated on the site were included in the supply. However following publication of the Five Year Housing Supply Statement they have provided more detailed information on the development of the site which is included in Appendix 1. They have advised that construction of the dwellings is due to commence by the end of July 2022 with a build rate of 3.5 dwellings a month. This would result in 112 dwellings being completed in the five year period. The number of deliverable dwellings on this site has therefore been reduced from 158 as set out in the Five Year Housing Supply Statement to 112.

### Windfall sites with planning permission

#### *Large sites [410 deliverable dwellings]*

- 2.13 Appendix 3 of CD7.21 contains information on the large windfall sites (10 or more dwellings) with planning permission. The Council has provided commentary on the deliverability of the large windfall sites which have been assessed in accordance with the definition of 'deliverable' as set out in the NPPF and PPG. Updates from developers have also been obtained for some of these sites. The Council has not included all sites with planning permission as deliverable, where there is uncertainty sites have been discounted.

#### *Small sites [241 deliverable dwellings]*

- 2.14 Appendix 3 of CD7.21 also sets out details of small windfall sites (less than 10 dwellings) with planning permission. For these sites the number of dwellings with planning permission left to be built has been reduced by 33% based on an analysis of the completion rates of small sites in Chorley in recent years and to reflect the fact that some permissions will expire and development of other sites will not be fully completed within the five year period.

### Windfall allowance [191 deliverable dwellings]

- 2.15 Paragraph 70 of the NPPF states that Local Planning Authorities may make an allowance for windfall sites as part of the anticipated supply if there is compelling evidence that they will provide a reliable source of supply. It states that any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends.
- 2.16 In accordance with this, Chorley makes an allowance for windfall sites of less than 10 dwellings in the five year supply as our records show that they have consistently become available. CD7.21 provides at paragraph 19 onwards an analysis of past windfall delivery and a justification of the Council's adopted windfall allowance. Applications will also be approved over the five year supply period for dwellings on windfall sites of more than 10 dwellings however an allowance has not been calculated for these larger sites.

## Total Five Year Housing Land Supply

2.17 The following table sets out in summary the deliverable supply relied upon by the Council.

**Table 2: Summary of housing land supply**

Site Source	Deliverable Dwellings
Allocated sites with planning permission	663
Allocated sites without planning permission	112
Windfall sites of 10 or more dwellings with planning permission	410
Windfall sites of less than 10 dwellings with planning permission (discounted by 33%)	241
Windfall allowance	191
<b>Total</b>	<b>1,617</b>

2.18 The final stage of the five year supply assessment is to compare the requirement and the supply.

**Table 3: Housing land supply position**

Deliverable Housing Supply	Number of Dwellings
Total Five Year Supply	1,617
Annual Five Year Housing Requirement 2020-2025 + 5% buffer	292
<b>Equivalent Years Supply</b>	<b>5.5</b>

2.19 This proof clearly demonstrates that the Council can demonstrate a robust 5 year land supply position, with a total supply of 5.5 years.

## The 2019 Housing Delivery Test Measurement

2.20 The 2019 Housing Delivery Test Measurement was published in February 2020 and the Council has passed at 116% as follows:

Year	Number of Homes Required	Number of Homes Delivered	HDT 2019 Measurement
2016/17	418	517	-
2017/18	494	661	-
2018/19	603	573	-
<b>TOTAL</b>	<b>1515</b>	<b>1751</b>	<b>116%</b>

### **3. Conclusion**

- 3.1 Chorley Council can demonstrate a robust five year land supply position for the period 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2025. A total deliverable supply of 1,617 dwellings has been identified which equates to 5.5 years supply when assessed against the current housing requirement as set out in the Central Lancashire Memorandum of Understanding and Statement of Co-operation, April 2020 and including a 5% buffer.
  
- 3.2 The supply has reduced from 5.7 years as set out in the Five Year Housing Supply Statement to 5.5 years due to updated information being received from Homes England in relation to the site disputed by the Appellant (Cowling Farm).

## Appendix 1: Evidence relating to disputed site (Cowling Farm)

 Nicola Elsworth <Nicola.Elsworth@homesengland.gov.uk>  
To: Katherine Greenwood  
Cc: Mark Phillips

[Reply](#) [Reply All](#) [Forward](#)  
Fri 22/05

You forwarded this message on 22/05/2020 15:15.

 150419 SMT Response.pdf  
501 KB

 V1 DAS Cowling Farm.pdf  
2 MB

Hi Katherine

Thanks for your email. I can update as follows.

The site is allocated for housing as part of a larger mixed use area inc CBC land; site capacity for Homes England land is estimated between 146 and 163 units. A number of studies and reports have been prepared including a DAS (please see attached draft which will be tweaked before final submission), FRA, noise, Transport assessment, ecology surveys, tree survey. Drainage and capacity/layout is currently being reviewed.

There is a signed MoU between Homes England and the Council regarding delivery of the site and expect an application will be submitted within 6 to 8 weeks (by end August). We would expect to then:

- Secure a consent by end dec 20
- Market the site from dec 20 for 2 months
- Agree a conditional contract by end June 21
- Developer to submit RM application by end Oct 21
- RM approval by end Feb 22
- Start on site by end apr 22
- House build commencement by end july 22
- Assuming 3.5 completions per month and a scheme of 160 homes this would result a scheme final completion by Spring 2026.

Attached is a short report with result of soft market testing undertaken, which was positive.

We have also taken professional advice and confirm the site is viable, subject to further discussions regarding s106 contributions.

Thanks

**Nicola Elsworth**

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