

**Appeal by Catesby Estates
Land South of Burford Road, Minster Lovell**

Appeal ref. APP/D3125/W/23/3331279

LPA Ref. 22/03240/OUT

**Proof of Evidence – Housing Delivery and
Housing Land Supply
APPENDICES**

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January 2024

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January 2024

Appendix 1: JR1 - Expected Delivery from Local Plan Allocation Sites Compared to Actual and Predicted Delivery

Appendix JR1

West Oxfordshire District Council - Progression on the Council's Strategic Development Location and Strategic Site Allocations

Site	Local Plan Expected Delivery to 2023	Actual Delivery to 2023	Difference in Delivery to 2023	LP Expected Delivery to 2028 (the end of 5 year period)	Updated Council Position ¹ (in October 2023 Position Statement)	Difference in Delivery to 2028	Exp Delivery to 2031	Commentary on Position to 2031
Salt Cross Garden Village	440	0	-440	1,540	0	-1,540	2,200	<p>2,200 homes are still be delivered and there is no planning permission for any of those homes.</p> <p>There is a current pending outline planning application for Garden Village – submitted 2020 and this was not submitted by a housebuilder. Salt Cross AAP (which itself is delayed following a challenge) now indicates that 790 homes will be delivered by 2031 (1,410 homes) short of LP trajectory, and this is already behind schedule.</p> <p>Currently not clear when, or if, any delivery will occur before 2031.</p>
East Witney	75	0	-75	325	0	-325	450	<p>450 homes still to be delivered and there is no planning permission for any of those homes.</p> <p>A previous outline planning application for 495 homes (amended to 450 homes) which was submitted in 2020 (and not by a housebuilder) was refused in May 2023</p> <p>Currently not clear when, or if, delivery will occur before 2031.</p>
North Witney	75	0	-75	925	0	-925	1,400	<p>1,400 homes are still to be delivered and there is no planning permission for any of those homes. 1,090 homes still have no planning application.</p> <p>Two parts of the SDA are the subject current planning applications including a full application for the erection of 110 dwellings west of Hailey Road (19/03317/FUL) and an outline planning application for the erection of up to 200 dwellings on land north west of Woodstock Road (14/01671/OUT). The full application is currently at appeal (against the non-determination of the application) due to be heard via an inquiry scheduled for January 2024. The outline is still pending determination. There is a need for a comprehensive masterplan to be agreed across the whole allocation which explains the lack of progression of the current applications.</p> <p>Currently very uncertain when, or if, delivery will occur before 2031..</p>
Land east of Chipping Norton	177	173	-4	727	173 ²	-554	1,200	<p>1,027 homes have no current permission or planning application.</p> <p>The 173 homes delivered to date are from permissions in place at time of LP adoption and which have now been completed.</p> <p>There are currently no applications on the remainder of the site and a need to agree a comprehensive masterplan. Currently very uncertain when, or if, any of remaining delivery (1,027 homes) will occur before 2031.</p>
Land West of Eynsham (remainder of allocation)	75	0	-75	675	256	-419	763	<p>The allocation is for 1,000 homes overall. At the time of adoption of the Local Plan, two parts of the SDA already had planning permission. This included land west of Thornbury Road (ref. 15/03148/OUT and 18/01009/RES (for 160 homes)) which has now been completed by Taylor Wimpey. It also included a further planning permission for 77 units on the former Eynsham Nursery and Plant Centre site which are currently under construction – these sites were included separately within the Local Plan trajectory, and so are not included in the figures for the remainder of the allocation.</p>

¹ Delivery to date plus claimed deliverable supply in the next 5 years

² Council's position is based on 173 homes built to date + 0 homes now claimed in the latest October Five Year Housing Land Supply Position Statement

								<p>The Trajectory in the Local Plan for Land West of Eynsham sets out the anticipated delivery from the remainder of the allocation, i.e. beyond the two applications detailed above (collectively the yield from the two, now progressing/progressed, applications and the residual 763 in the trajectory, make up the 1,000 unit allocation for this site).</p> <p>An outline application for 180 homes on the site (ref. 20/03379/OUT) was submitted in December 2020, however, this was subject to an appeal against non-determination which has now been withdrawn. A further outline application for 180 homes (ref. 22/03484/OUT) was submitted in December 2022 and the LPA declined to determine the application via a notice issued in April 2023.</p> <p>The Council now claim that 256 homes can be considered deliverable in the five year period to 2028 – even if that were achieved (which I dispute) this allocation would then be 419 homes behind previous expectations. Whilst this site was expected to be completed before the end of the plan period, that now looks very unlikely with delivery likely to now fall beyond 2031.</p>
Total from above	842	173	-669	4,192	429	-3,767	6,013	Of the 6,013 homes expected to be delivered to 2031, 5,840 homes have no permission.

Appendix 2: JR2 - The Council's Reliance on Greenfield Delivery

Appendix JR2 The Council's Reliance on Greenfield Delivery

Site Name	Planning Application Reference Number	Number of units yet to be built as of 1 st April 2023	Assumed delivery 2023 - 2028	Greenfield/ Brownfield
North Curbridge (West Witney)	12/0084/P/OP and various RMs	269	255	Greenfield
Land east of Carterton	14/0091/P/OP and various RMs	371	371	Greenfield
East of Mount Owen Road, Bampton	16/03415/OUT and 19/00875/RES	34	34	Greenfield
Land west of Shilton Road, Burford	15/00166/OUT, 18/03035/RES and 20/00303/FUL	72	72	Greenfield
Land North Of Burford Road Witney	17/03338/RES	52	52	Greenfield
Land at Downs Road Curbridge Witney	16/01450/OUT 17/03252/RES 20/02452/FUL	16	16	Greenfield
Land At Butts Piece Main Road Stanton Harcourt Oxfordshire	21/00691/RES	22	22	Greenfield
Land North Of Witney Road Long Hanborough Oxfordshire	22/01330/OUT	150	150	Greenfield
Witney Road, Ducklington, Witney	21/03405/OUT	120	120	Greenfield
Land south of Oxford Road, Enstone	19/00991/RES	29	29	Greenfield
Land south of Forest Road, Charlbury	15/03099/FUL	25	25	Greenfield
Land South of Giernalls Road, Hailey, Oxfordshire	21/02320/FUL	22	22	Greenfield
Chipping Norton War Memorial Hospital Horsefair Chipping Norton	17/02814/FUL	14	14	Brownfield
Land South East Of 84 – 86 Grove Road, Bladon, Oxfordshire	18/02841/FUL	10	10	Brownfield
Station Garage, Station Road, Kingham, Chipping Norton	16/02113/FUL	10	10	Brownfield
Land to the rear of 65 High Street, Standlake	17/00629/FUL and 21/04126/RES	10	10	Brownfield

Site Of Former 19 Burford Road Carterton Oxfordshire	20/00929/FUL	10	10	Brownfield
27 Market Square, Witney	19/02013/FUL	10	10	Brownfield
1 St Marys Court Witney	21/02628/FUL	30	4	Brownfield
East Witney SDA	WIT1	450	0	Greenfield
North Witney SDA	WIT2	1400	0	Greenfield
Woodford Way Car Park	WIT3	50	0	Brownfield
Land west of Minster Lovell	WIT4	125	21	Greenfield
REEMA North and Central, Carterton	CA1	3005	200	Brownfield
Land at Milestone Road, Carterton	CA2	200	200	Greenfield
Land at Swinbrook Road, Carterton	CA3	70	72	Greenfield
East Chipping Norton SDA	CN1	1200	0	Greenfield
Oxfordshire Cotswolds Garden Village (Salt Cross Garden Village)	EW1	2200	0	Greenfield
West Eynsham SDA	EW2	1000	256	Greenfield
Land east of Woodstock	EW3	300	187	Greenfield
Land north of Hill Rise, Woodstock	EW4	120	180	Greenfield
Land north of Banbury Road, Woodstock	EW5	180	235	Greenfield
Land at Myrtle Farm, Long Hanborough	EW6	50	0	Greenfield
Oliver's Garage	EW7	25	22	Brownfield
Former Stanton Harcourt Airfield	EW8	50	0	Brownfield
	Total	11701	2609	2,319 homes in the supply are on Greenfield Sites

Appendix 3: JR3 - Turley Trajectory

Appendix JR3: My Assessment of the Deliverable Supply - Large Existing Commitments of 10 or more dwellings

Planning Application Reference Number	Site Name	Number of units yet to be built as of 1 st April 2023	LPA Assumed delivery 2023 - 2028	Turley Supply	Difference	Detailed / Outline Permission	Commentary on deliverability
12/0084/P/OP and: 17/00843/RES – 117 17/01110/RES – 37 17/01238/RES – 87 17/1109/RES – 37 18/01718/RES – 149 18/01782/RES – 271 18/03206/RES – 184 20/00926/NMA - 9 21/01285/FUL – 33 21/03716/FUL - 62	North Curbridge (West Witney)	269	255	255	0	As of 1 st April 2023, detailed planning permission was in place for a total of 986 dwellings (out of the 1,000 dwellings permitted under the original outline consent). It should be noted that since 1 st April 2023, planning permission has been granted for an additional 74 dwellings on land previously reserved for a secondary school. These will be included in a future update of the HLS statement.	Development under construction with two developers remaining on site. As of 1 st April 2023, a total of 731 dwellings had been completed with a further 255 remaining from those phases with detailed permission, all of which are anticipated to be delivered within the 5-year period. Not disputed.
14/0091/P/OP and: 18/01539/RES - 77 19/00105/RES - 144 19/02121/RES - 33 20/02017/RES - 282 22/02064/RES - 164	Land east of Carterton	371	371	371	0	Original outline planning permission for 700 units, all of which now have detailed permission. It should be noted that an additional 99 dwellings have been approved, subject to legal agreement and will be counted in a future update of the HLS statement.	Development underway with Bloor Homes. 329 dwellings had been completed as of 31 March 2023 with the remaining 371 dwellings to be completed over the next 5 years. 92 completions were recorded in 2021/22 and 95 completions in 2022/23. Not disputed.
16/03415/OUT and 19/00875/RES	East of Mount Owen Road, Bampton	34	34	34	0	Detailed	Development is under construction by Taylor Wimpey, with 73 completions recorded in 2022/23. LPA anticipate that the scheme will be fully completed in 2023/24. Not disputed.
15/00166/OUT, 18/03035/RES and 20/00303/FUL	Land west of Shilton Road, Burford	72	72	72	0	Detailed	The scheme known as Cotswold Gate is currently under construction by Lioncourt Homes with 36 units remaining to be built out of the original 91 permitted. The Cotswold Gate scheme includes 67 extra-care units which have been previously completed by specialist housing provider Beechcroft. The scheme also includes a 64-bed care home (C2 class) and in accordance with the Government's planning practice guidance on housing supply and delivery, these units have been counted on the basis of the amount of accommodation they will release in the housing market, applying a ratio of 1.8. Not disputed.
17/03338/RES	Land North Of Burford Road Witney	52	52	52	0	Detailed	Development under construction by David Wilson Homes. As of 1 st April 2023, 52 dwellings were remaining to be completed. Not disputed.
16/01450/OUT 17/03252/RES 20/02452/FUL	Land at Downs Road Curbridge Witney	16	16	16	0	Detailed. It should be noted that an additional 75 dwellings were granted permission at appeal within this site and will be counted in a future update of the HLS statement.	Development under construction by Crest Nicholson with 16 units remaining to be completed as of 1 st April 2023. Not disputed.
21/00691/RES	Land At Butts Piece Main Road Stanton Harcourt Oxfordshire	22	22	22	0	Detailed	The development, known as 'Deanfields' is under construction by Deanfield Homes with 18 completions recorded in 2022/23. Not disputed.

22/01330/OUT	Land North Of Witney Road Long Hanborough Oxfordshire	150	150	0	-150	Outline	Outline permission (22/01330/OUT) for up to 150 homes was granted in February 2023. This was progressed by Blenheim Estate Homes. There is no record of any reserved matters application pursuant to this outline nor any discharge of conditions. We have no information, let alone clear evidence, as to when a reserved matters application may be prepared and submitted and what the future delivery intentions are, including intended delivery rates for the site. Even when a reserved matters comes forward, we do not know whether it will be in an acceptable form to the Council and what comments might be raised by consultees – in my experience, larger sites can take time to come forward given the need to ensure that proposals come forward in a coherent and comprehensive manner. Importantly, the site has outline permission only, it falls within limb b of the definition of a deliverable site in the NPPF and the site should only be included in the Council's supply if clear evidence is provided to show that housing completions will begin on site in the five year period. The onus is on the local planning authority to provide that evidence. No such clear evidence has been provided by the Council and this site <u>should be removed from the Councils supply.</u>
21/03405/OUT	Witney Road, Ducklington, Witney	120	120	0	-120	Outline	Outline permission (21/03405/OUT) for up to 120 homes was allowed at appeal in January 2023 – this was an appeal I acted on. This was progressed by Ainscough Strategic Land who intend to sell the site to a developer rather than build it out themselves. However, there is no record of any application for reserved matters having been submitted. I am aware that the site has also recently be reclassified by the Environment Agency as falling within Flood Zone 3, which is now expected to hinder the progression of reserved matters. At a recent inquiry for a site at Witney, the LPA confirmed that given the change in flood risk classification for the site, no units should be relied on from this site in the current five year period. In addition, through my own discussions with the Council on the Statement of Common Ground, it appears that the Council will accept that position (that the site is not deliverable) for this inquiry also. We have no information as to when a reserved matters application may be prepared and submitted and what the future delivery intentions are, including intended delivery rates for the site. Importantly, the Council's position statement has taken no account of the reclassification of the site as Flood Zone 3 (a reclassification that it lobbied for) when considering when the site currently meets the definition of deliverable and the requirement for clear evidence. The onus is on the local planning authority to provide that evidence. No such clear evidence has been provided by the Council and this site should be removed from the Councils supply.
19/00991/RES	Land south of Oxford Road, Enstone	29	29	29	0	Detailed	Development under construction by Orbit Homes. First completions were recorded in 2023/24. Not contested.
15/03099/FUL	Land south of Forest Road, Charlbury	25	25	25	0	Detailed	Pre-construction work has now commenced. Development to be delivered by Rushy Bank Partnership/Harper Crewe. Not contested.
21/02320/FUL	Land South of Giernalls Road, Hailey, Oxfordshire	22	22	22	0	Detailed	Developer on site. Not contested.
17/02814/FUL	Chipping Norton War Memorial Hospital Horsefair Chipping Norton	14	14	14	0	Detailed	Small site with detailed planning permission. Developer has been in recent communication with WODC's Building Control team. Not contested.
18/02841/FUL	Land South East Of 84 – 86 Grove Road, Bladon, Oxfordshire	10	10	10	0	Detailed	Developer on site. Not contested.
16/02113/FUL	Station Garage, Station Road, Kingham, Chipping Norton	10	10	10	0	Detailed	Small site to be constructed by Gentian Homes. Site has been cleared for development so recorded as having been started. Not contested.
17/00629/FUL and 21/04126/RES	Land to the rear of 65 High Street, Standlake	10	10	10	0	Detailed	Developer on site. Not contested.
20/00929/FUL	Site Of Former 19 Burford Road Carterton Oxfordshire	10	10	10	0	Detailed	Building control application has been submitted. Not contested.
19/02013/FUL	27 Market Square, Witney	10	10	10	0	Detailed	Small site with detailed planning permission. Not contested.
21/02628/FUL	1 St Marys Court Witney	30	4	4	0	Detailed	Planning permission for 30 dwellings. With the loss of 26 existing units, the development will result in a net gain of 4 units. Not contested.
	TOTAL	1,276	1,236	966	-270		

Appendix JR3: My Assessment of the Deliverable Supply - Local Plan allocations

Local Plan Allocation Reference	Site Name	Allocated number of homes	Assumed delivery 2023 - 2028	Turley Supply	Difference	Commentary
WIT1	East Witney SDA	450	0	0	0	<p>The site was the subject of a previous outline planning application (20/02654/OUT) for the erection of up to 450 dwellings together with associated open space and green infrastructure (amended).</p> <p>However, the application was refused in May 2023 and there has been no significant progress since then.</p> <p>For the purposes of this position statement, the assumed delivery in the 5-year period is therefore nil. Not contested.</p>
WIT2	North Witney SDA	1400	0	0	0	<p>Two parts of the SDA are the subject of current planning applications including a full application for the erection of 106 dwellings west of Hailey Road (19/03317/FUL) and an outline planning application for the erection of up to 200 dwellings on land north west of Woodstock Road (14/01671/OUT). The former is now the subject of a non- determination planning appeal.</p> <p>The developer consortium responsible for bringing the SDA forward have appointed masterplanners to prepare a comprehensive masterplan for the SDA and have recently undertaken some pre-application public consultation.</p> <p>It is anticipated that an outline planning application will be submitted for the whole of the SDA in 2024.</p> <p>However, for the purposes of this position statement, the assumed delivery in the 5-year period is nil. Not contested.</p>
WIT3	Woodford Way Car Park	50	0	0	0	<p>Whilst some initial work has been undertaken by the District Council as landowner to take this proposal forward, given the lack of a planning application or permission, for the purposes of this position statement, the assumed delivery in the 5- year period is nil. Not contested.</p>
WIT4	Land west of Minster Lovell	125	21	21	0	<p>The site has detailed planning permission (17/01859/OUT and 18/03473/RES) and is currently under construction by Bovis Homes.</p> <p>The remaining 21 dwellings are expected to be completed in 2023/24. Not contested.</p>

CA1	REEMA North and Central, Carterton	3005	200	0	-200	<p>This site is split into two main parts – REEMA Central and REEMA North. On the REEMA Central Site, detailed consent was secured for 81 dwellings (net) and the latest supply statement confirms this element is now completed. On the REEMA North part of the site, there was previously an outline permission (ref. 04/2358/P/OP) which was followed, firstly, by a reserved matters application for 225 homes (ref. 11/0490/P/RM – permitted in July 2011) and, secondly, a further reserved matters permission ref. 13/0399/P/RM for 200 homes (which amended the earlier 2011 consent), however, neither permission has been progressed. The Council in its supply statement (page 72) suggests that these RM permissions were implemented in order to keep them alive, however, there is no evidence provided to confirm that the permission was lawfully implemented.</p> <p>Notwithstanding the above, the latest Housing Land Supply Statement confirms that the DIO has confirmed that pre-application discussions are in progress with Taylor Wimpey (on the REEMA North Site) and that a detailed application is expected in 2024. It is not clear when (or indeed if) a fresh planning application might come forward, whether it might be acceptable to the Council and consultees and, if an application were submitted, when it might be determined. However, what is clear is that there is no intention of progressing the previous outline and reserved matters secured on the REEMA North site and that a fresh permission will be sought.</p> <p>The Inspector for the Ducklington appeal considered this site at paragraph 89 of their decision and found that the site would not meet the test of being deliverable.</p> <p>The latest Housing Land Supply Statement sets out (Core Document CD I1, page 72) that the DIO has confirmed that it is intending to come forward with a planning application for a revised scheme in ‘early 2024’, however the previous Supply Statement claimed that this would materialise in ‘summer/autumn 2023’. I also note that in the 2021 Supply Statement previously stated that the DIO would progress with an application for 300 homes and would complete these by the end of 2024. This 300 homes scheme has not materialised, and it now looks as though a smaller scheme will be progressed. Again, no revised submission has been made to date and it is not clear, when (or indeed if) a revised submission might come forward (noting previous suggestions have not materialised). Finally, it is not clear whether a future application will be acceptable to the Council and consultees (bearing in mind it proposes substantially more homes more than previously consented, and more than the allocation expected) and, if an application were submitted, when it might be determined.</p> <p>I am aware, through SoCG discussions, that the Council may rely on an email itself from Taylor Wimpey stating that a fresh permission is to be applied for and that it expects 217 homes to be delivered in the 5 year period. Firstly, this is clear evidence that the previous consent (lapsed or not) is no longer intended to come forward. Secondly, whilst the Council may intend to rely on an email from Taylor Wimpey in respect of its future intentions, as was made clear in an appeal at Little Sparrows, Sonning Common (ref. APP/Q3115/W/20/3265861 – Core Document O13 (paragraph 21)):</p> <p>“clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered”.</p> <p>A realistic consideration of the site’s status demonstrates that there is currently no planning application submitted and that Taylor Wimpey’s suggestion that this site will deliver 217 homes in the period 2023-28 is wholly unrealistic and lacks the necessary clear evidence that is required for a site of this nature. Overall, there is clear evidence that the previous reserved matters consent for 200 homes on the site is no longer going to be delivered – that is based on evidence from the Council and landowner themselves and so that permission should not be considered deliverable. In respect of homes on the site that the DIO may wish to progress, there are no current applications that have been submitted. Despite an email from Taylor Wimpey, there is not the necessary clear evidence for the 200 homes to be included in the supply</p>
CA2	Land at Milestone Road, Carterton	200	200	200	0	<p>The site has full planning permission (21/00228/FUL) with the decision notice having been issued on 1st April 2022.</p> <p>The developer is now on-site and anticipates that the site will be completed in full within the next 5 years. Not contested.</p>
CA3	Land at Swinbrook Road, Carterton	70	72	72	0	<p>The site has full planning permission (20/02422/FUL) with the decision notice having been issued on 12 November 2021.</p> <p>The developer is now on site and anticipates that the site will be completed in full within the next 5 years. Not contested.</p>

CN1	East Chipping Norton SDA	1200	0	0	0	<p>Two parts of the SDA have already been completed including 73 units to the south of London Road by McCarthy & Stone (planning reference 16/04230/FUL) and 100 units to the south of Banbury Road by Bloor Homes (18/03310/RES). To bring forward the remainder of the SDA, the two main land controlling interests (Oxfordshire County Council Property and Facilities and CALA Homes) have previously agreed to jointly commission the preparation of a comprehensive masterplan. However, that process has been delayed in light of some additional archaeological survey work which was undertaken. The District Council is currently awaiting advice from Historic England in terms of potential implications for the SDA and in light of this uncertainty, for the purposes of this position statement, the assumed delivery in the 5-year period is nil. Not contested.</p>
EW1	Oxfordshire Cotswolds Garden Village (Salt Cross Garden Village)	2200	0	0	0	<p>The site is the subject of a current outline planning application (20/01734/OUT) for a mixed-use Garden Village which remains pending determination subject to adoption of the AAP (see below). The County Council has also approved a planning application for an 850-space park and ride which forms a key component of the garden village proposal with construction now underway. The District Council is making good progress with the Area Action Plan (AAP) with the Inspector’s report having been received in March 2023 and concluding that the AAP is sound subject to a number of main modifications. However, since then a legal challenge has been lodged which is due to be heard in November 2023. Formal adoption of the AAP remains on hold and so too, determination of the current outline planning application. Given this uncertainty, for the purposes of this position statement, the assumed delivery in the 5- year period is nil. Not contested.</p>
EW2	West Eynsham SDA	1000	256	76	-180	<p>This site is a Strategic Development Allocation under Policy EW2 (West Eynsham Strategic Development Area) to deliver 1,000 homes. Once developed, this will result in a net gain of 763 homes. At the time the Local Plan was adopted, two parcels within the site had detailed consent in place, as follows: 1.Eynsham Nursery and Garden Centre (for 77 homes, Ref. 15/00761/FUL) – the site is under construction; and 2.Land west of Thornbury Road, Eynsham (160 homes, refs. 15/03148/OUT and 18/01009/RES) – this site is now complete as of 1 April 2022). Based on the above, 76 homes from these permissions remain to be built at the base date for the current supply period. Delivery from these areas of the SDA is not disputed as the sites have detailed consent and are under construction. On the remainder of the SDA, the Council’s position statement explains that the units relied on are the residual 76 homes cited above plus 180 units which are the subject of an outline planning application at Land west of Derrymerrye Farm (20/03379/OUT) which was the subject of a non-determination planning appeal due to be heard in December 2023. However, as of October 2023 the appeal has been withdrawn, the letter from the agents for the Appellant explains there is uncertainty regarding Housing Infrastructure Fund (HIF)2 for the A40 Programme Revised Strategy and also citing viability issues with the scheme. The Council accepted at the Ducklington appeal (through the agreed SoCG - Core Document I8) that the remainder of the site without permission site should not be considered deliverable. Since then, there remains absolutely no clarity or certainty on any timescales for delivery of homes on the remainder of this site and a complete absence of any clear evidence. The West of Wroslyn Road Inspector agreed , and removed any delivery from this site in the five year period. Since then, the evidence of deliverability has worsened with an appeal to determine the application withdrawn. Even if the appeal were successful, which we simply do not know, then this would still remain a site with outline planning permission only and would still require clear evidence to be considered deliverable, even at that point. As the site is allocated for development, with no permission in place for development and no application or appeal pending determination, it falls within limb b of the definition of a deliverable site in the NPPF. Consequently, the onus is on the local planning authority to provide clear evidence that housing completions will being on site within five years for the areas of the site without detailed consent. No such clear evidence has been provided by the Council to show that homes will begin in the five year period. The reductions in supply are shown in Table JR12 below</p>

EW3	Land east of Woodstock	300	187	187	0	The site has detailed planning permission for 300 dwellings under 16/01364/OUT and 18/02574/RES and is under construction by Pye Homes with 113 completions recorded to date. Not contested.
EW4	Land north of Hill Rise, Woodstock	120	180	48	-132	This site is a non-strategic allocation in the adopted Local Plan under Policy EW4 for 'around 120' dwellings. A hybrid application (by the Blenheim Estate) (Ref. 21/00189/FUL) was submitted in January 2021 for the following development: "Hybrid planning application consisting of full planning permission for the erection of 74 dwellings, 60 sqm of community space (Class E), a parking barn, means of access from the A44, associated infrastructure, open space, engineering and ancillary works; outline planning permission for up to 106 dwellings, up to 60sqm of community space (Class E), a parking barn, with associated infrastructure, open space, engineering and ancillary works (Amended)." The Council refused the application at Committee in December 2022, and an appeal (3315391) against this refusal was allowed in October 2023. This consent included detailed permission for 48 units which I do not contest are deliverable. The remainder of the units are only subject to outline consent and there is no record of any reserved matters submission for these units. At present no evidence has been provided by the Council to demonstrate the deliverability of the units with outline consent on the site. We have no information, let alone clear evidence, as to when a reserved matters application may be prepared and submitted and what the future delivery intentions are, including intended delivery rates for the site. The onus is on the local planning authority to provide that evidence. No such clear evidence has been provided by the Council and all but the 48 units with detailed consent should be removed from the Councils supply
EW5	Land north of Banbury Road, Woodstock	180	235	0	-235	Policy EW5 of the adopted location plan allocates this site for development, including up to 180 new homes. An outline application for up to 235 homes was submitted by the landowner (Blenheim Estate) in January 2021, currently remains pending determination and has been subject to a resolution to grant consent subject to a S106 agreement (21/00217/OUT). This resolution was made at committee in December 2022 and since then there has been no activity on the application page, and no decision notice has materialised. The allocated site does not yet have any permission in place for development. Even once a decision is issued, the site would have outline approval only and would still fall under limb b) of the definition of deliverable, and still require clear evidence that homes will be delivered in the five year period. At that point, in order to make 'tangible' progress towards delivery (which would include the need for a reserved matters planning application to be prepared and submitted and which, as other Inspectors have found, should be seen as a key milestone in a site's delivery), it is likely that the site would need to be marketed and sold to a house builder before development can come forward, at which point further submissions would need to be made to secure reserved matters and to discharge any pre-commencement conditions. At the Ducklington appeal, the Council conceded this site did not meet the definition of deliverable and should not be included in the supply (through the agreed SoCG - Core Document CD 18). The West of Wroslyn Road Inspector also found no clear evidence to justify including this site in the supply . No information has been provided to suggest when the outline can be expected to be approved, when reserved matters application(s) can be expected, and no clear evidence has been provided to suggest completions can be expect from this site within the next five years. This site does not meet the definition of deliverable in the NPPF and should be removed from the Council's supply.
EW6	Land at Myrtle Farm, Long Hanborough	50	0	0	0	The landowner confirmed that they do not propose to bring the site forward for development at the current time. As such, for the purposes of this position statement, the assumed delivery in the 5- year period is nil. Not contested
EW7	Oliver's Garage	25	22	22	0	The site has detailed planning permission for 25 dwellings (net gain of 22) under 18/03403/FUL The development is under construction and expected to be completed in 2023/24. Not contested
EW8	Former Stanton Harcourt Airfield	50	0	0	0	Site is now fully complete (66 units completed). Not contested.
TOTAL			1373	626	-747	

OVERALL TOTAL				
Large Existing Commitments of 10 or more dwellings	1,236	966	-270	
Local Plan allocations	1,373	626	-747	
Small existing commitments of less than 10 dwellings (Appendix 2 to LPA 5YS Statement)	459	413	-46	
Windfall Sites	250	250	0	
Total	3,318	2,255	-1,063	

Appendix 4: JR4 - PPG Extracts

Appendix JR4 - Relevant Extracts from PPG

What constitutes a 'deliverable' housing site in the context of plan-making and decision-taking?

In order to demonstrate 5 years' worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions. [Annex 2 of the National Planning Policy Framework](#) defines a deliverable site. As well as sites which are considered to be deliverable in principle, this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- have outline planning permission for major development;
- are allocated in a development plan;
- have a grant of permission in principle; or
- are identified on a brownfield register.

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or
- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

Plan-makers can use the [Housing and Economic Land Availability Assessment](#) in demonstrating the deliverability of sites.

Paragraph: 007 Reference ID: 68-007-20190722

Revision date: 22 July 2019

What happens if an authority cannot demonstrate a 5 year housing land supply?

In plan-making, the Inspector examining the plan will test the evidence to ensure that the 5 year housing land supply identified in strategic policies is sound. If it is not,

wherever possible the Inspector will recommend main modifications to the plan to ensure that the plan identifies a 5 year housing land supply from its date of adoption. In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in [paragraph 11d of the National Planning Policy Framework](#).

Paragraph: 008 Reference ID: 68-008-20190722

Revision date: 22 July 2019

How can a 5 year housing land supply be confirmed as part of the examination of plan policies?

The examination will include consideration of the deliverability of sites to meet a 5 year supply, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's / appellant's evidence is likely to be presented to contest an authority's position.

When confirming their supply through this process, local planning authorities will need to:

- be clear that they are seeking to confirm the existence of a 5 year supply as part of the plan-making process, and engage with developers and others with an interest in housing delivery (as set out in [Paragraph 74a of the Framework](#)), at draft plan publication (Regulation 19) stage.
- apply a minimum 10% buffer to their housing requirement to account for potential fluctuations in the market over the year and ensure their 5 year land supply is sufficiently flexible and robust. Where the [Housing Delivery Test](#) indicates that delivery has fallen below 85% of the requirement, a 20% buffer should be added instead.

Following the examination, the Inspector's report will provide recommendations in relation to the land supply and will enable the authority, where the authority accepts the recommendations, to confirm they have a 5 year land supply in a [recently adopted plan](#).

Paragraph: 010 Reference ID: 68-010-20190722

Revision date: 22 July 2019

Can 'recently adopted plans' adopted under the 2012 Framework be used to confirm a 5 year land supply?

Plans that have been recently adopted (as defined by footnote 38 of the Framework) can benefit from confirming their 5 year housing land supply through an annual position statement, including those adopted under the 2012 Framework.

Authorities should be aware that sites counted as part of the supply will need to be assessed under the definition of [‘deliverable’](#) set out in the revised National Planning Policy Framework.

Paragraph: 011 Reference ID: 68-011-20190722

Revision date: 22 July 2019

How should buffers be added to the 5 year housing land supply requirement?

To ensure that there is a realistic prospect of achieving the planned level of housing supply, the local planning authority should always add an appropriate buffer, applied to the [requirement](#) in the first 5 years (including any shortfall), bringing forward additional sites from later in the plan period. This will result in a requirement over and above the level indicated by the strategic policy requirement or the local housing need figure.

Buffers are not cumulative, meaning that an authority should add one of the following, depending on circumstances:

- 5% - the minimum buffer for all authorities, necessary to ensure choice and competition in the market, where they are not seeking to demonstrate a 5 year housing land supply;
- 10% - the buffer for authorities seeking to [‘confirm’](#) 5 year housing land supply for a year, through a recently adopted plan or subsequent annual position statement (as set out in [paragraph 74 of the National Planning Policy Framework](#)), unless they have to apply a 20% buffer (as below); and
- 20% - the buffer for authorities where delivery of housing taken as a whole over the previous 3 years, has fallen below 85% of the requirement, as set out in the last published Housing Delivery Test results.

Paragraph: 022 Reference ID: 68-022-20190722

Revision date: 22 July 2019

How can past shortfalls in housing completions against planned requirements be addressed?

Where shortfalls in housing completions have been identified against planned requirements, strategic policy-making authorities may consider what factors might have led to this and whether there are any measures that the authority can take, either alone or jointly with other authorities, which may counter the trend. Where the standard method for assessing local housing need is used as the starting point in forming the planned requirement for housing, Step 2 of the standard method factors in past under-delivery as part of the affordability ratio, so there is no requirement to specifically address under-delivery separately when establishing the minimum

annual local housing need figure. Under-delivery may need to be considered where the plan being prepared is part way through its proposed plan period, and delivery falls below the housing requirement level set out in the emerging relevant strategic policies for housing.

Where relevant, strategic policy-makers will need to consider the recommendations from the local authority's action plan prepared as a result of past under-delivery, as confirmed by the Housing Delivery Test.

The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied. If a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process rather than on a case by case basis on appeal.

Where strategic policy-making authorities are unable to address past shortfalls over a 5 year period due to their scale, they may need to reconsider their approach to bringing land forward and the assumptions which they make. For example, by considering developers' past performance on delivery; reducing the length of time a permission is valid; re-prioritising reserve sites which are 'ready to go'; delivering development directly or through arms' length organisations; or sub-dividing major sites where appropriate, and where it can be demonstrated that this would not be detrimental to the quality or deliverability of a scheme.

Paragraph: 031 Reference ID: 68-031-20190722

Revision date: 22 July 2019

How can past over-supply of housing completions against planned requirements be addressed?

Where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years.

Paragraph: 032 Reference ID: 68-032-20190722

Revision date: 22 July 2019

How can authorities count older people's housing in the housing land supply?

Local planning authorities will need to count housing provided for older people, including residential institutions in Use Class C2, as part of their housing land supply. This contribution is based on the amount of accommodation released in the housing market. Further guidance is set out in [Housing for Older and Disabled People](#).

Paragraph: 035 Reference ID: 68-035-20190722

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