
Appeal Decision

Inquiry held on 20-23 January 2026

Site visit made on 20 January 2026

by **Matthew Jones BA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th March 2026

Appeal Ref: **APP/E3715/W/25/3373251**

Land North of Rounds Gardens, Rugby, CV21 2BS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by St. Modwen Homes against the decision of Rugby Borough Council.
 - The application Ref is R24/0111.
 - The development proposed is redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 115 dwellings, accesses, landscaping, parking, drainage features and associated works
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's decision notice as it best reflects the scheme that was ultimately subject to the Council's decision.
3. In December 2025 the Government began consultations on proposed amendments to the National Planning Policy Framework (the Framework) and also in relation to the consolidation of its guidance relating to the issue of design. The proposed revisions could be subject to substantial changes following the consultation period so therefore carry little weight in the determination of this appeal.
4. Amended plans submitted with the appeal seek to alter the detail of the proposed one-way system through Princes Street and the connecting streets. Mindful of the principles set out by caselaw¹, given that the arrangement of the one-way system would not substantively change, the amendments are not significant, and I accepted the plans without procedural prejudice to any party. The same holds true for the amended plans that have been submitted seeking to make modest changes to the species of certain trees within the proposed layout.
5. A completed unilateral undertaking (UU) accompanies the appeal. Amongst other things it seeks to secure contributions to works to a footpath between York Street and Dale Street, towards the provision of the Traffic Regulation Order that would be necessary to facilitate the scheme, and to a feasibility study regarding potential upgrade works to the Rugby Gyrotory. Based on the amended plans and the UU, the Council confirmed well before the Inquiry opened that it would not be pursuing the highway related third and fourth reasons for refusal on its decision notice.

¹ Holborn Studios Ltd vs the Council of the London Borough of Hackney [2017] EWHC 2823 (Admin)

6. The UU also sets out obligations in relation to early and late-stage viability review mechanisms related to Affordable Housing, and the provision of Biodiversity Net Gain (BNG). I turn to the UU and the obligations it contains later in this decision.
7. In September 2025, after the refusal of the planning application, the Planning Practice Guidance was revised in relation to flood risk and under what circumstances the sequential test should be applied. Following this revision to the policy/guidance, the Council has withdrawn its reason for refusal relating to flood risk.

Main Issues

8. The remaining main issues are therefore:
 - the effect of the proposal on the character and appearance of the area, with particular reference to (i) urban design; and (ii) protected trees;
 - whether the proposal would lead to the unacceptable loss of sports and recreational buildings and land; and
 - other considerations, including housing land supply.

Reasons

Character and appearance

9. The appeal site comprises a large swathe of deteriorated land, most of which was formerly used for sports and recreation in association with a factory complex directly to the north. It has been vacant and unused for a period of some 23 years.
10. A disused football pitch is at its centre, aside a boarded-up pavilion at the site's northeast corner. One can make out the surface of three disused tennis courts to the south of the pitch, aside a fence boundary the appeal site shares with the aforementioned footpath. Where the footpath meets York Street there is a small public play space. Rugby town centre, with its extensive offer of services and facilities, is a short, walkable distance to the southeast.
11. The disused pitch is set within a depression and now framed by a prominent crescent of Lime trees (Lime Group A). They are protected by a Tree Preservation Order, as is another row of Limes on the east side of the site (Lime Group B) a belt of London Planes at its west side, and a group of Limes and Birch to the site's north edge. There are also numerous trees of mixed but lesser value across the appeal site, which have largely self-seeded over the period of the site's disuse.
12. Vehicular access to and from the appeal site is off Willans Place to the west and from the Victorian era terraced Princes Street to the east. Essex Street is another terraced street to the immediate northeast of Princes Street. Just south of Willans Place, along Edward Street, is the Indian Community Centre and its car park. Several tower blocks have recently been demolished along Rounds Gardens, a now largely vacant expanse of land directly to the south of the appeal site.

Urban design

13. Policy SDC1 of the Local Plan 2011-2031 (adopted 2019) (the Local Plan) states that all development will demonstrate high quality design and will only be supported where it is of a scale, density and design that responds to the character of the areas in which it is situated. Developments should aim to add to the overall quality of the

- area. Factors including the massing, height, landscape, layout, materials and access should be a key consideration.
14. Amongst other things, C1 of the National Design Guide informs us that well-designed new development responds positively to the features of the site and the surrounding context. It goes on to say that well-designed new development is integrated into its wider surroundings. It is carefully sited and designed and is demonstrably based on an understanding of the existing situation.
 15. B2 of the National Design Guide itself states that well-designed places use the right mix of building types, forms and scale of buildings and public spaces for the context and the proposed density, to create a coherent form of development that people enjoy. Well-designed developments also adopt strategies for parking and amenity that support the overall quality of the place.
 16. Looking at the design concept in broad terms first, the surrounding residential areas are high density and dominated by terracing, but at the Inquiry I heard how Rugby has tended to develop in a series of large-scale set pieces, rather than piecemeal. This has created distinct character areas and therefore offers the designer a degree of freedom in creating an individual sense of place for the development.
 17. The design concept takes that opportunity but equally would make clear and adequate references to the existing urban context, with a sufficient sense of general uniformity in the order and scale of the dwellings, reflecting those nearby. The predominant two to two and a half storey scale of the houses, and the repetitive use of certain architectural detailing across the fenestration, such as the chalk render window framing, would be successful in providing overall cohesion across the built form and offering a nod to the homogeneity of the housing in the locality.
 18. The higher density of the houses at the edges of the site would also achieve that aim. The gentler density of the housing at the core of the site would respond to what is an inherently less built-up area, orientated towards the large oasis of public open space at the centre of the development. The streets would be fairly straight and regimented, another reference to surrounding areas, but without being slavishly so. For these reasons, I find the overall design concept to be sound.
 19. However, the relative massing of the dwellings, and how successfully they would sit together, falls short in relation to the house on Plot 98. This building would be much smaller in stature, particularly in its width and height, to its two neighbours. The disparity would be so great that the relationship between the dwellings would be jarringly incoherent. An incongruous and unattractive section of street scene, visible from much of the public open space at the centre of the site, would be the result.
 20. The scheme would bring benefits to the existing fabric of the town. The north end of Princes Street suffers from areas of 'lost space' amongst the terracing, and the presence of the appeal site, bound by industrial fencing. The scheme would fill the gaps in the street scene with dwellings which would read as new but respectful interventions that would sit comfortably with their neighbours. The Council's concerns about the lack of conformity in the layout of the parking serving these units highlights the problems that can arise when modern housing, with modern requirements, is unrealistically sought to conform to historic street typologies.
 21. The dwelling within plot 71 would provide a positive bookend to Princes Street. Aside plot 71 a new path would link to Essex Street. Whilst there would be a sharp

turn in the footpath, on my visit I found this area to be far more open than it appeared on plan, and more supervised by the housing on the north side of Essex Street. With the supervision that would be offered by the new dwellings, and with suitable finishes, the path would be a sufficiently welcoming and safe environment. The outlook along Essex Street would be modestly improved. The benefits to the more compact area at Willans Place would be similarly modest, given that the disused quality of the appeal site appears less pronounced in that location.

22. The improvements to the footpath between York Street and Dale Street would be significant, through the widening of the path and the provision of more appropriate means of enclosure. The increased supervision of the path and play area would also be significant. I do not share the concerns about the proximity of the nearest proposed dwellings to the path, as their side windows would provide a good angle to observe its length and increase its sense of safety. Housing set right up to the edge of footways is a feature of the surrounding area in any event.
23. As for the hierarchy of movement within the layout, the site would be divided by the public open space, which would be beneficial by preventing through traffic and emphasising the 'place' function. Bearing in mind the accessibility of the site to the various services and facilities in Rugby, and with the varied parking strategy which includes dispersing parking to the rear areas in dedicated courts, the site layout is inherently prioritising of cycle and pedestrian movement along the principal streets.
24. In spite of these factors, the quality of the layout design, as envisaged in the Design and Access Statement, fails on its treatment of several of the more peripheral dwellings that would be on and/or have principal outlooks over identified secondary routes. The backland style housing, and the tension between this housing and the use of parking courts behind frontages, creates issues across areas of the layout.
25. Plots 8-13 would be within and/or orientated around a spartan, insular expanse of hardstanding dominated by parking, with little meaningful soft landscaping to elevate the street as a desirable place which would lend itself to interaction or child's play. The dominance of parking and the sense of social exclusion is also a theme for plots 55, 56, 64, 82 and 109. Plot 64 would occupy an especially segregated and little surveilled position with a front outlook mainly over a parking court. These are poorly designed elements of the layout that fail to create a coherent sense of place.
26. That dwellings such as that within plot 64 would provide supervision of these backland and parking dominated areas is not a sufficient justification for their sitings. Indeed, employing plot 64 for that purpose rather underlines that it would be poorly integrated with the other housing and in an area that would not be an enjoyable place to live. Further, the suggestion that prospective purchasers may prefer the isolation of plot 64 as it would be 'quiet' is not compelling as it is too subjective within the context of the principles of good design set out by local and national policy. It follows that the scheme is not high quality or well-designed.

Protected trees

27. In relation to trees, Policies SDC2 and NE2 of the Local Plan respectively require proposals to ensure that important site features have been identified for retention through a detailed site survey, and that green infrastructure is protected and enhanced. The Council agreed in cross examination that the wording of these policies does not provide an absolute requirement that all important site features and green infrastructure should be incorporated into a scheme, and I agree.

28. The Category A London Planes would be felled. They are fine specimens but actually quite limited in visibility from the public realm; the most notable views are from the entrance and across the car park of the Indian Community Centre.
29. Visibility of the Limes and Birch group is also restricted to views down Essex Street. By comparison, Lime Group B, which would be retained within the layout, is highly prominent from across Rounds Gardens. Lime Group A is not so easy to pick out in wider views, but would be incorporated into the public open space, effectively bringing these important trees keenly into the public perception.
30. The proposal, in opening the site up to public access, in incorporating Lime Group A so successfully within the public open space, in providing a significant 2:1 ratio net gain in tree planting, and in securing the management of retained trees, would markedly increase the sylvan value of the site to the public. This is even accounting for the loss of the London Planes, a single Lime (T11) within the smaller protected group of Limes and Birch. and the loss of the other, less distinctive trees onsite.
31. The effect on protected trees would therefore be acceptable. The proposal would accord with Policies SDC2, NE2 and NE3 of the Local Plan with respect to the need for the enhancement and protection of landscape features, landscape character, and the green infrastructure network. It would accord with the Framework with respect to its requirement for trees to be retained within layouts where possible.

Conclusion on main issue

32. Drawing this issue together, the effect on protected trees would be acceptable, but the scheme would have an unacceptable effect on the character and appearance of the area with reference to urban design. In this respect it would conflict with Policy SDC1 of the Local Plan insofar as it requires high quality design, and Paragraph 136 of the Framework and B2 of the National Design Guide, insofar as they require schemes to be well-designed.

Sports and recreation

33. Part C of Policy HS4 of the Local Plan safeguards public open space, sports and recreational buildings and land, including playing fields within Open Space Audit evidence and/or defined on the Policies Map and/or last in sporting or recreational use. They should not be built upon unless the facility is demonstrably surplus to requirements; would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development itself is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.
34. This wording is different than that set out in Paragraph 104 of the Framework, which focuses on safeguarding *existing* provision. Paragraph 232 of the Framework states that due weight should be given to development plan policies according to their degree of consistency with the Framework. The closer the policies in the plan to the policies in the Framework, the greater the weight that may be given.
35. Equally though, the Framework is clear that local policies should avoid the unnecessary duplication of other policies including those within the Framework. It follows that a local policy can apply nuance and even legitimately go further than national policy if there is good reason for it to do so, without it being rendered inconsistent with the Framework in a manner that would have to affect its weight.

36. However, such situations should be based on evidence to justify that distinction. I would expect that evidence to have been aired through the examination of the Local Plan. It is notable that no such evidence has been forthcoming during this appeal. Given that plan examinations are an iterative process that focuses on specific areas of interest, it is not persuasive to simply point out that Policy HS4 was adopted under a prior version of the Framework that had the same wording in relation to the issue of sports provision. Instead, without evidence that the wording of Policy HS4 responds to specific circumstances, the issue of consistency needs to be assessed actively, by looking at the language employed by the two policies.
37. In doing so, I find the relevant wording of Policy HS4 and Paragraph 104 of the Framework to be unreconcilable when they are assessed against the appeal scheme. On the one hand, Policy HS4 applies because the site was last in use for sports and recreation. In not offering up any of the three mitigatory circumstances set out by Policy HS4, the scheme falls into direct conflict with the policy.
38. On the other hand, the significant time that has lapsed since the use of the pitch, the pavilion and tennis courts, some 23 years, alone draws the conclusion that these facilities do not now exist. Added to that is the marked degradation of the site, particularly the pavilion and the pitch; the former is in a significantly moribund state, and the latter simply does not remotely read as having such a purpose.
39. The prohibitive cost of reinstating the pitch is a further factor, as is the agreed issue that the site of the pitch is now acting informally as a not insubstantial attenuation pond for the surrounding urban environment. These factors mean that the facilities on the site cannot reasonably be held to be 'existing', and so Paragraph 104 of the Framework does not apply at all. This is as wide a difference that two policies can maintain when assessed against one individual development proposal.
40. Accordingly, I conclude that the proposal would conflict with Policy HS4 of the Local Plan owing to the loss of sports facilities that were last in use and the absence of mitigation for that loss. However, as the sports facilities do not in practical reality exist, there would not be an unacceptable loss of sports facilities in the Framework's terms.
41. Consequently, I afford the conflict with Policy HS4 only limited weight.

Housing Land Supply

42. The Council accepts it cannot demonstrate a five-year supply of deliverable housing sites, but the main parties disagree as to the extent of the shortfall: the Council's figure is now 4.16 and the appellant's is 2.04. The difference between the parties turns on two discrete areas. The first relates to the deliverability of certain sites the Council counts towards its supply. The second relates to whether some of the supply should be discounted to meet a housing need in neighbouring Coventry.

The Coventry issue

43. The Framework explains that in plan making, authorities should establish a housing requirement figure for their area, which shows the extent to which their housing need, and potentially also any need that cannot be met in neighbouring areas, can be met over the plan period. When a plan is more than five years old and has not been reviewed, authorities should then assess their supply against the local housing need. In evaluating what that local housing need is, the 'standard method'

- must be used, which does not incorporate unmet need from other areas. Thus, the resultant requirement also does not incorporate unmet need from elsewhere.
44. Policy DS1 of the Local Plan identifies a requirement for 12,400 dwellings over the plan period, of which 2,800 (23%) are earmarked to meet an identified need in Coventry. Given the Local Plan is now more than five years old, Rugby is currently operating under the standard method. Despite that, it is put forward by the appellant that, given the approach in Policy DS1, a discount of 23% should be applied to Rugby's supply when assessing the contribution of that supply to meeting its latest housing requirement. After careful consideration, I do not agree with that approach.
45. Paragraph 78 of the Framework is clear that '*authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old.*' I emphasise 'against' and 'or' because 'against' refers directly to the equation that must be undertaken, and 'or' informs the reader that the two equations are different. In my view it is inherent in that distinction that calculating the supply in either scenario is a wholly separate exercise. It is also trite that, to be accurate, any equation must be balanced from one side to the other.
46. The Planning Practice Guidance goes on to say that '*local need calculated using the standard method should be used in place of the housing requirement.* It also states that in circumstances where the strategic policies are over five years old, '*...the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method.*'² In my view this unequivocally endorses the view that, if seeking to calculate the extent of housing land supply where the strategic policies are over five years old, there is a paradigm shift from an approach which may incorporate need from other areas to one which explicitly does not.
47. The logic is that when the housing requirement in a development plan is over five years old, the Framework indicates that it should be shelved specifically as a tool in the decision-making process, unless upon review it is up to date. If not, the standard method steps in as the more reliable tool to ascertain a more up-to-date requirement. This interaction does not challenge the statutory primacy of the development plan as the starting point in decision making, but is a typical example of the Framework, in its role as an important material consideration, seeking to influence the decision-making process. I find national policy not silent but rather straightforward on the issue. It strikes me as an overinterpretation of plainly written policy to suggest that the Framework leaves room for a hybrid approach that focuses on local need but arbitrarily adopts favourable facets of the development plan's housing requirement. Such an approach is liable to unbalance the equation.
48. That interpretation is especially unpersuasive here when one bears in mind that Coventry is now also subject to the standard method. Even if this were an area of planning judgment on which national policy is silent, it would make little sense to allocate a proportion of Rugby's housing land supply towards meeting a previously identified unmet housing need in Coventry when Coventry's own calculation of need has since changed. It is more appropriate in the circumstances, and indeed the best way to accurately balance the equation, to simply assess Rugby's housing supply against Rugby's local housing need, and for Coventry to do the same.

² PPG Paragraphs 003 Reference ID: 68-003-20190722 and 005 Reference ID: 68-005-20190722 respectively

49. For the foregoing reasons, I see no logical justification for 23% of Rugby's supply to be removed owing to the requirement in Policy DS1.
50. This matter has been aired in other appeals, and it is important for there to be consistency across appeal decisions. However, this is a complicated issue and the various cases put forward had their own nuances and strategies to consider.
51. In Central Bedfordshire the Inspector stated that an '*equation which compares a 'policy off' objective assessment of need against a 'policy on' supply is an unbalanced assessment*'. To me, this is exactly the appellant's approach in this current appeal. The correct 'balancing exclusion', as the Inspector puts it in Paragraph 53 of the decision, is to exclude the requirement that 23% of Rugby's supply be disaggregated to Coventry, because the demand side of the equation no longer takes Coventry's unmet need into account. The Inspector's reasoning reinforces rather than allays my concerns with the appellant's approach.
52. The Tewkesbury decisions were considered within the ambit of a Joint Core Strategy and donor sites explicitly allocated to neighbouring authorities, a more entangled and '*very specific*' situation. The scenario in Malvern Hills also relates to a joint plan, with specific allocated donor sites. It appears more complex than the situation even in Tewkesbury, let alone Rugby and Coventry. Given the specific complexities apparent within that region, the Inspector's reasoning should not in my view be taken to prescribe a uniform approach for all future decisions outwith that area. Rather, it is clear they sought to decide which of several potential approaches put to them would be the 'best fit' to the various circumstances at issue.
53. In the Warwick decision letter it is not clear if Coventry was under the standard method at the time, nor is there any evidence that the Inspector had to consider how the spatial strategy could or would be affected in a situation where the standard method dictated Coventry having a different housing requirement. This necessarily diminishes the authority I place on its assessment of the strategic relationship between Warwick and Coventry within the context of this current appeal.
54. In South Derbyshire I note from the decision letter that the main parties agreed that some form of discount should be applied to redistribute housing supply from that Council area to neighbouring Derby. Given that the principle of this issue was not therefore 'at issue' between the parties, I cannot be sure that the first principle of it was robustly argued or examined or had to be grappled with by the Inspector. The decision letter is clearly grounded in the agreement of the main parties that it did not. It is also unclear if or not Derby was operating under the standard method at the time. The decision has therefore had little influence on my assessment.

The deliverability of the disputed sites

55. The Framework sets out that for sites to count towards a housing land supply they must be deliverable. The Framework's Glossary defines that, to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing completions will begin on the site within five years. For sites that are allocated or have outline consent, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. The various appeal decisions cited in relation to this issue do not prescribe the exact method of my assessment but do provide a useful framework of how this issue should best be considered.

56. Based on the standard method the parties agree that the local housing need is for 3,339 dwellings for the period 1 April 2025 to 31 March 2030, which is 668 units annually. This includes the agreed buffer of 5% required by the Framework.
57. The Council includes 680 undelivered dwellings at the Houlton 'Sustainable Urban Extension' (SUE) (referred to as DS3.3 Rugby Radio Station in the Local Plan) within its five-year supply, specifically in relation to the 'Remainder of Houlton Allocation' site within it. While the houses included in the trajectory have only outline consent, the main movement infrastructure at the Houlton SUE is in place, and the delivery of each phase of the SUE is primed with a respective Regulatory Plan. This has effectively created serviced plots for each housebuilder. I also note that various public facilities are delivered and accessible within Houlton.
58. It is unsurprising then that there is a strong record of delivery at the SUE. Appendix C of the Council's rebuttal proof is the most complete picture of the situation I have. It lists all sites on the SUE, whereas the appellant's approach focuses largely on sites which are in the Council's current supply trajectory, which excludes other, delivered sites in Appendix C and therefore derives a lower figure of past delivery.
59. Appendix C shows that 289 homes have been completed on average per year across the period since the first completions were made at the SUE. The Council's trajectory for the Remainder of the Houlton Allocation averages out at 170 homes per year, conservatively below the evidenced rate of delivery at the SUE to date. In my opinion, the considerate and holistic way that the Houlton SUE has been planned and developed, borne out through the pace and quantity of the housing it has already delivered, is sufficiently clear evidence that the Remainder of Houlton Allocation site will realistically deliver housing over the five-year period.
60. That said, there are no live or consented reserved matters applications on the site and, whilst some are in train, it is unclear when they will arrive. The Council has relied on a scheme for 216 homes which is currently subject to an undetermined reserved matters application as evidence for the delivery of the Remainder of Houlton Allocation, but it is positioned elsewhere in the Houlton supply trajectory. The care home consent referenced by the Council also relates to a different part of Houlton and so has little relevance to the delivery of this specific part of the SUE.
61. Appendix C also shows that the time from reserved matters consent to delivery averages 1.5 years at Houlton, which is reflected by the Council only projecting half a year's worth of delivery in the first year it forecasts completions will begin. On this basis, it is most realistic to conclude that the 'Remainder of Houlton Allocation' is deliverable, and to adopt the Council's suggested rate, but delayed by a year. This means that the 200 units predicted to be delivered in 2029/30 should be removed.
62. The Council's analysis of the situation at the South West Rugby SUE is less realistic. This SUE's development appears less proactive, with comparatively less infrastructure in place. Its Homestead Link Road has permission but is not yet been constructed. The community spine road has no consent at all. In terms of the agreed trajectories for housing delivery set out in the pro formas distributed to developers, I apply caution against relying on the figures in the absence of corroboratory or complementary evidence, because it is commercially appealing for developers to be overly optimistic when agreeing to the trajectories.
63. Whilst the site at Cawston Farm 1 is not contingent on the Homestead Link Road, it has only a resolution to grant permission and the legal agreement is unsigned as of

the date proofs were exchanged, some nine months after the Council resolved to grant permission. Even if permission is granted, I understand there is no named developer, and the Council were unable to provide any compelling detail as to the soft market testing currently being undertaken at the site.

64. If permission is granted there would be seven pre-commencement conditions attached to it. It is unclear if or when a reserved matters consent application would be submitted. That the application has been in the planning system for 6.5 years demonstrates why Lichfield's 'Start to Finish' research cannot always be relied upon as clear evidence of a specific site's delivery. The 80 homes included within the Council's updated trajectory for this site should therefore be removed.
65. Cawston Farm 2 has no permission, and a live outline application is subject to two objections from statutory consultees, and so subsequently it has recently been subject to a further consultation exercise. The land promoter for this site did not actively endorse the Council's trajectory for the site (nor indeed Cawston Farm 1). The 80 units it adds to the Council's trajectory should be removed.
66. The 75 units attributed to the site Land South of Cawston Lane should also be removed, as its circumstances are similar insofar as the outline application for it is subject to an outstanding objection from the Woodland Trust. The 72 units included in the trajectory at the Taylor Wimpey site are similarly related to an outline scheme subject to outstanding objections from consultees and should also be removed from the supply on that basis.

Conclusion on housing land supply

67. Given my findings above, I calculate that a total of 507 units should be removed from the Council's posited supply, leaving a total supply of 2,270 homes for the five-year period. This leads to a supply of approximately 3.4 years. Due the nascent stage of preparation of the Council's emerging Local Plan review, this situation is unlikely to shift with any significance any time soon. I should stress that this figure is derived purely on the basis of the evidence I have read and heard and is adopted specifically for the purpose of deciding this appeal.

Other Considerations

68. The absence of the, policy justified, planning obligations to mitigate the practical implications of the scheme is a tangible harm, as the shortfall, for instance in relation to education, would have to be met elsewhere or practical harms would likely result. However, it is a harm of very little weight given that it is agreed that the scheme cannot viably meet those obligations and would clearly be undeliverable if it was expected to do so. The corollary of that is that any mitigatory infrastructure subsequently provided by the Council pursuant to the Community Infrastructure Levy, and/or to the New Homes Bonus, are limited benefits in the scheme's favour.
69. In the context of the Council's 3.4-year supply of housing sites, the social and economic benefits of the housing would be significant. The scheme would be deliverable over the next five years and would redevelop an urban site of previously developed land within a highly accessible location. Rugby being the most accessible location in the plan area, with excellent access to sustainable transport.
70. The Framework requires decision makers to promote and support the development of under-utilised land and buildings, especially if this would help to meet identified

needs for housing where land supply is constrained and available sites could be used more effectively. The increased footfall to local services and facilities associated with the scheme would clearly add to the vitality of the town. Major housebuilding schemes bring with them direct and indirect employment benefits. There would be offsite infrastructure works that would benefit existing and future residents. The construction phase would bring notable economic benefits.

71. Within the context of the scheme's lack of viability, the development would provide a sufficiently wide choice of market homes, diversifying the housing stock in Rugby. Public connectivity through the site and the surrounding areas would be improved.
72. The public open space would be a new public asset and, together with the additional tree planting across the scheme, would provide visual, ecological and biodiversity benefits. I also recognise that the site, in its current state, is a magnet for antisocial behaviour, and this would be remedied by the scheme. Individually and in the round, the benefits of the scheme attract substantial weight in its favour.

Planning Obligations

73. In view of the unviability of the scheme, it is appropriate for the UU to set out early and late-stage review mechanisms, in order for affordable housing to be provided on site, or alternatively for any surplus sum to be commuted, should the economic situation improve. In the interest of highway safety and the capacity of the network, the UU would secure contributions towards the Traffic Regulation Order that would be necessary to facilitate the scheme, and the feasibility study relating to works to the Rugby Gyrotory. It would also provide for the enhancements to the path off York Street. The UU would secure Biodiversity Net Gain. However, as I am satisfied that this could have been addressed by a condition, had I been minded to allow the appeal, I would have exercised the blue pencil clause in this respect.
74. Regulation 122 of the Community Infrastructure Levy Regulations (2010) and the Framework set out that planning obligations must only be sought where they meet the relevant tests, including where they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the same. I am satisfied that all of the obligations are necessary, directly, fairly and reasonably related in scale and kind to the development and can be taken into consideration as part of the development.

Planning Balance

75. Given the harm that would arise to the character and appearance of the area with respect to the design of the proposal, and owing to the loss of facilities last in use for sports and recreation, the scheme would conflict with the development plan when read as a whole. For reasons already explained, the sports and recreation issue is not of significant bearing to the outcome of this appeal.
76. The issue of design, however, is. Whilst the Framework places emphasis on the need to significantly boost the supply of housing, the benefits of directing development to sustainable locations, making effective use of land and the reuse of previously developed land, it equally places emphasis on the need to secure well-designed places. The first sentence in the Framework's section on design states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

77. It goes on to say that development that is not well-designed should be refused, especially where it fails to reflect local design policies and government guidance, which is the case here. This proposal would not add to the overall quality of the area, as the Framework puts it, because it would perpetuate the creation of places that are not high quality nor well-designed. I am mindful that there would be a permanence to these places. In the context of the Framework, these shortcomings are a potent consideration that weighs heavily against the proposed development.
78. The Framework's explicit, key policy focus on securing a higher standard of well-designed places is different to the 2012 Framework which espoused the refusal of schemes which were more bluntly found to be of 'poor design'. In plain language this was a lower bar for schemes to overcome. Given such, whilst I recognise how the issue of design fed into the Inspector's planning balance in relation to the two referenced appeal decisions for the single site in Worcester in 2013, those decisions have had little influence on my own planning balance in this case.
79. The current Framework separately requires decision makers to give substantial weight to the value of using suitable brownfield land within settlements for homes and notably goes on to say that proposals for which should be approved unless substantial harm would be caused. It further states that decision makers should support appropriate opportunities to remediate despoiled, degraded and derelict land. However, the site would not be suitable for the proposal as the proposal is designed, and so this is not the appropriate opportunity to remediate this site. Logically, the benefits of boosting housing supply and redeveloping brownfield land are rather undermined if that housing would not be well-designed.
80. Given the housing supply situation in Rugby, Paragraph 11 d) ii) of the Framework applies. Whilst I acknowledge that the benefits of the scheme would be substantial, owing to the shortcomings in design, it is my judgment that the adverse impacts of granting permission for the proposal would significantly and demonstrably outweigh its benefits, when assessed against the policies in the Framework as a whole.
81. It follows that the other considerations before me do not indicate that I should make my decision other than in accordance with the development plan. Given the synergy and thrust of local and national policy on the matter of design, I would have reached this conclusion had my findings been on all fours with the appellant in relation to the extent of the Council's shortfall of deliverable housing sites.

Conclusion

82. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Satnam Choongh Counsel, instructed by St. Modwen Homes

They called:

Chantel Blair BSc (Hons) MA MRTPI	Principal Planner, Cerda Planning Ltd
Tom Smith BSc (Hons), MPlan, MRTPI	Associate, Emery Planning
Michael Carr BA (Hons) LA DIP UD RUDP	Architecture and Urban Design Lead, Pegasus Group
Melissa Huree-Hopley	Planning Solicitor, Miller Homes
Nik Woolridge	Principal Engineer, RJA

FOR THE LOCAL PLANNING AUTHORITY:

Christian Hawley Counsel, instructed by Rugby Borough Council Legal Services

They called:

Lucy Davison BSc (Hons) MSc	Principal Planning Officer
Abigail Murphy BSc (Hons) March PGDip	Senior Design Officer
David Gower BSc HND Arch	Arboricultural Officer
Ella Casey BSc MA MRTPI	Principal Planning Officer
Neil Holly MSc MRTPI	Development Strategy Manager

INTERESTED PARTIES:

Cllr Richard Harrington	Ward Member
Julie Warren	Local Resident
Rachel Jayne	Local Resident

DOCUMENTS SUBMITTED DURING AND AFTER THE INQUIRY

ID1	Appellant's opening submissions
ID2	Council's opening submissions
ID3	Submissions of Cllr Harrington
ID4	Submissions of J Warren
ID4	Submissions of unnamed resident
ID5	Signed ecology SoCG
ID6	Housing RTS agenda with updated HLS SoCG
ID7	Worcester appeal decisions
ID8	Council's closing submissions
ID9	Appellant's closing submissions
ID10	Updated suggested conditions
ID11	Completed Unilateral Undertaking



5 YEAR HOUSING LAND SUPPLY POSITION STATEMENT 2025-2030

1. INTRODUCTION

This statement sets out Rugby Borough Council’s 5 Year Housing Land Supply (5YHLS) as at 1 April 2025. The statement explains the calculation, before summarising the result. Appendix 1 sets out the detailed calculation, and Appendix 2 the list of sites.

The Rugby Borough Local Plan 2011-2031 was adopted on 4 June 2019.

Because the Local Plan is more than five years after adoption, 5YHLS is required by the National Planning Policy Framework (NPPF) to be calculated against local housing need rather than the plan requirement. As of the end of May 2025, local housing need calculated in accordance with the standard method is 636 homes per year.

2. PAST DELIVERY RECORD

The Local Plan 2011-2031 identified a need of 12,400 dwellings to be provided in the borough over the plan period at a rate of 540 per annum between 2011/12 to 2017/18 and 663 per annum between 2018/19 to 2030/31.

Between 1st April 2011 and 31st March 2025 there has been a sizable over-delivery against the Local Plan annual requirement as detailed in the table below:

Year	Annual Requirement	Actual net dwellings
2011/2012	540	338
2012/2013	540	456
2013/2014	540	448
2014/2015	540	425
2015/2016	540	534
2016/2017	540	376
2017/2018	540	596
2018/2019	663	939
2019/2020	663	859
2020/2021	663	832
2021/2022	663	939
2022/2023	663	1,349
2023/2024	663	873
2024/2025	663	675
Total	8,421	9,639
Over-delivery		1,218

Rugby Borough Council’s most recent published housing delivery test measurement (2023) covering the period 2020-2023 was 180%. No 5yhls consequences flow from this.

Based on the above, it has been determined that a 5% buffer should be applied to the 5YHLS calculation in accordance with paragraph 78 of the National Planning Policy Framework.

Using ONS Live Table 125 (Dwelling stock estimates by local authority district) it is possible to calculate that the cumulative annual growth rate (CAGR) in the number of dwellings in Rugby Borough between 2014 and 2024 was 1.65%. This compares to a CAGR for England over the same

period of 0.91% and for the West Midlands region of 0.84%. Over the twenty year period 2004-2024 the respective growth rates were 0.84% for England, 0.73% for the West Midlands and 1.48% for Rugby Borough.

Because of local government reorganisations in the past 10 years, it is not possible to calculate CAGR for a 10 and 20 year period for every local authority. Nonetheless, of the 285 lower tier local authorities for which it is possible to obtain the data, Rugby Borough had the 17th highest ten year CAGR. Rugby Borough's CAGR for the 20 year period 2004-2024 is 11th highest among the 276 lower tier local authorities for which this data is available. This places Rugby Borough in the top 10% of local authorities for 10 year housing delivery and the top 5% for 20 year housing delivery.

These numbers illustrate Rugby Borough's very strong track record of housing delivery.

However, as the Local Plan is more than five years post adoption, past over-delivery is required to be disregarded in calculating the housing land requirement going forward. This is confirmed by Planning Practice Guidance Paragraph: 031 Reference ID: 68-031-20190722: "...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.". Although this statement relates to past under-delivery, it would logically apply equally to past over-delivery.

It is relevant to note that, were five year land supply to continue to be calculated against the Local Plan requirement factoring in delivery in the plan period from 2011 to date, then the council would be able to demonstrate 6.35 years' supply.

3. SUPPLY

In calculating the 5YHLS it is necessary to identify deliverable sites as required in Paragraph 78 of the NPPF.

Annex 2 of the NPPF defines a deliverable site as follows:

Deliverable: *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 planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Applying this, all sites with detailed permission (i.e. full or reserved matters) have been considered deliverable unless there is clear evidence that the site will not proceed.

The judgements about the deliverability of sites made in this statement have been supported by site assessment and (where possible) consultation with site owners and/or their agents.

A delivery rate of 40 dwellings per sales outlet per annum has been used as a baseline unless there is evidence, for example from the developer, to suggest a different assumption. For sites of more than 500 units Lichfields' *Start to Finish* research supports higher build out rates.

At Houlton, the site is underway and progressing swiftly with numerous housebuilders on site. There have been rolling submissions of reserved matters for individual parcels within the defined key phases. Construction began at Houlton in the 2017-18 monitoring year. There have been completions in the past eight monitoring years from 2017-18 to 2024-25 at an average annual rate of 239 dwellings per annum. The delivery rate for the remaining dwellings, outside of existing reserved matters applications, has been supplied by the master developer Urban & Civic.

On the South West Rugby allocation, at Ashlawn Road one of the Barratt sites has now been completed and completion is projected on another Barratt site and the David Wilson Homes site in the next 2 years.

Additionally, at South West Rugby, completions are projected on the 'Land South of Coventry Road and Cawston Lane' parcel for 210 units within the five-year period. This site gained outline planning permission on 23 December 2022, and a Reserved Matters application was approved on 12 September 2025. The first completions are expected in 2026-27.

The Tritax Symmetry parcel at Cawston Farm, South West Rugby for 275 units is subject to an outline planning application which was submitted in May 2019 and was reported to planning committee in February 2025 and gained a resolution to grant planning permission subject to a S106 agreement. The trajectory applied by the council assumes two years between the grant of permission in 2025-26 and first completions in 2027-28. An outline planning application for Cawston Farm 2 (350 units), which is also promoted by Tritax Symmetry, was submitted in August 2022 and is also awaiting determination. This application has not been determined to date as it is intrinsically interlinked with the 275 unit application. Now this scheme has a resolution to grant planning permission the developer is seeking to progress the 350 unit application. First completions on this site are currently projected for 2028-29.

Three further outline applications for South West Rugby totalling 2,880 dwellings were received in May and June 2025 and are awaiting determination.

A windfall allowance for dwellings delivered on small sites of 50 dwellings per annum has been applied. A windfall site has been defined as being a site for fewer than 5 dwellings which is not built on garden land. This figure is based on data showing there has been an average of 56 dwellings per annum delivered on windfall sites between 2015/16 - 2024/25, and an average of 51 dwellings per annum between 2020/21 – 2024/5. The allowance has been rounded down to 50 rather than up to 55 as the number of completions has been under 50 for the past 4 financial years and, in general, the amount has trended downwards for the past 10 years. The data shows there is a consistent supply of small windfall sites in the borough and that not to include an allowance would under-estimate the delivery of housing in the borough.

The data for windfall completions in past years is set out in the table below:

Financial Year	Number of Windfall Units Completed
2024/25	41
2023/24	41
2022/23	45
2021/22	49
2020/21	79
5 Year Average	51
2019/20	41
2018/19	62
2017/18	69
2016/17	55
2015/16	73
10 Year Average	56

Individual assessment of sites has been undertaken for all site allocations under the Local Plan 2011-2031. Those allocations that are not coming forward (Coton Park East and Leamington Road, Ryton-on-Dunsmore) are excluded from the supply. Similarly Plott Lane, Stretton on Dunsmore and Linden Tree Bungalow, Wolston are not included in the supply. All other rural settlement allocations are either already completed, under construction or have detailed permission and specific assessment of their deliverability has been undertaken. It is, therefore, not appropriate to apply a generic lapse rate to these sites.

In the table below a further supply of 486 units is identified on other sites with full planning permission.

194 of these units are on two sites: land north of Projects Drive and Dipbar Fields. Dipbar Fields is being developed by Charles Church with houses already being sold: <https://www.charleschurch.com/new-homes/central/dunchurch-fields>. Projects Drive recently secured planning permission for housebuilder Morro Partnerships and the West Midlands Combined Authority has approved the provision of gap funding: <https://governance.wmca.org.uk/ieDecisionDetails.aspx?Id=2352>. It is considered highly unlikely that either of these sites will lapse and so it is inappropriate to apply a lapse rate to them.

That leaves 292 units on sites with full planning permission. Of these, 59 are under construction and so cannot lapse. A further 21 units have developer confirmed trajectories and therefore, with site specific information available, it is inappropriate to apply a lapse rate.

That leaves 212 units on sites with detailed planning permission which are not under construction and do not have a developer confirmed trajectory.

The National Planning Policy Framework requires an additional 5% supply buffer to be applied and there is no reference in either the NPPF or the Planning Practice Guidance to a requirement to apply generic assumed 'lapse rates' in calculating five year housing land supply. In an appeal decision dated 27 September 2024 (PINS ref APP/P4605/W/24/3342499) Inspector H Nicholls commented at para 82 "My view is that it would not be reasonable to take a step beyond the Framework and PPG requirements and apply a lapse rate to the deliverable supply". Therefore, no lapse rate is applied.

The list of all sites considered as part of the 5YHLS and the trajectories used in the calculation are included in *Appendix 2*.

4. FIVE YEAR HOUSING LAND SUPPLY AS AT 1 APRIL 2025

Based on analysis of deliverable sites for the five-year period 1 April 2025 to 31 March 2030 the Council can identify a housing land supply of **4.16 years** against the standard method requirement.

The calculations are presented in Appendix 1.

APPENDIX 1: 5YHLS POSITION 2025-2030

Requirement

A	Standard method requirement (annual)	636
B	5 year target (636*5)	3180
C	plus 5% buffer	3339
D	5 Year annualised Requirement (C/5)	668

Supply

Year 1 of 5 year Supply is 2025/26

	2025/26	2026/27	2027/28	2028/29	2029/30	Total
Annualised requirement	668	668	668	668	668	3339
Projected Supply	567	422	479	600	729	2797

	Total projected supply	5 year Supply
5YHLS with 5% buffer for period 2025-2030	2797	4.16

Appendix 2 - List of identified 5YHLS sites for 2025-2030

= not deliverable

Site name	Status	Application/permission date	2024-25	Gross to date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Post 2032	TOTAL (from 2025/26)	Notes
Coton Park East														
Coton Park East (Remainder)	Application not yet received - 100 Units	N/A											0	Site not being progressed
Coton Park East (North site- AC Lloyd)	Current Application - outline - R20/0787 - 475 Units	permission 26/04/2023											0	Site not being progressed
South West Rugby														
Land North of Ashlawn Road, (David Wilson)	Detailed - R20/0124 - 206 Units	Permission 21/12/2021	18	124	45	37							82	Under construction.
Land North of Ashlawn Road (Barratt)	Detailed R21/0689 (Outline R13/2102) - 216 Units	Permission 23/03/2022	53	186	20	10							30	Under construction. Developer confirmed trajectory 02/09/2025.
Coventry Road (Miller Homes)	Outline- R18/0936 - 210 Units reserved matters R24/0971	Permission 23/12/2022, reserved matters 12/09/2025				35	45	45	40	45			210	Detailed planning permission.
Cawston Farm 1 (Tritax Symmetry)	Current Application- Outline- R18/0995- 275 Units	Submitted 16/05/2019					20	40	40	40	40	95	275	Outline planning application gained resolution to grant planning permission February 2025 subject to section 106 agreement.
Cawston Farm 2 (Tritax Symmetry)	Outline application R22/0853 - 350 units	Submitted 26/08/2022						40	40	40	40	190	350	Outline planning application awaiting determination.
Land South West of Cawston Lane (Catesby Estates)	Current Application- Outline Application R25/0487 (Awaiting determination) - 470 Units	Submitted 02/06/2025						25	50	50	50	295	470	Outline planning application awaiting determination. Developer confirmed trajectory
Land to the North East of Cawston Lane & Land to the East of Alwyn Road (Taylor Wimpey)	Current Application- Outline Application R25/0407 (Awaiting determination) - Up to 800 Units	Submitted 01/05/2025						20	52	68	68	592	800	Outline planning application awaiting determination. Confirmation of trajectory with submitted planning application with two delivery outlets for the site.
Land East and West of Cawston Lane, North of Coventry Road and Land East of Alwyn Road (Homes England)	Current Application- Outline Application R25/0491 (Awaiting determination) - Up to 1600 Units	Submitted 05/06/2025									100	1500	1600	Outline planning application awaiting determination.
Taylor Wimpey remaining land	Application not yet received								20	40	40	95	195	Application not yet received however Taylor Wimpey have confirmed they are progressing towards target submission this financial year.
Eden Park														
Eden Park Phase R3 (Bloor Homes)	Detailed - R19/0976- 146 Units	20/08/2020	57	94	52								52	Under construction. Developer confirmed trajectory 04/09/2025.
Eden Park Phases R5, R6, and R7 (Bloor Homes)	Detailed - R23/0453- 550 units	Permission 15/01/2025				10	55	55	55	55	55	265	550	Full planning permission. Pre-commencement conditions submitted for discharge.
Houlton														
Key Phase Two - Parcel A (Francis Jackson Homes)	Detailed - R21/1099 - 31 units	Permission 12/09/2022	11	22	9								9	Under construction

Site name	Status	Application/permission date	2024-25	Gross to date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Post 2032	TOTAL (from 2025/26)	Notes
Key Phase Three - Parcels A and B (Redrow)	Detailed - R18/1177, R19/1375, R20/0709, R21/0739 - 248 Units	Permission 21/12/2018	29	213	35								35	Under construction.
Key Phase Three - Parcels C and F (William Davis)	Detailed - R20/0681 - 146 Units	Permission 01/04/2021	14	64	40	40	2						82	Under construction.
Key Phase Three - Parcel D (Mulberry Homes)	Detailed - R21/0873 - 147 units	Permission 11/04/2022	30	65	40	40	2						82	Under construction.
Key Phase Four - Parcel E (Miller Homes)	Current Application- Reserved Matters R25/0549 (Awaiting determination) - 216 Units	Submitted 20/06/2025				37	40	40	40	40	19		216	Reserved matters awaiting determination. Developer confirmed trajectory 10/09/2025.
Remainder of Houlton allocation	Outline R11/0699 and R17/0022 - (6,200 Units allocation total) 3873 remaining without reserved matters application.	Permission 21/05/2014		1,545		80	175	225	200	201	201	2791	3873	Outline planning permission. Developer provided trajectory.
Main Rural Settlements Allocations														
Wolvey Campus, Wolvey (Countryside Properties)	Detailed R22/0113 - 90 Units	Permission 25/08/2022	45	89	1								1	Under construction
Land at Coventry Road, Wolvey (O'Flanagan Homes)	Detailed R22/0670 - 11 units	Permission 27/03/2024			11								11	Full planning permission.
Land North of Coventry Road, Long Lawford (Bloor Homes)	Detailed- R17/1089- 149 Units	Appeal Approved 01/09/2021	25	51	70	28							98	Under construction. Developer confirmed trajectory 02/09/2025.
Land off Squires Road, Stretton on Dunsmore (Taylor Wimpey)	Detailed- R24/0289- 55 Units	Permission 10/10/2024					20	20	15				55	Detailed planning permission, units now being sold: https://www.taylorwimpey.co.uk/new-homes/stretton-on-dunsmore/squires-cross
Plott Lane, Stretton on Dunsmore	Revised application not yet received									25			25	Application not yet received, allocated for 25 units
Linden Tree Bungalow, Wolston	Application not yet received										15		15	Application not yet received, allocated for 15 units
Leamington Road, Ryton on Dunsmore	Site not coming forward												0	Site will be retained by the football club is not coming forward
Current Permissions & Prior Approvals - 50 dwellings or more														
Former Newton Vehicle Rentals Site, 117 Newbold Road	Detailed- R19/1496 - 122 Units. Previous Detailed- R17/2113 & R19/0902 and R23/0357	Permission 20/08/2020								40	82		122	Full planning permission. However, site for sale and so not included within deliverable supply.
Rugby Central Shopping Centre	Detailed – E22/0657 – 200 units	Permission 19/02/2024							99	101			200	Full planning permission. Required to commence by 2027. Demolition and site clearance needed first. Assumed that one block would be completed at a time.
Dipbar Fields, Dunchurch (Charles Church)	Detailed - R19/1047 (Outline- R13/0690)- 86 Units	Permission 20/06/2023			16	40	30						86	Full planning permission. Developer confirmed trajectory 02/09/2025. Units now being sold.
Land North of Projects Drive, Rugby (Morro Partnerships)	Detailed - R24/0103 - 108 dwellings	Permission 26/06/2025					40	40	28				108	Full planning permission. WMCA gap funding approved to deliver site.
Current Permissions & Prior Approvals- 10-49 dwellings														

Site name	Status	Application/permission date	2024-25	Gross to date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Post 2032	TOTAL (from 2025/26)	Notes
Yum Yum World Ltd, 4 High Street, Rugby, CV21 3BG	Detailed- R17/0967- 21 Units	Permission 03/04/2019		5	16								16	Under construction
Land South East of Brownsover Lane, Brownsover Lane (Jelson Homes)	Detailed - R14/1941, R22/0449- 14 Units	Permission 08/04/2020	5	5	9								9	Full planning permission, development has been commenced.
Development Land at Pailton Radio Station, Montilo Lane, Pailton, CV23 0HD	Detailed - R21/0937 - 10 Units	Permission 08/11/2021			10								10	Full planning permission.
Elms Farm, Oxford Road, Marton, CV23 9RQ	Detailed - R21/0469 - 11 units	Permission 12/07/2023			11								11	Full planning permission. Developer confirmed trajectory 02/09/2025.
16-20 Lawford Road, Rugby, CV21 2DY	Detailed - R15/1520, R21/0930 - 10 units	Permission 12/05/2022			10								10	Full planning permission, development has been commenced.
First Floor 7-8 Church Street, Rugby, CV21 3PH	Detailed - R22/0479 - 10 Units	Permission 09/11/2022			10								10	Full planning permission.
32 High Street, Rugby, CV21 3BW	Detailed - R21/0894 - 27 Units	Permission 13/12/2022			27								27	Full planning permission. Under construction.
Wolston Allotments, Stretton Road, Wolston (Spitfire Homes)	Detailed - R22/0201 and R19/1411 - 48 units	Permission 31/03/2023	44	44	4								4	Under construction
Land West Side of Heritage Close, Rugby	Detailed - R22/0383 - 10 units	Permission 06/12/2023				10							10	Full planning permission. Developer confirmed trajectory 02/09/2025.
Former Inwoods House, Ashlawn Road, Dunchurch	Detailed - R23/0491 - 25 units	Permission 20/03/2024			20	5							25	Full planning permission.
Current Permissions & Prior Approvals- 5-9 dwellings														
76 Buchanan Road, Bilton	Detailed- R18/0830, 21/0963 - 8 Units	Permission 22/11/2018			8								8	Under construction
7 & 8, St Matthews Street, Rugby, CV21 3BY	Detailed - R20/1092 - 7 Units	Permission 19/02/2021		3	4								4	Under construction
15 Bilton Lane, Rugby	Detailed - R19/1309 (R21/0353, R21/0451, R22/0125) - 5 Units	Permission 17/05/2021	1	3	2								2	Under construction
Land at Manor Farm, Hinckley Road, Burton Hastings. CV11 6RG	Detailed R22/0260 - 6 units	Permission 22/12/2022			6								6	Full planning permission
The Malthouse, Main Street, Thurlaston	Detailed R21/0477 - 6 units	Permission 30/06/2022			6								6	Under construction
11-12 Sheep Street, Rugby, CV21 3BU	Detailed R22/0979 - 5 units	Permission 03/07/2023			5								5	Full planning permission
Cawston House, Thurlaston Drive, Rugby, CV22 7SE	Detailed R23/0235 - 5 units	Permission 14/07/2023			5								5	Full planning permission
2-3 High Street, Rugby, CV21 3BG	Detailed R23/0722 - 6 units	Permission 27/03/2024			6								6	Full planning permission
Rugby Business Centre, 21-23 Clifton Road, Rugby, CV21 3PY	Detailed R23/0812 - 6 units	Permission 12/07/2024			6								6	Full planning permission

Site name	Status	Application/permission date	2024-25	Gross to date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Post 2032	TOTAL (from 2025/26)	Notes	
140 Railway Terrace, Rugby, CV21 3HN	Detailed R24/0533 - 5 units	Permission 14/02/2025			5								5	Full planning permission	
Rugby Business Centre, 21-23 Clifton Road, Rugby, CV21 3PY	Detailed R24/0829 - 8 units	Permission 19/12/2024			8								8	Full planning permission	
Submitted Applications 10+ dwellings															
Myson House, Railway Terrace, Rugby, CV21 3LS	Current application - Outline R22/1035 - 96 units	Submitted 27/09/2022											0	Outline planning application awaiting determination	
Former Nursery, Rugby Road, Brandon, CV8 3GJ	Current application - Outline R24/0716 - 43 dwellings	Submitted 29/07/2024											0	Outline planning application awaiting determination	
90, RUGBY GYM CLUB, LOWER HILLMORTON ROAD, RUGBY, CV21 3TF	Current application - Outline R24/0986 - 34 dwellings	Submitted 21/10/2024											0	Outline planning application awaiting determination	
Windfalls for sites of <5 dwellings					50	50	50	50	50	50	50		350		
TOTAL TRAJECTORY							567	422	479	600	729	795	760	5823	10175



**ADDENDUM TO 5 YEAR HOUSING
LAND SUPPLY POSITION
STATEMENT 2025-2030**

27 MARCH 2026

1. INTRODUCTION

- 1.1 Section 3 of the position statement comments on the deliverable supply and the delivery on the Houlton Sustainable Urban Extension and South West Rugby Sustainable Urban Extension (SUE). This addendum supplies the relevant evidence on which the 2025-2030 trajectory was based and an overall update of the SUEs future delivery. It also provides an updated position on the overall five-year housing land supply which reflects recent appeal decisions.

2. HOULTON

- 2.1. Houlton is a development to the east of Rugby with permission for the delivery of 6,200 homes together with a district centre, local centres, open space, secondary school and primary schools. It also provides space for retail, financial services, restaurants, a hotel, community uses, assembly and leisure, as well as commercial and employment uses. Outline permission was granted in 2014 and updated through a s73 in 2017. Urban and Civic are the master developer of the site and have provided all of the significant infrastructure e.g. the main vehicle, walking and cycling route as shown on the plan within Appendix A. This has created serviced plots for house builders to acquire and submit reserved matters applications on. Appendix A shows the development which has taken place to date within different key phases as of June 2025.
- 2.2. The development framework for this site as set through the outline planning permission requires each key phase to be defined then followed with a framework including a Regulatory Plan, Design Guide and technical documents. The reserved matters applications for that key phase can then follow. The regulatory plans referred to within this section are within Appendix B.

Past Delivery

- 2.3. The first completions on Houlton were in 2017/18 therefore the site has delivered consistently for 8 years with an average of 239 dwellings per annum being delivered (Appendix C). The data also shows that on average it is 6 months between a reserved matters application being validated and determined and a year between the determination of the reserved matters application and the first completion on site. This therefore gives on average an overall timescale of 1.5 years between submission of reserved matters to 1st completion – this timeframe includes any discharge of condition applications for pre-commencement conditions. This has therefore been reflected within the trajectory with only half a year of delivery being accounted for in year 2 of the trajectory.

Current Applications

R25/0549 – Parcel E, Houlton, Key Phase 4

- 2.4. Miller Homes currently have a reserved matters application pending for 216 dwellings. Minor highway details are the only outstanding matter in relation to this application therefore reserved matters approval should be granted imminently.

R25/0653 – Rugby Radio Station (Houlton) Key Phase 1

- 2.5. A full application for a 66-bed care home on the Houlton SUE site within Key Phase 1 was submitted to the Council on 8th August 2025 and approved 20th November 2025. Conditions have already been submitted for discharge pre-commencement conditions under R26/0007. Whilst it is recognised that this permission is past the base date for the 5YHLS calculation and the Council is not trying to insert it into the trajectory, it should be accepted in relation to clear evidence of delivery for the remainder of the Houlton development which is included within the 5YHLS under the outline permission. The reasoning for this is set out below.
- 2.6. The outline permission did not provide for the provision of a care home on the site and therefore a full application was required to be submitted instead of a reserved matters.
- 2.7. Appendix D part A shows the location of the site and shows the site within Key Phase 1 of the wider Houlton SUE. Part B of the same appendix shows an extract from the Key Phase 1 Design Guide which shows the density of this particular parcel as projected to be 35-45dph. At 0.74ha the site was therefore earmarked to deliver approximately 26-33 dwellings of the wider 6,200 dwellings.
- 2.8. As set out within the PPG (Paragraph:026 Reference ID: 68-035-20190722) ‘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.’ PPG Paragraph 016a Reference ID 63-016a-20190626 clarifies that ‘to establish the amount of accommodation released in the housing market, authorities should base calculations on the average number of adults living in households, using the published Census data’. The ratio for the Council in relation to C2 use would be 0.89 therefore from a 66 bed care home, 58 dwellings could be counted towards the 5YHLS delivery.

R26/0203 - Rugby Radio Station (Houlton) Key Phase 1 Parcel A & C

- 2.9. Morris Homes have submitted a reserved matters application for 82 dwellings on Parcel A & C of Key Phase 1. This is currently within the statutory consultation period.

Future Reserved Matters Applications

- 2.10. All applications on this site are dealt with via Planning Performance Agreements. This provides a project management tool to ensure delivery of the SUE. This also provides a framework for developers to work with the Council from pre-application stage to discharge of condition and delivery stage.
- 2.11. We currently have two pre-applications on the SUE of which one is expected to be submitted as reserved matters applications imminently as the final design response from the Council was given at the beginning of January. This application would be for 74 dwellings on Parcel H of Key Phase 4. The other pre-application has a planning performance agreement and there is agreement that a response will be issued by end of April 2026. This pre-application is for 281 dwellings on Parcel B within Key Phase 4.

2.12. Urban and Civic provided their trajectory for the 5YHLS when asked and their response can be found at Appendix E. Based on the evidence as set out above on the past delivery timescales and the pipeline of applications coming forward the developer's trajectory was accepted.

Houlton Conclusion

2.13. The evidence shows 58 dwellings with full permission, 298 dwellings at reserved matters stage and a further 355 dwellings to be submitted for reserved matters approval imminently (based on pre-applications). The average past delivery rate of the SUE is 239dpa. The trajectory showed 680 dwellings (average of 170dpa) to be included within the supply for the remainder of the Houlton allocation. The Council has reduced this by 200 dwellings (predicted delivery in 2029/30). Therefore, taking 480 dwellings forward as deliverable within the 5YHLS.

3. SOUTH WEST RUGBY








3.1. South West Rugby is an area of land allocated within the Rugby Local Plan for the development of a new neighbourhood. This will include the provision of around 5000 new dwellings, 35 ha of employment land for storage and distribution purposes, 3 primary schools and 1 secondary school, a convenience store and other retail uses, and a doctors' surgery.

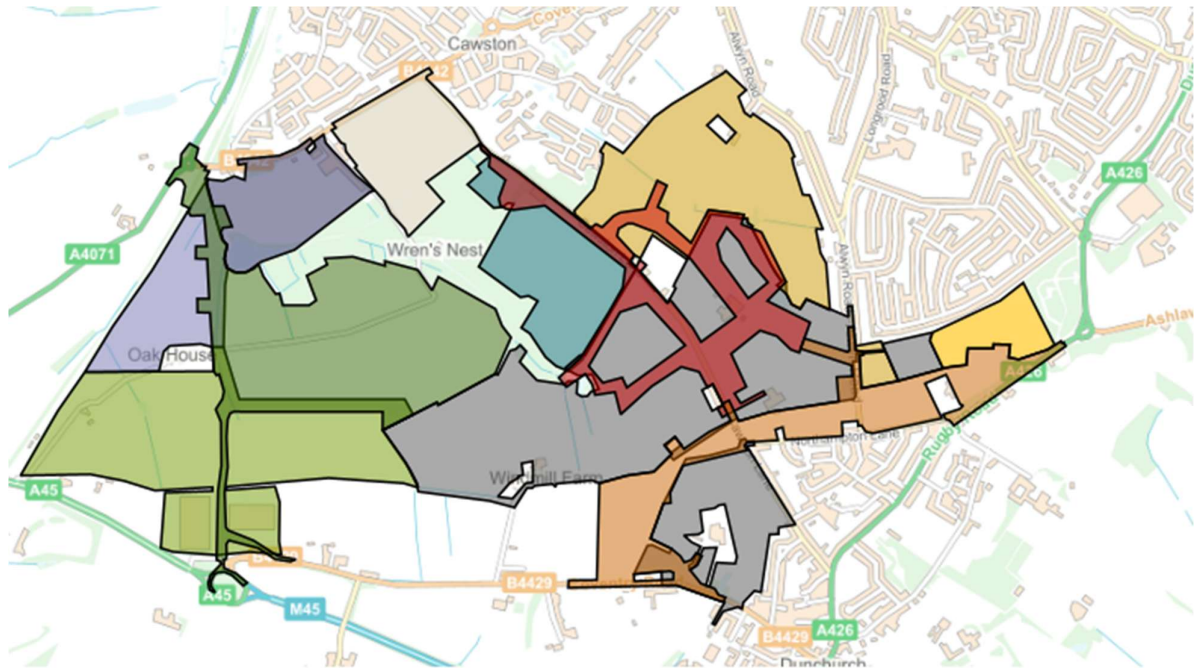
- 3.2. In relation to residential use the following applications have been determined:
- **R13/2102:** Land at Ashlawn Road - Outline application for the erection of up to 860 dwellings and land for a primary school
 - **R18/0936:** Land South of Coventry Road and Cawston Lane - Outline application for up to 210 dwellings and a two form entry primary school

3.3. In relation to strategic infrastructure the Homestead Link Road has also been approved under R22/0928 and conditions are currently being discharged for this infrastructure link. Other infrastructure applications (e.g. community spine road) are currently being considered (R24/0733).

3.4. The following map (overleaf) shows the landownership and different applications for south west rugby.

KEY:

 catesby	 taylor_wimpey_midlands
 cawston_farm_1	 miller_homes
 cawston_farm_2	 taylor_wimpey
 cawston_lane	 tritax
 homes_england	 tritax_safeguarded_land
 homestead_link_road	



Applications under consideration

3.5 Since the Council published its 1st April 2025 position statement the 5YHLS position has been challenged therefore the below table shows the most up to date position with amendments being made to the number of dwellings to be delivered within the supply based on the outcome of appeal decision APP/E3715/W/25/3373251.

Table 1: Evidence in relation to parcels on South West Rugby SUE

Parcel	Number of dwellings in 5YHLS				Evidence for inclusion of 5YHLS Statement
	Yr3	Yr4	Yr5	TOTAL	
R18/0995 – Cawston Farm 1	20	40	40	0	Outline planning permission which gained a resolution to grant in February 2025 subject to a section 106 agreement. The applicant is already currently undertaking soft market testing with developers in order to dispose of the site alongside the section 106 being progressed. At the time of writing the 5YHLS the Council were not aware of the soft market testing for the site intended to be undertaken alongside the s106. The Council accepts it is unlikely for delivery to occur in year 3 therefore 20 dwellings have been removed from the supply as shown in red. Lichfields' <i>Start to Finish</i> (3 rd Edition, 2024) research indicates an average time of 3.2 years from grant of outline planning permission on sites of 100-499 dwellings to first completions

					<p>on site. Outline planning permission will be gained within the current monitoring year.</p> <p>Lichfields' Start to Finish gives a mean build-out rate for sites of 100-499 dwellings of 49 dpa and a median of 44 dpa, therefore a conservative figure of 40 dpa has been used.</p> <p>Tritax were consulted on the trajectory and their response is within appendix F.</p>
R22/0853 – Cawston Farm 2		40	40	0	<p>The applicant for this site is the same as cawston farm 1. A decision was made by Tritax that this application was not to be progressed until CF1 was taken to committee. Since a committee resolution was gained on CF1 the applicant has submitted amended plans and updated the supporting documents required due to the passage of time and to deal with previous technical consultee responses to enable a full re-consultation to be carried out by the LPA. The re-consultation is due to end 14th January 2026.</p> <p>This site has been projected for delivery in year 4 to enable the application to be determined, marketing and sale of the site, reserved matters determination and discharge of conditions. This aligns with Lichfields start to finish timescales. There is a framework section106 on this SUE to streamline negotiations.</p> <p>Tritax were consulted on the trajectory and their response is within appendix F.</p>
R25/0487 – Land South West of Cawston Lane		25	50	0	<p>This outline application is being progressed currently. Catesby is the applicant and they confirmed (Appendix G) that there will most likely be two outlets from one housebuilder on the site which consists of 3 parcels. The phasing plan submitted with the application shows the split of homes per parcel (appendix H). The trajectory was therefore amended to reflect the feedback.</p>
R25/0407 – Land to the North East of Cawston Lane & Land to the East of Alwyn Road		20	52	0	<p>This outline application is being progressed currently. Documents in relation to delivery and phasing have been submitted in support of the application (Appendix I). Taylor Wimpey state they are expecting their first residential completion in 2026 with a build out rate of 68 dpa consistent with Lichfields. The phasing plan shows four main phases with phase 1 and 2 set to come forward first with a minimum of two</p>

					outlets across the site. These two phases equate to 320 dwellings. Based on the Lichfield assumptions and taking into account Taylor Wimpey's submissions the trajectory is considered to be reasonable.
N/A – Taylor Wimpey remaining land			20	20	This full application is currently under consideration (R25/0979). The supporting documents from December 2025 (Appendix J) sets out Taylor Wimpey's programme for delivery. This states that they expect to be on site autumn 2026 and delivering completions between 2026 and 2029. The delivery of 20 dwellings in 2029/30 is therefore a very conservative assumption.

Note: Years 1 and 2 not included within the table as no dwellings are projected for delivery within these years

South West Rugby Conclusion

- 3.6. The evidence for inclusion within the original supply has been given above however alterations to the supply have been made by the removal of 307 units.

4. FIVE YEAR HOUSING LAND SUPPLY AS AT 1 APRIL 2025

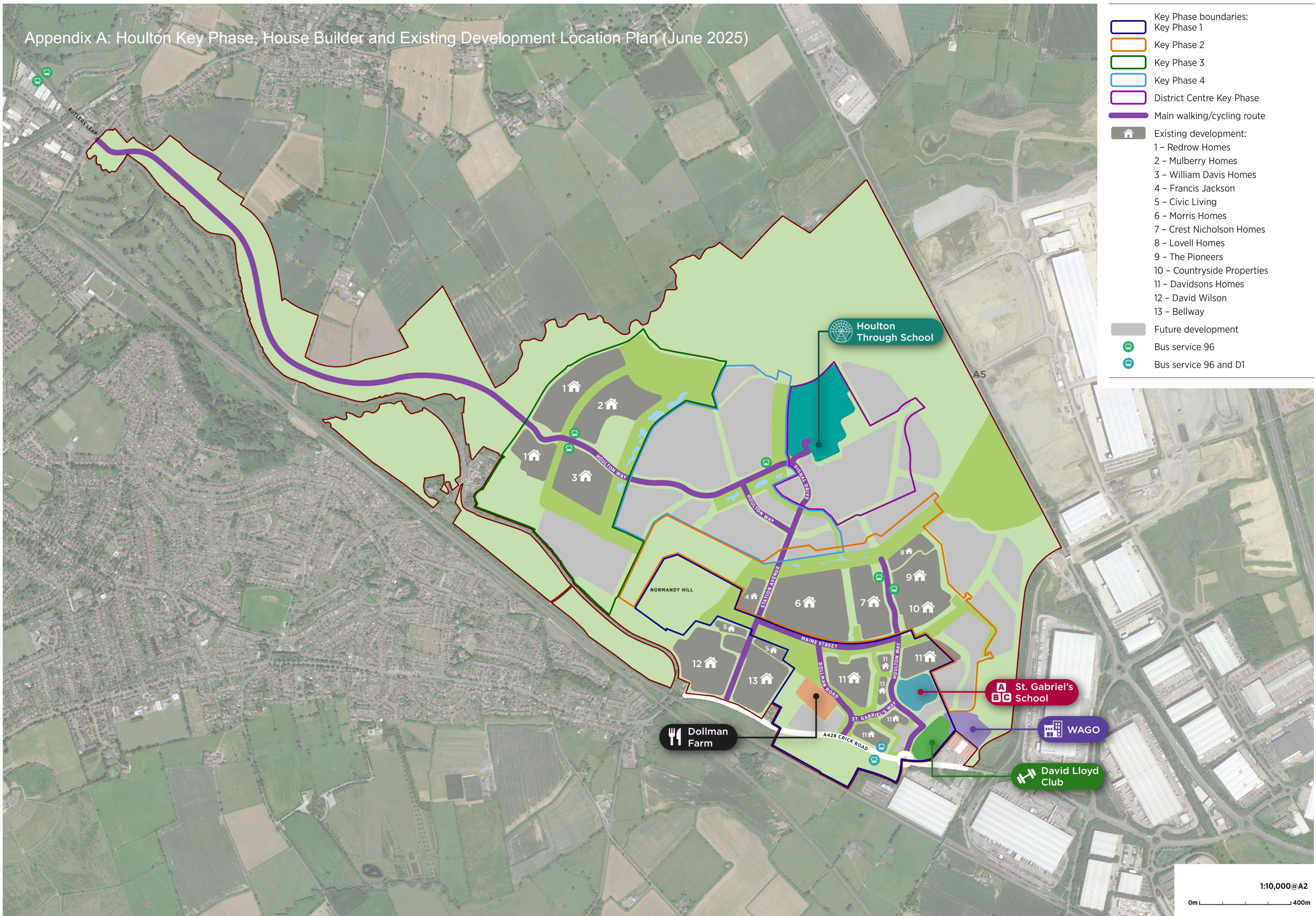
- 4.1. A recent appeal decision at Land North of Rounds Gardens, Rugby (appeal reference APP/E3715/W/25/3373251) determined that a further 507 dwellings (200 units from Houlton predicted to be delivered in 2029/30 and 307 units from South West Rugby) should be removed from the supply, adjusting the supply to 3.4 years. The 5YHLS Position as of the 1st April 2025 is therefore adjusted as follows:

	Requirement	
A	Annual local housing need figure	636
B	Five year requirement	3,180
C	5% buffer	159
D	Total five year requirement including 5% buffer	3,339
E	Annual housing requirement including 5% buffer	668
	Supply	
F	Deliverable supply at 1 st April 2025	2,270
G	Supply in years (F/E)	3.4

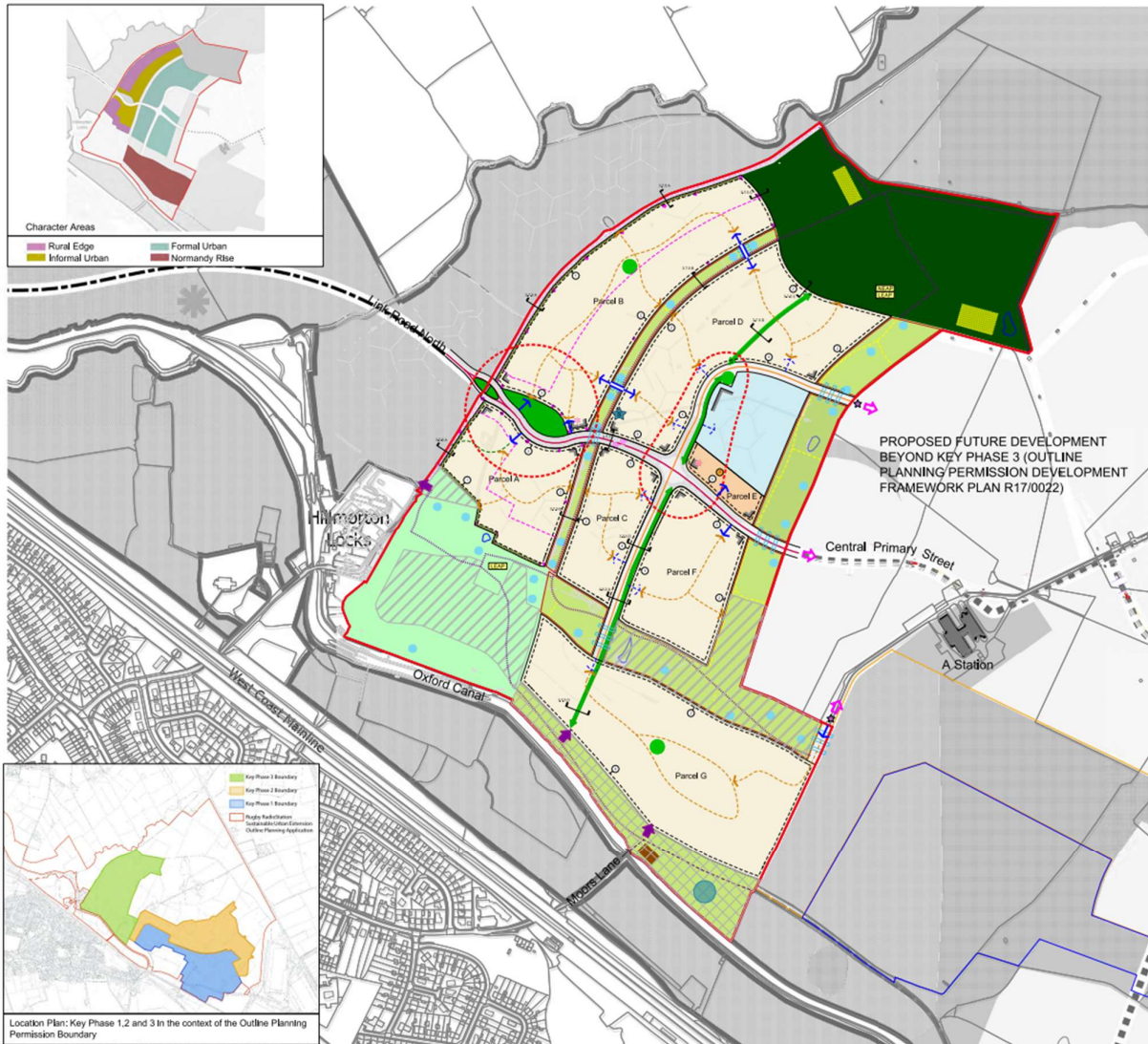
H	Under/oversupply against the five year requirement (F – D)	-562
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Appendix A: Houlton Key Phase, House Builder and Existing Development Location Plan (June 2025)

- Key Phase boundaries: Key Phase 1
- Key Phase 2
- Key Phase 3
- Key Phase 4
- District Centre Key Phase
- Main walking/cycling route
- Existing development:
 - 1 - Redrow Homes
 - 2 - Mulberry Homes
 - 3 - William Davis Homes
 - 4 - Francis Jackson
 - 5 - Civic Living
 - 6 - Morris Homes
 - 7 - Crest Nicholson Homes
 - 8 - Lovell Homes
 - 9 - The Pioneers
 - 10 - Countryside Properties
 - 11 - Davidsons Homes
 - 12 - David Wilson
 - 13 - Bellway
- Future development
- 🚌 Bus service 96
- 🚌 Bus service 96 and D1



Key Phase 3



KEY

1.0 Introduction

- Outline Planning Permission Boundary
- Key Phase 3 Boundary
- Key Phase 2 Boundary
- Key Phase 1 Boundary

2.0 Context

- Residential use
- Mixed use/retail use
- School

3.0 Landscape Design

- 3.1 Historical Open Space
- 3.2 Ecology and Wildlife Corridors
- 3.2.1 Wildlife Corridors
- 3.2.2 Wildlife Corridors
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4.0 Movement and Access

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Public Regulatory Plan to be made in conjunction with the Design Guide.

Planning

SUE GP LLP

itp

Radio Station Rugby
KP3 Design Guide
KP3 Regulatory Plan

1:1000

0 10 20 30 40 50 60 70 80 90 100

Key Phase 4



NOTES:
 Do not scale from this drawing.
 All dimensions must call for all and be responsible for taking and checking dimensions.
 All dimensions should be taken from fixed boundaries only. Any dimensions between streets, walls, fences and other structures must be taken to the structure of the respective item.
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The drawings are for planning purposes only. A full planning application must be used for construction purposes. All dimensions shown are used to ensure drawings are accurate. All dimensions are subject to change. For any information about the site or the drawings, please contact the planning department.

KEY

1. INTRODUCTION

- Key Phase 4 Planning Application Boundary
- Key Phase 3 Boundary
- Key Phase 2 Boundary
- Building heights up to 15m permitted in this area. Refer to OPA OPA Building Heights Parameter Plan, Section 1.2 of the Design Guide.

2. RPA Context and Urban Residential Land Use

3. Landscape and Public Realm Design

- 3.1 Informal Open Space
- 3.4.1 Wildlife Corridors
- 3.4.2 Green Corridor
- 3.5.3 Residential Pocket Parks
- 3.6 Foul and Surface Water Management
- 3.6.1 Alternative soak (dry)
- 3.6.2 Vast pond
- 3.6.3 SUDS ponds

4. Movement and Access

- 4.2 Access Paths
- Site access point off primary street (fixed location)
- Site access point off secondary street
- Onward connection to future phases
- Vehicle access point (fixed location)
- Vehicle access point (indicated location)
- 4.3 Cycle and Pedestrian Network
- Footpath within green infrastructure
- Access locations for pedestrian and cycle connections
- 4.4 Bus Network
- Fixed bus stop location along Primary Street
- Indicative bus stop location along secondary street
- 4.5 Street Hierarchy
- 4.5.1 Primary Street (constructed)
- 4.5.2 Secondary Street
- 4.5.3 Green Street (Primary and Tertiary Streets)
- 4.5.4 Tertiary Street
- 4.5.5 Street (Agreement in principle and should be designed at RMA stage)
- Street locations as shown in the Design Guide

5. Built Form

- 5.5.1 Marker Buildings
- 5.5.2 Gateway Buildings
- 5.5.3 Key Groupings
- 5.7 Foreground Character Typology
- 5.7.1 Northern Edge
- 5.7.2 Southern Edge
- 5.7.3 Street Centre Interface and Central Wildlife Corridors
- 5.7.4 Secondary Street
- 5.7.5 Primary Street
- 5.8 Character Areas
- Character area
- Character area boundary
- 5.8.1 Utility Supplies
- Utility supply station location
- Proposed gas P10 location
- Existing gas P10 location

Notes: Regulatory Plan to be used in conjunction with the Design Guide.

10/21/21 10:00am 10 GP
 Job Title: Designer Drawn: One
 Drawing Date: PLANNING
 Date: Urban & Civic

jtp JTP Group
 10000 The Woodhouse
 Park Road
 Leeds, LS10 2JF
 44 (0)11 2517 1180
 www.jtp.co.uk

Project: Houston, Key Phase 4

Drawing No: Regulatory Plan

Scale: 0 A1 1:2000 Job No: 007191
 Drawing No: 007191_RP_01 Revision: 01
 Scale: 1:2000

Appendix C Past Delivery Timescales for Houlton SUE

Application Reference	Address	Capacity	Date Reserved Matters App Valid	Date Reserved Matters App Approved	Days between App being valid & Approval	Date of 1st Completion	Days between Approval of App & 1st Completion	Years between approval of RM & 1st completion	2016/17 Completions	2017/18 Completions	2018/19 Completions	2019/20 Completions	2020/21 Completions	2021/22 Completions	2022/23 Completions	2023/24 Completions	2024/25 Completions	
R20/0525	Key Phase 1 Parcel D (Davidsons)	42	06/10/2020	07/05/2021	213	01/04/2022	329	0.90								42		
R16/0337	Key Phase 1, Parcels G (Part), J & L (Part) (Davidsons)	104	13/04/2016	08/07/2016	86	12/12/2017	522	1.43		23	69	12						
R20/0108	Key Phase 1 Parcel F (Davidsons)	27	12/02/2020	20/11/2020	282	01/04/2021	132	0.36						8	19			
R17/0366	Key Phase 1, Parcels G (part), H & L (part) (Davidsons)	128	10/03/2017	22/09/2017	196	16/04/2019	571	1.56				60	10	58				
R21/1099	Key Phase 2 Parcel A (Francis Jackson Homes)	31	18/03/2022	12/09/2022	178	15/12/2023	459	1.26									11	11
R16/1033	Key Phase 2, Parcel B & Parcel C (Part) (Morris Homes)	173	24/10/2016	01/06/2017	220	27/07/2018	421	1.15			19	32	32	90				
R20/0860	Key Phase 2 Parcel C (Morris Homes)	84	09/10/2020	29/04/2021	202	01/04/2022	337	0.92							68	16		
R16/2195	Key Phase 2, Parcel D (Crest Nicholson)	186	14/12/2016	15/06/2017	183	02/05/2018	321	0.88			58	37	53	34	4			
R19/1284 & R21/0193	Key Phase 2 Parcel E (Countryside)	352	08/11/2019	19/03/2020	132	01/04/2020	13	0.04					14	59	228	51		
R19/0806	Key Phase 2 Parcel G (Part) (Davidsons)	29	21/06/2019	21/01/2020	214	01/04/2021	436	1.19						19	10			
R18/1177 & R21/0739	Key Phase 3 Parcels A & B (Redrow)	242	17/07/2018	21/12/2018	157	14/02/2020	420	1.15				3	69	17	50	45	29	
R20/0681	Key Phase 3 Parcels C & F (William Davis)	146	19/08/2020	01/04/2021	225	07/11/2022	585	1.60							9	41	14	
R21/0873	Key Phase 3 Parcel D (Mulberry Homes)	147	13/08/2021	11/04/2022	241	24/01/2024	653	1.79								35	30	
R18/0544 & R20/0538	LAND AT WHARF FARM, CRICK ROAD, HILLMORTON, RUGBY (Bellway)	382	20/03/2018	20/07/2018	122	01/04/2019	255	0.70				8	114	68	163	26	3	
R20/0540	Land North of Wharf Farm, The Slivers (Civic Living)	38	22/07/2020	12/11/2020	113	05/11/2021	358	0.98						28	10			
AVERAGE					184		387	1.06										
									TOTAL	23	146	152	292	381	603	225	87	1909
																	Average per year	239

Appendix D Documents submitted in support of R25/0653 (Care Home)

A) Extract from Planning Statement (Location of site)

2.0 FACTUAL ACCOUNT

Surrounding Area

- 2.1 The Site (**Figure 2.1**) is located within a wider mixed-use sustainable development of the former Rugby Radio Station, with the developing community now known as Houlton.

Figure 2.1: Site Location (Satellite Imagery is not representative of the current level of surrounding development).



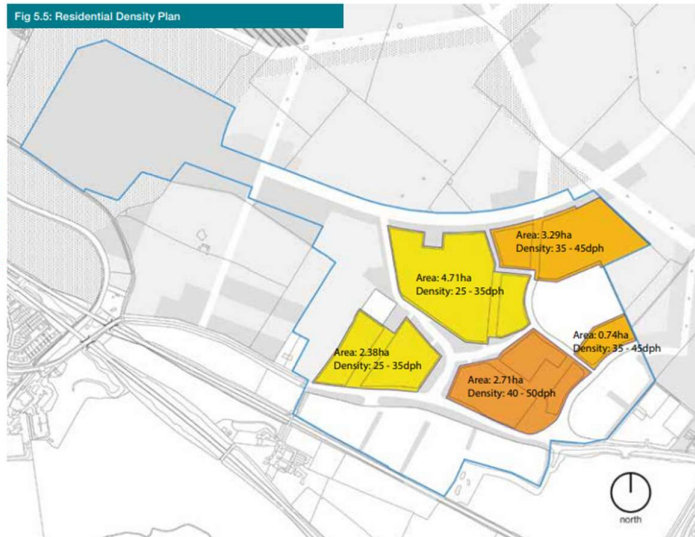
B) Extract from Key Phase 1 Design Guide - [key-phase-1-design-guide-november-2015-](#)

5.7 Residential Density

The density at which the residential parcels are designed will have an impact on how the KP1 development feels as a place. Lower density parcels will feel quite open, with space for larger front gardens, tree-lined streets and green open spaces. Higher-density parcels will feel more compact and urban, with less space for large gardens and green verges. It is important to remember that the parcels are relatively small and surrounded on many sides by open green spaces.

The adjacent plan in Fig 5.7 sets out guidance on density ranges for development parcels.

To create a level of diversity and a range of street and house type, the density across KP1 ranges between 25 and 50 dwellings per hectare (dph).



* Please refer to chapter 6: Mixed Use Built Form for guidance on all mixed use areas.



Ella Casey

From: Ella Casey
Sent: 08 January 2026 18:37
To: Ella Casey
Subject: FW: Rugby Borough Five Year Housing Land Supply - Houlton
Attachments: Houlton outline remainder- Urban and Civic 2025.docx

From: Katya Van-Ristell <katya.van-ristell@urbanandcivic.com>
Sent: 10 September 2025 16:15
To: Local Plan <LocalPlan@rugby.gov.uk>
Cc: Mike van den Berg <mike.vandenberg@urbanandcivic.com>
Subject: RE: Rugby Borough Five Year Housing Land Supply - Houlton

Hi Katie

Thank you for sending this through. Please find the completed proforma attached, reviewed against our latest delivery expectations.

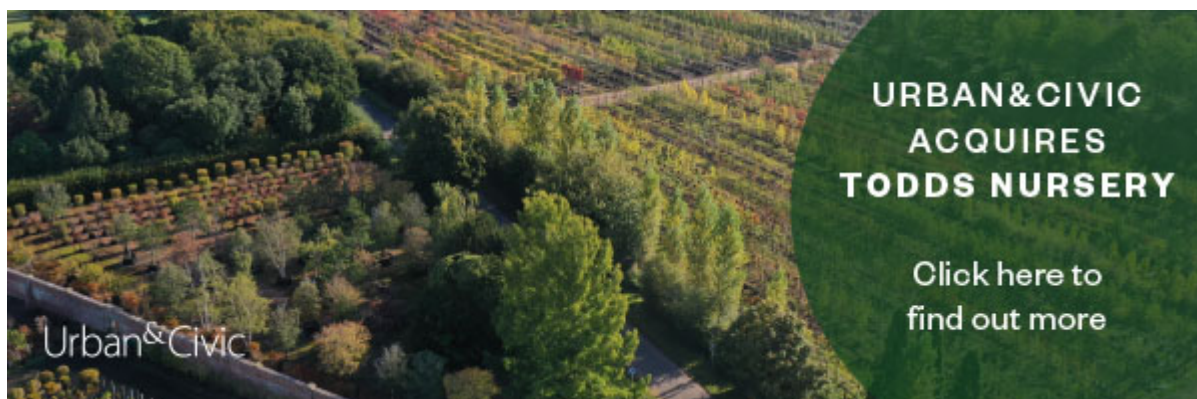
If you have any questions or would like to discuss any of the details further, please don't hesitate to get in touch.

Kind regards,

Katya

Katya Van-Ristell | Development Manager
T: +44 20 7509 5555 | M: +44 75 8609 8611

Urban&Civic plc 50 New Bond Street, London W1S 1BJ
www.urbandcivic.com



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From: Local Plan <LocalPlan@rugby.gov.uk>
Sent: Tuesday, September 2, 2025 3:00 PM

To: Mike van den Berg <mike.vandenberg@urbanandcivic.com>
Subject: Rugby Borough Five Year Housing Land Supply - Houlton

Dear Mike

We are currently updating our five-year housing land supply position. The attached sets out the information we have on the remaining Houlton outline allocation. The base date for this year's supply is 1st April 2025 and each monitoring year runs 1st April – 31st March, therefore when reviewing the attached in terms of the delivery please keep this in mind. Also, for our monitoring purposes we count a dwelling as 'complete' when it is weathertight i.e. windows and doors have been put in. There may still be internal fit out works to do after we record a dwelling as complete.

With that in mind, could we please ask that you review the attached proforma and let us know if there are inaccuracies or if the delivery trajectory differs from what you are expecting. We would be grateful if you could get back to us by 5pm on 16th September 2025.

Many thanks in advance.

Kind regards,

Katie Treanor (she/her)



Local Plan and CIL Monitoring and Research Officer
Development Strategy
Growth and Investment
Rugby Borough Council
Tel: 01788 533734
Mail: Katie.Treanor@rugby.gov.uk



Pro Forma for Site Deliverability Assessment

<p>Site Information Site name: Houlton outline permission remainder Ward/Parish: Clifton upon Dunsmore</p>									
<p>Planning Status</p> <ul style="list-style-type: none"> Outline permission R11/0699 and s73 permission R17/0022. For up to 6,200 units. 3,867 calculated as remaining without detailed permission. 									
<p>Contact Details mike.vandenberg@urbanandcivic.com</p>									
<p>Future Delivery Rates and Commentary This site is assessed against part b) of the NPPF definition of deliverable as it is a site allocated in a development plan and is a major site without detailed planning permission. As such it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.</p> <p>This site is deemed to be deliverable for the following reasons:</p> <ul style="list-style-type: none"> Outline planning permission in place. Track record of submissions of reserved matters and delivery on site in excess of 200 units per year. <p><i>Trajectory (for 2025-2030)</i></p>									
Site	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	Post 2032
Key Phase Two - Parcel A (Francis Jackson Homes)	11	9							

Key Phase Three - Parcels A and B (Redrow)	29	35								
Key Phase Three - Parcels C and F (William Davis)	14	40	40	2						
Key Phase Three - Parcel D (Mulberry Homes)	30	40	40	2						
Key Phase Four – Parcel E (Miller Homes) (Awaiting determination)			37	40	40	40	40	19		
Remainder of Houlton allocation			80	175	225	200	201	201	2785	

Appendix F Tritax Response on CF1 and CF2 Trajectories

Ella Casey

From: Louise Steele <Louise.Steele@framptons-planning.com>
Sent: 12 September 2025 12:41
To: Local Plan
Cc: Jonathan Dawes; Joseph Skinner
Subject: RE: Rugby Borough Five Year Housing Land Supply - Tritax, South West Rugby

Dear Katie

We have no comments on the trajectories that you sent in the email below.

With thanks

Louise

With kind regards,
Louise Steele BA(Hons) MTPL MRTPI

Planning Director



Oriel House
42 North Bar
Banbury
Oxfordshire
OX16 0TH

Tel: 01295 672310 **Fax:** 01295 275606
Mobile: 07738 891 427
Email: louise.steele@framptons-planning.com

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From: Local Plan <LocalPlan@rugby.gov.uk>
Sent: 02 September 2025 14:28
To: Louise Steele <Louise.Steele@framptons-planning.com>
Subject: Rugby Borough Five Year Housing Land Supply - Tritax, South West Rugby

Dear Louise

We are currently updating our five-year housing land supply position. The attached sets out the information we have on Tritax's residential sites at South West Rugby. The base date for this year's supply is 1st April 2025 and each monitoring year runs 1st April – 31st March, therefore when reviewing the attached in terms of the delivery please keep this in mind. Also, for our monitoring purposes we count a dwelling as 'complete' when it is weathertight i.e. windows and doors have been put in. There may still be internal fit out works to do after we record a dwelling as complete.

With that in mind, could we please ask that you review the attached proformas and let us know if there are inaccuracies or if the delivery trajectory differs from what you are expecting. We would be grateful if you could get back to us by 5pm on 16th September 2025.

Many thanks in advance.

Kind regards,

Katie Treanor (she/her)



Local Plan and CIL Monitoring and Research Officer
Development Strategy
Growth and Investment
Rugby Borough Council
Tel: 01788 533734
Mail: Katie.Treanor@rugby.gov.uk



Appendix G Catesby Response on R25/0487 Trajectory

Ella Casey

From: David Morris <DavidM@catesbyestates.co.uk>
Sent: 07 October 2025 17:17
To: Ella Casey; Graham Whitehouse
Cc: Karen McCulloch
Subject: RE: Housing trajectories

Ella,

Thanks for this.

I am broadly happy with the numbers albeit there will not be three outlets on our site, only one, possibly two. Every site we have sold in the last few years under 500 units has gone to one house builder.

So I would suggest the 55 is amended to 50 per annum so it wouldn't be challenged moving forward.

Regards

David

David Morris

Planning and Operations Director

T: +44 (0) 1788 726810 | **M:** +44 7717 866 138

E: DavidM@catesbyestates.co.uk | **W:** www.catesbyestates.co.uk

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From: Ella Casey <Ella.Casey@rugby.gov.uk>
Sent: 07 October 2025 16:27
To: David Morris <DavidM@catesbystates.co.uk>; Graham Whitehouse <GrahamW@catesbystates.co.uk>
Cc: Karen McCulloch <Karen.McCulloch@rugby.gov.uk>
Subject: RE: Housing trajectories

Hi both,

Just to follow up the below we are currently projecting the following trajectory for the 470 units on the site.

2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	Post 2032
			25	55	55	55	280

This is based on Lichfield's Start to Finish assumptions for strategic sites and the outline planning having been submitted and currently under consideration. The higher build out rate is also based on the site effectively being split into three and therefore the assumption has been made that there will be multiple outlets delivering on different parts of the site.

Please can you confirm if you agree with the above.

Kind regards,

Ella Casey



Principal Planning Officer
Major Projects and Regeneration
Growth and Investment
Rugby Borough Council
Tel: 01788 533549

Mail: Ella.Casey@rugby.gov.uk



From: Ella Casey

Sent: 07 October 2025 09:48

To: David Morris <davidm@catesbyestates.co.uk>; 'Graham Whitehouse' <grahamw@catesbyestates.co.uk>

Cc: Karen McCulloch <Karen.McCulloch@rugby.gov.uk>

Subject: Housing trajectories

Hi both,

Can you please provide your projected delivery trajectory per annum for the outline application (470 units) and the northern parcel which has reserved matters approval (210 units). Please provide the annual delivery trajectory by Friday 10th October 2025.

Kind regards,

Ella Casey



Principal Planning Officer
Major Projects and Regeneration
Growth and Investment
Rugby Borough Council
Tel: 01788 533549

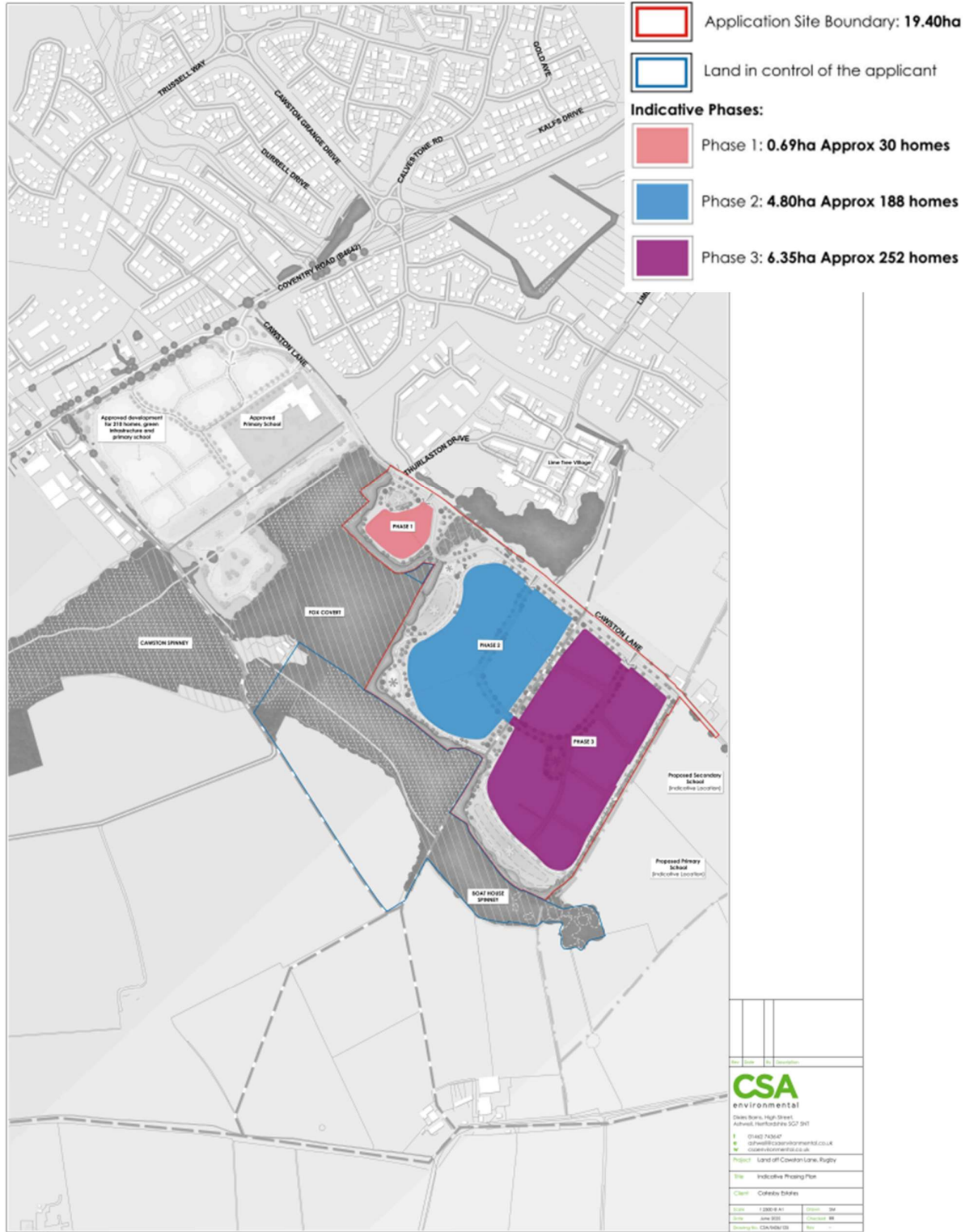
Mail: Ella.Casey@rugby.gov.uk



Appendix H Documents submitted in support of R25/0487 (Catesby – 470 homes)

[Citizen Portal Planning - application details](#)

A) Phasing Plan



Appendix I Documents submitted in support of R25/0407 (Taylor Wimpey - 800 dwellings)

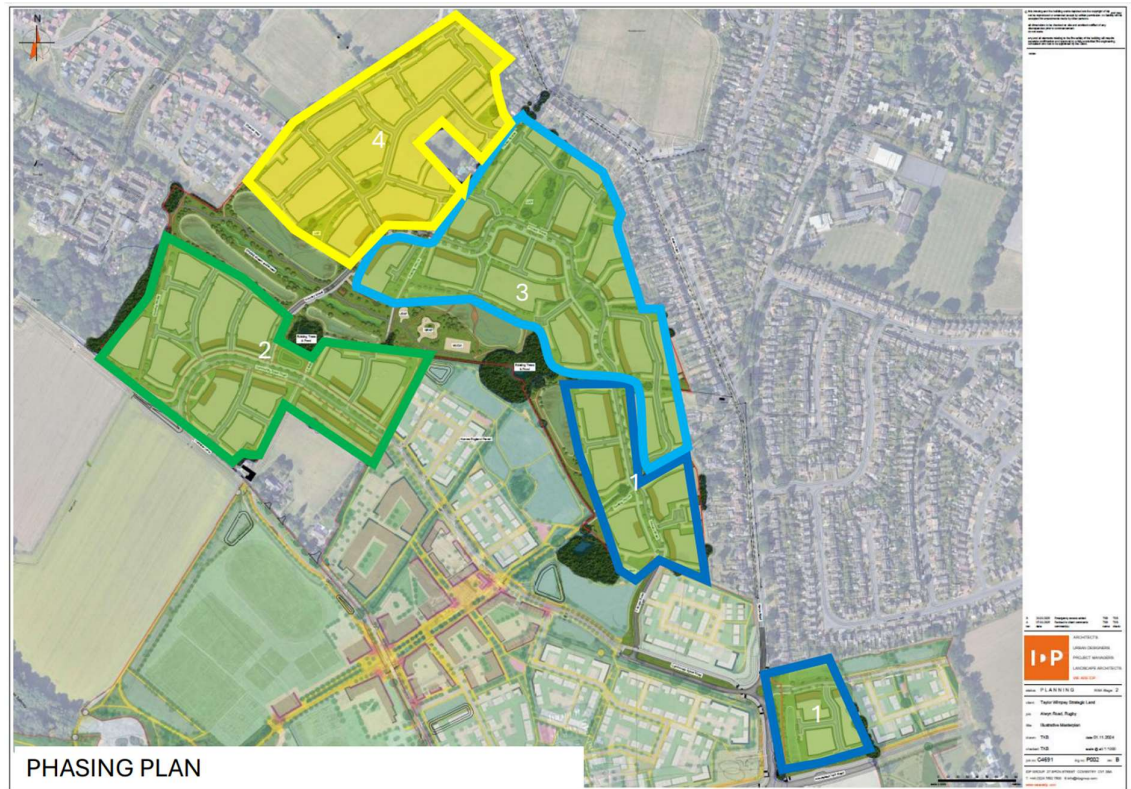
[Citizen Portal Planning](#)

A) Extract from Environmental Statement Volume II

Phasing of the Development

- 2.80 It is envisaged that the Proposed Development would come forward in a phased approach, with each phase responsible for delivering its own essential on-site infrastructure, including internal point of access, internal roads, open space and affordable housing. The phasing of the scheme is inherently reliant upon the broader enabling secured by Homestead Link Road and Community Spine Road, as well as their own progress through the planning system and associated build-out rates. It is expected that the scheme can be commenced prior to the construction of the Community Spine Road, even whilst the overall delivery of the scheme is dependent upon it.
- 2.81 Taylor Wimpey's application seeks outline consent for up to 800 dwellings out of a wider strategic allocation for 5000 dwellings and 35ha of employment land. The land outside the Site but within the wider Strategic Allocation will, in turn, deliver widespread community facilities that are again required to ensure the sustainability of the Proposed Development. These aspects are outside of TW's control and may have some impact on the scheme's overall phasing.
- 2.82 The first residential completions are not expected until 2026, with an overall build-out period of at least ten years but likely longer given the wider enabling work that needs to be carried out. The delivery of residential units is clearly market-dependent and based on the economic realities of the time, but a build-out rate of 68 dwellings per annum appears realistic based on the latest evidence provided (Lichfields: 2024). The exact phasing of the build-out will vary and may see rates as low as 20 dwellings per annum, up to 120 dwellings per annum based on market conditions at the time, based on the availability of labour and materials and as well as the other noted enabling tasks outside of the control of TW which will inevitably limit construction capacity at the front end of the construction phase.

B) Phasing Plan



Dev Area (Ac)	Phase 1	Phase 2	Phase 3	Phase 4	TOTAL
Carlton	5.68				5.68
Rainbow	2.47		1.66		4.13
Martin (O)			13.31		13.31
Beasley			1.11	1.84	2.95
Smith			1.72		1.72
					-
Mitchell (P)		9.89		2.61	12.50
Martin (P)		3.41		9.90	13.31
	8.15	13.30	17.79	14.35	53.60

Dev Area (Plots)	Phase 1	Phase 2	Phase 3	Phase 4	TOTAL
Carlton	85				85
Rainbow	37		25		62
Martin (O)			199		199
Beasley			17	27	44
Smith			25		25
					-
Mitchell (P)		148		39	187
Martin (P)		50		148	198
	122	198	266	214	800

Appendix J Documents submitted in support of R25/0979 (Taylor Wimpey - 195 dwellings)

[Citizen Portal Planning - application details](#)

A) Extract from Environmental Impact Assessment Volume II (received 4th December 2025)

Construction Stage and Management

3.42 The current indicative programme for the Site would see work starting in 2026, allowing up to 12 months from Site start to first completion. As the permanent access (Homestead Link Road roundabout) may not be implemented prior to first occupation, the proposals and accompanying reports include provisions for a temporary sales access off Rugby Road.

- October 2025 Full Planning Application Submitted
- Spring/Summer 2026 Full Planning Permission Granted
- Summer 2026 Pre-commencement conditions Submitted/Approved

18

- Autumn 2026 On-site Construction begins
- 2026 to 2029 Development Delivery and Completion

Neutral Citation Number: [2018] EWCA Civ 1808

Case No: C1/2017/3339

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE ADMINISTRATIVE COURT
PLANNING COURT
MR JUSTICE SUPPERSTONE
[2017] EWHC 2865 (Admin)

Royal Courts of Justice
Strand, London, WC2A 2LL

Date: 31 July 2018

Before:

Lord Justice Davis
Lord Justice Lindblom
and
Lord Justice Hickinbottom

Between:

Hallam Land Management Ltd.

Appellant

- and -

**(1) Secretary of State for Communities and Local
Government**

(2) Eastleigh Borough Council

Respondents

Mr Thomas Hill Q.C. and Ms Philippa Jackson (instructed by Irwin Mitchell LLP)
for the Appellant

Mr Zack Simons (instructed by the Government Legal Department)
for the First Respondent

Mr Paul Stinchcombe Q.C. and Mr Ned Helme (instructed by Eastleigh Borough Council)
for the Second Respondent

Hearing date: 3 May 2018

Judgment Approved by the court or handing down
(subject to editorial corrections)

Lord Justice Lindblom:

Introduction

1. In deciding an appeal against the refusal of planning permission for housing development, how far does the decision-maker have to go in calculating the extent of any shortfall in the five-year supply of housing land? That is the central question in this appeal.
2. With permission granted by Lewison L.J. on 6 March 2018, the appellant, Hallam Land Management Ltd., appeals against the order of Supperstone J., dated 16 November 2017, dismissing its application under section 288 of the Town and Country Planning Act 1990 by which it had challenged the decision of the first respondent, the Secretary of State for Communities and Local Government, in a decision letter dated 9 November 2016, dismissing an appeal under section 78 of the 1990 Act. The section 78 appeal was against the refusal by the second respondent, Eastleigh Borough Council, of outline planning permission for a development of up to 225 dwellings, a 60-bed care home and 40 care units, the provision of public open space and woodland, and improvements to Hamble Station, on land to the west of Hamble Lane, in Hamble.
3. The site of the proposed development is about 23 hectares of pasture, on the Hamble Peninsula, between the Hamble River and Southampton Water. It is not within any settlement, nor allocated for development in the Eastleigh Borough Local Plan Review (2001-2011), adopted in 2006. The settlements of Bursledon, Netley and Hamble lie, respectively, to the north, the west and the south. Because it is in the “countryside”, the site is protected by policy 1.CO of the local plan. And because it lies within the Bursledon, Hamble, Netley Abbey Local Gap, it also has the protection of policy 3.CO.
4. An inquiry into the section 78 appeal was held by an inspector appointed by the Secretary of State on four days in June 2015. On 24 June 2015, the second day of the inquiry, the appeal was recovered by the Secretary of State, because it involved a proposal for “residential development of over 150 units ... , which would significantly impact on the Government’s objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities”. In his report, dated 26 August 2015, the inspector recommended that the appeal be dismissed. The Secretary of State subsequently received a large number of further representations, some of them in response to letters he sent to the parties on 15 April 2016 and 29 June 2016. In those representations the Secretary of State received the parties’ comments on two decisions of inspectors on appeals in which the supply of housing land in the council’s area had been assessed – first, an appeal relating to a proposed development of up to 335 dwellings on land at Bubb Lane, Hedge End, which was dismissed on 24 May 2016, and secondly, an appeal relating to a proposed development of up to 100 dwellings on land at Botley Road, West End, which was allowed on 7 October 2016. In his decision letter on Hallam Land’s appeal the Secretary of State largely agreed with the inspector’s conclusions and accepted his recommendation.
5. The challenge to the Secretary of State’s decision was made on four grounds. The first and second grounds went to his failure – unlawfully, it was said – to ascertain the extent of the shortfall against the five-year housing land supply in the council’s area, and to provide adequate reasons for his relevant conclusions. The third and fourth grounds asserted that his decision was inconsistent with the conclusions on housing land supply and the weight to be given to policy 3.CO in an inspector’s report, dated 25 August 2016, in an appeal relating to a proposed development of up to 680 dwellings on land at Winchester Road, Boorley Green. Supperstone J. rejected all four grounds.

6. The appeal before us raises two main issues:

- (1) given that the council could not demonstrate the requisite five-year supply of housing land under government policy in the first National Planning Policy Framework (“NPPF”), published in March 2012, whether the Secretary of State established the shortfall with sufficient precision, and whether his relevant reasons were adequate; and
- (2) whether the Secretary of State erred in law in deciding Hallam Land’s appeal without having regard to the inspector’s report on the Boorley Green appeal.

7. These issues raise no question of law that has not already been amply dealt with in a series of cases on the meaning of relevant policies in the NPPF, and on the importance of consistency in planning decision-making.

NPPF policy

8. We are not concerned in this appeal with the policies in the revised NPPF, which was published on 24 July 2018. I shall refer only to the policies in the first NPPF, as if they were still extant.

9. Paragraph 47 of the NPPF states:

“To boost significantly the supply of housing, local planning authorities should:

...

- identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements ...
- ...”

Paragraph 49 states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

Paragraph 14 contains the Government’s policy for the “presumption in favour of sustainable development”. It explains that:

“...

For decision-taking this means:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.”

The inspector's report

10. In his report the inspector noted, under the heading “The Case for the Council”, that the council “acknowledge that they are not currently able to demonstrate a 5 year housing supply, as required by NPPF para 47” (paragraph 22). It was the council’s case, however, that “the proposal is contrary to development plan policies which are not out of date, and is not the sustainable form of development for which there is a presumption in favour”, and that “[even] if the presumption in NPPF para 14 was engaged, the negative aspects of the scheme, including the landscape impact and the loss of openness, would significantly and demonstrably outweigh the benefits” (paragraph 41).
11. Summarizing the case for Hallam Land, under the heading “The Case for the Appellants”, he referred (in paragraph 62) to the uncontested evidence of its planning witness, Mr Usher:

“62. The need for housing is demonstrated in Mr Usher’s proof ... , which has not been challenged by the Council, and which reflects the conclusions of the Local Plan Examination that the draft is unsound for failing to make adequate provision. The Council accept that they cannot demonstrate a five year supply, the level being shown by the appellants to be 2.92 years, or 1.78 years if the need for affordable housing is included.”

Because the council would “not be able to meet its housing land requirements without the loss of significant areas of countryside...”, it was “inevitable that there will be a change to the open and undeveloped character of such land”. This was “not, of itself, an adequate ground to resist the development when there is no 5 year land supply, nor an up to date development plan” (paragraph 65).

12. In his conclusions the inspector identified the “main issues” as being “i) the effect of the development on the character and appearance of the countryside and its role in separating settlements, and ii) whether any harm would be outweighed by the potential benefits of the development, including a supply of market and affordable housing, and the improvement of station facilities” (paragraph 88).
13. He said that “[the] proposal would not fall within any of the specified uses in Local Plan policy 1.CO ...”. He concluded that there was “no doubt that a development of this scale would diminish the Local Gap both physically and, to some degree, visually, contrary to policy 3.CO ...”, and that “[in] these respects it would not comply with the development plan” (paragraph 90). He went on to find that “there are grounds to conclude that policy 1.CO may be regarded as out of date, but that there is not justification for giving any substantial reduction to the weight applied to policy 3.CO” (paragraph 96).
14. Under the heading “The Benefits of the Proposal” he noted that Hallam Land had particularly emphasized “the supply of market and affordable housing to meet an acknowledged need, and the provision of facilities for Hamble Station” (paragraph 107). He continued (in paragraph 108):
 - “108. The Council acknowledge that they are not able to demonstrate more than a four and a half years supply of deliverable housing land, and it is the appellants’ view that the actual level is significantly less. It is not necessary for this report to carry out a detailed analysis of the housing land supply position, which is better left to the Local Plan

examination, where all the evidence is available to the inspector. However, it can be said that there is a material shortfall against the five year supply required by NPPF para 47, and that there is evidence of an existing need for affordable housing. In these circumstances, the provision of up to 225 homes, 35% of which would be affordable, would be a significant advantage arising out of the scheme. It is also the case that the new dwellings would meet sustainable construction and accommodation standards, and be of a mix to satisfy a wide range of housing needs. In these respects, the development would help meet the NPPF objectives of boosting significantly the supply of housing, and delivering a wide choice of high quality homes. ...”.

He accepted that “[the] choice of accommodation would also be boosted by the provision of 100 care and extra care spaces”, and that “such accommodation would be likely to release a supply of existing, under-used homes to meet the general housing demand” (paragraph 109).

15. Bringing his conclusions together under the heading “Sustainability and Overall Conclusions”, the inspector said (in paragraph 116):

“116. When assessed against the criteria in para 7 of the NPPF, the supply of market and affordable housing, along with care facilities, would make a significant contribution to meeting the social role of sustainability, complemented by the provision of public open space, although, in the latter case, at the expense of the loss of the rural character of the public footpath crossing the site. The additional population and employment opportunities would assist the economic life of the area, as would the supply of homes in an area with an acknowledged shortfall. There would be the environmental and community benefits arising out of the station improvements (but having regard to the Council’s alternative scheme), any spin-off advantages for traffic and pollution levels, from the off-site highway works, and the environmental and ecological aspects of the landscaping proposals.”

He accepted that “[on] balance, this is a reasonably sustainable location in terms of accessibility” (paragraph 117). His final conclusion, however, went against the proposal. He found that “the loss of the gap between the surrounding settlements, involving the physical intrusion into an area of countryside, and contributing to the coalescence of those settlements, and loss of independent identity” would be contrary to policy 3.CO of the local plan and corresponding policies in the NPPF; that “[the] countervailing benefits of the scheme, as well as compliance with other development plan policies ... would not outweigh the harm that this loss of separation would cause”; and that “[taken] as a whole, the proposal does not amount to the form of sustainable development for which there is a presumption in favour” (paragraph 118).

The decision in the Bubb Lane appeal

16. The inspector in the Bubb Lane appeal concluded (in paragraph 45 of his decision letter):

“45. The evidence before me does not support EBC’s view that it is ‘a whisker’ away from demonstrating a five year supply of deliverable housing land. Notwithstanding EBC’s considerable efforts to improve housing provision, something in the order of a four year supply at the time of this Inquiry indicates that EBC has a considerable way to go to demonstrating a five year supply of deliverable sites. There is no convincing evidence that measures currently taken have been effective in increasing the rate of housing

delivery. The scale of the shortfall is a significant material consideration in determining this appeal. The contribution that the appeal scheme would make to the housing supply, and particularly to affordable housing provision in the area in accordance with EBLP Policy 74.H, would be a significant benefit of allowing the appeal.”

Under the heading “Planning balance”, the inspector concluded that “some weight can be given to the conflict with EBLP Policy 2.CO, arising from the harm that would result from the proposal to the separation of settlements ...”, but that “this weight is limited because of the significant shortfall in housing supply, and the lack of convincing evidence that EBC’s efforts to address this are proving effective” (paragraph 52). He went on to say that, “[given] the current scale of the housing shortfall, the provision of additional market and affordable housing would be a significant benefit of the proposal” (paragraph 55). But he concluded, finally that “[in] my judgement, the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the *Framework* taken as a whole” (paragraph 57).

The decision in the Botley Road appeal

17. In the decision letter on the Botley Road appeal, the inspector stated these conclusions on “Housing land supply” (in paragraphs 18 and 19 of his decision letter):

“18. In conclusion, the final calculation taking a requirement figure of 1,120dpa, or 5,602 dwellings over the 5 year period, there is a 4.25 years’ supply of housing land. Even on the Council’s most favourable calculations, taking the Council’s approach to the buffer and with its suggested contributions from all the disputed sites, the supply would still only be 4.71 years, but the evidence indicates that this is unlikely to be achievable.

19. There is therefore a significant shortfall in the amount of deliverable housing land, amounting to some 833 dwellings. The Leader of the Council gave evidence of the impressive efforts the Council had made to underpin housebuilding confidence following the recession, but this does not seem to have been translated into the provision of enough housing land. Net completions for the two years 2014/15 and 2015/16 amounted to less than one year’s requirement. Referring to recent outline approvals, the Council said that it was making progress towards improving housing supply; recent permissions might enable it to exceed the OAN to a degree this year. Even if that happens, it is still well short of the requirement for the year. There is a significant shortfall to be made up, and the evidence that the gap might be closing quickly enough is far from convincing. The Council is not, as it claims, on the cusp of achieving a 5 year supply of deliverable housing land.”

Under the heading “Effect on the countryside and the strategic gap”, he noted (in paragraph 27) that “planning permission has been granted for a number of sites which have included dwellings in the strategic gaps”, and went on to say:

“27. ... But the Council’s argument that present needs can be met substantially within the land outside the gaps is wholly unconvincing; even with the permissions on gap land, there is still no 5 year housing land supply and without them, even on the Council’s unduly optimistic housing land supply calculations, there would only be 3.4 years’ supply of housing land. On the contrary, the evidence is that the gaps are a factor in limiting the choice of sites available for the provision of housing, and that breaches of

the strategic gap policy have proved necessary and will prove necessary to cater to meet current housing needs.”

In his “Conclusion” the inspector said (in paragraph 52):

“52. There is a significant shortfall in the supply of deliverable housing land for the next 5 years and no convincing evidence that the gap is diminishing to the extent that it will be made up within a reasonable time by identified deliverable sites. There is also severe under-delivery of affordable housing. The scheme would deliver up to 100 dwellings including up to 35% affordable homes and, although it is in the countryside and in a defined strategic gap, would cause little practical harm. In a situation where there is a pressing need for housing and affordable housing, and where both saved Policies 1.CO and 2.CO are out of date, the adverse impacts of the scheme to the landscape, the countryside and the strategic gap, and the other impacts of the scheme discussed above, would be slight and would not significantly and demonstrably outweigh the benefits. Indeed, even if saved Policy 2.CO were not accepted as being a policy relevant to the supply of housing, and not out-of-date, the considerable benefits of the scheme, weighed against the limited harm, would indicate a decision other than in accordance with that policy.”

The post-inquiry representations

18. The further representations made by Hallam Land and by the council after the inquiry largely concerned the status of policies 1.CO and 3.CO of the local plan for the purposes of NPPF policy, in the light of this court’s decision in *Suffolk Coastal District Council v Hopkins Homes Ltd.* [2016] EWCA Civ 168, which was handed down on 17 March 2016, and the weight to be given to those policies in the absence of a five-year supply of housing land.
19. In its further representations dated 15 April 2016, in response to the Secretary of State’s letter of the same date, the council asserted that it was now “able to demonstrate a 4.93 year supply” of housing land (paragraph 2.7.2(1)), and that “the action which has been taken to address the shortfall has been both considerable and effective” (paragraph 2.7.2(2)). In further representations dated 5 May 2016, Hallam Land rejected the council’s suggestion that it now had a housing land supply of 4.93 years (paragraph 5). On 11 May 2016 the council submitted additional representations, referring to the planning permissions it had granted for housing development since the inquiry (paragraph 2.8 and Appendix 5), and contending that Hallam Land had failed to recognize “the wide range of measures being taken by the Council to boost housing supply” (paragraph 2.9). Hallam Land responded to those representations with further representations of its own, dated 24 May 2016, and took issue again with the council’s argument that there was now a housing land supply of 4.93 years. That figure was “not based upon an up to date SHMA”, was “not tested”, and was “not reflective of unmet need in adjacent areas” (paragraph 8). Its case, it said, “had always been that there remains a substantial shortfall” and it “[continued] to rely upon its evidence and submissions as submitted to the inquiry” (paragraph 10). The council was “still unable to demonstrate a 5YHLS, even against its own target (which is not accepted to be correct)”. Also on 24 May 2016, the council sent the inspector’s decision letter in the Bubb Lane appeal to the Secretary of State, drawing his attention to it as a relevant decision.
20. On 17 June 2016 the council made yet further representations, “in order that the decision can be taken upon the best and most up-to-date information ...” (paragraph 1.1). It now resiled

from its previous concession that policy 3.CO was a policy “for the supply of housing”, and, in the absence of a five-year supply of housing land, “out of date” (paragraphs 2.4 and 3.1 to 3.5). It said it would shortly provide “an updated position in respect of its housing land supply reflecting further (recent) changes of circumstance, including its agreement for the purposes of another inquiry [in the Botley Road appeal] (and in the light of the conclusions of the Bubb Lane Inspector) that the full objectively assessed needs for Eastleigh should be taken to be 630 dwellings per annum” (paragraph 4.1). The council provided its promised “Update on Housing Land Supply” on 23 June 2016. This referred to the conclusion of the inspector in the Bubb Lane appeal that “the OAN for Eastleigh was 630dpa”, which had now been reflected in the statement of common ground for the imminent inquiry into the Botley Road appeal (paragraphs 2.1 and 2.2). The council’s evidence for that inquiry explained that “on its preferred approach [it] is able to demonstrate a 4.86 year supply” (paragraph 2.3). Its position therefore remained that although it could not demonstrate a five-year supply of deliverable housing sites, it was “very close to being able to do so” (paragraph 2.4).

21. In representations dated 19 July 2016, in response to the Secretary of State’s letter of 29 June 2016, Hallam Land attacked the council’s “volte face” on the status of policy 3.CO (paragraphs 4 to 12). It also made clear that it did not accept the council’s “latest attempt to revise its case on the extent of its 5YHLS ...”, and that it maintained the position it had taken in the representations it had submitted in May 2016 (paragraph 13).
22. In a letter dated 13 October 2016 to Mr Barber, the Secretary of State’s decision officer, Barton Willmore, on behalf of Hallam Land, asked him to draw to the Secretary of State’s attention the inspector’s decision in the Botley Road appeal, “in order that he is fully appraised of the recent approach of one of his senior Planning Inspectors ... in relation to a series of identical issues which he will now be considering when making a decision ...” in this case. Barton Willmore pointed out that the inspector had rejected “the proposition that [the council] can meet its housing land requirements without impinging upon land which is designated as gap”, and had concluded that policy 2.CO “is a relevant policy for the supply of housing”. They argued that an “identical conclusion” must follow for policy 3.CO in this case. They referred to “the principle often expounded by the Courts that it is desirable that there be consistency in planning decision-making”. It was therefore “highly important”, they said, that the Botley Road decision, “relating to a virtually identical issue”, was “formally before the Secretary of State” in this appeal. They also emphasized the fact that the inspector’s decision letter dealt directly with the issue of housing land supply, “exposing a significant shortfall in deliverable housing land, amounting to some 833 dwellings”. They quoted paragraph 27 of the decision letter in full, and also the inspector’s conclusion in paragraph 52 that “there is a significant shortfall in the supply of deliverable housing land for the next 5 years and no convincing evidence that the gap is diminishing to the extent that it will be made up within a reasonable time by identified deliverable sites”.
23. The council did not respond to those representations, but in an e-mail to the Secretary of State dated 3 November 2016, drew his attention to the inspector’s decision in an appeal relating to proposed housing development on a site at Hamble Lane – the Botley Road appeal – and, in particular, what he had said about policy 2.CO, “which also applies to Saved Policy 3.CO”. But it said it did not intend to provide further submissions on this point, and was drawing the inspector’s decision to the attention of the Secretary of State “in the interests of full disclosure”.

24. In his decision letter the Secretary of State said that he agreed with the inspector's conclusions, "except where stated", and his recommendation (paragraph 3).

25. He referred to the representations he had received after the inquiry, including those made in response to his letters of 15 April 2016 and 29 June 2016, in the light of the judgment of this court in *Hopkins Homes Ltd.* He confirmed that those representations had been circulated to the parties (paragraphs 5 and 6). He then referred (in paragraph 7) to the further representations he had received in October and November 2016:

"7. The Secretary of State has also received representations from Barton Willmore dated 13 October 2016, and from Eastleigh Borough Council dated 3 November to which he has given careful consideration. The Secretary of State has also received other representations, set out at Annex A, to which he has given careful consideration. He is satisfied that the issues raised do not affect his decision, and no other new issues were raised to warrant further investigation or necessitate additional referrals back to the parties."

He said that, "[in] reaching his decision", he had "taken account of all the representations and responses referred to in paragraphs 5-7" (paragraph 8).

26. When he came to "The Policy Context" he concluded that policies 1.CO and 3.CO of the local plan were both "out-of-date" (paragraphs 14 to 16). But he went on to qualify this conclusion (in paragraph 17):

"17. The Secretary of State has considered carefully the Inspector's analysis at IR93-100 on the matter of whether Policy 3.CO would be out of date through no longer meeting the development needs of the Borough, and whether there is justification for reducing the weight applied to that policy. The Secretary of State acknowledges that its weight should be reduced because he has found it to be out-of-date, but taking into account its consistency with the Framework, its role in protecting the Local Gap and the limited shortfall in housing land supply, he concludes that he should still afford significant weight to Policy 3.CO."

27. As for "The Benefits of the Proposal", he said this (in paragraph 19):

"19. The Secretary of State notes the Inspector's comment (IR108) that at the time of inquiry the Council were not able to demonstrate more than a four and a half years supply of deliverable housing land, and that there is evidence of an existing need for affordable housing. Whilst the Secretary of State notes that the Council are now of the view that they are able to demonstrate a 4.86 year supply, he agrees with the Inspector that the provision of up to 225 homes, 35% of which would be affordable, would be a significant advantage arising out of the scheme, and it would help meet the objectives of the Framework by boosting significantly the supply of housing and delivering a wide choice of high quality homes. The Secretary of State notes too that the choice of accommodation would also be boosted by the provision of 100 care and extra care spaces (IR109)."

28. On the proposal's "Sustainability" he said (in paragraph 25):

“25. In terms of sustainability, the Secretary of State agrees with the Inspector’s conclusion (IR116) that, when assessed against the policies in the ... Framework taken as a whole, the supply of market and affordable housing, along with care facilities, would make a significant contribution to meeting the social role of sustainability, complemented by the provision of public open space (although he acknowledges that the latter is at the expense of the loss of the rural character of the public footpath crossing the site). Furthermore, he agrees that the additional population and employment opportunities would assist the economic life of the area, as would the supply of homes in an area with an acknowledged shortfall. In addition, he recognises, like the Inspector, the environmental and community benefits arising out of the station improvements identified at paragraphs 20-21 above. For the reasons given by the Inspector at IR117, the Secretary of State concludes that, on balance, this is a reasonably sustainable location in terms of accessibility.”

29. Under the heading “Planning balance and overall conclusion” the Secretary of State said (in paragraphs 29 to 36):

“29. For the reasons given above, the Secretary of State concludes that the proposal is not in accordance with the development plan policies 1.CO and 3.CO and is not in accordance with the development plan as a whole. He has gone on to consider whether material considerations indicate that the proposal should be determined other than in accordance with the development plan.

30. The Secretary of State notes that in their letter of 23 June 2016, the Council updated their position on the supply of deliverable housing land, now claiming to be able to demonstrate a 4.86 year supply. In the absence of a 5-year housing land supply, and having concluded that policies 1.CO and 3.CO are relevant policies for the supply of housing, the presumption in favour of sustainable development is engaged, meaning that permission should be granted unless any adverse impacts of doing so significantly and demonstrably outweigh the benefits.

31. He considers that the provision of market and affordable housing in an area with an acknowledged shortfall, along with care facilities in this case carries substantial weight in favour of the development. The additional population and employment opportunities would assist the economic life of the area, as would the supply of homes in an area with an acknowledged shortfall, to which he gives moderate weight. The environmental and community benefits arising out of the station improvements carry moderate weight in favour of the proposal.

32. Set against the identified positive aspects is the environmental and social damage which would arise out of the loss of the gap between the surrounding settlements, involving the physical intrusion into an area of countryside, and contributing to the coalescence of those settlements, and loss of independent identity. The Secretary of State considers that this would be contrary to those policies of the Framework which apply the principle of recognising the different roles and character of different areas, and this carries significant weight against the proposal. He further considers that the loss of “best and most versatile” agricultural land carries moderate weight against the proposal.

33. The Secretary of State also considers that the appeal site performs a function which is specific to its location and which would be permanently undermined by the development.
34. The Secretary of State considers overall that the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.
35. The Secretary of State has taken into account the wide range of judgments and appeal decisions referred to in the inquiry and the post-inquiry representations but, having considered all the matters raised, he concludes that none is of such weight as to alter the balance of his conclusions.
36. Overall he concludes that there are no material considerations which indicate that he should determine the case other than in accordance with the development plan. The Secretary of State therefore concludes that your client's appeal should be dismissed.”

He therefore agreed with the inspector’s recommendation and dismissed the appeal (paragraph 37).

The Boorley Green appeal decision

30. In a decision letter dated 30 November 2016, about three weeks after he had issued his decision on Hallam Land’s appeal, the Secretary of State allowed the Boorley Green appeal. The inquiry into that appeal had taken place in May 2016. The inspector’s report, though dated 25 August 2016, was released only with the Secretary of State’s decision letter, in the normal way. Like the site in Hallam Land’s appeal, the Boorley Green site is in the “countryside”, protected by policy 1.CO of the local plan, and also within an area protected under policy 3.CO, the Botley-Boorley Green Local Gap.
31. The inspector in the Boorley Green appeal concluded that the supply of housing land in the council’s area was “very close to 4 years”, observing that this was consistent with the conclusion reached on this question by the inspector in the Bubb Lane appeal – that there was “something in the order of a four year supply” (paragraph 12.16 of the Boorley Green inspector’s report). He found that “the HLS is around 4 years”. He said that, at this level, it “falls well short of that required and has done for many years ...” (paragraph 12.45). He concluded that “the benefits of housing and AH, particularly where the supply is significantly below 5 years and the history of delivery is poor, warrant considerable weight ...” (paragraph 12.47). He described the shortfalls in land for housing and affordable housing as “substantial” (paragraph 12.55).
32. In his decision letter, under the heading “Housing supply”, the Secretary of State said (in paragraph 17):
 - “17. The Secretary of State has given very careful consideration to the Inspector’s analysis of the 5 year housing land supply position at IR12.10-12.20. He notes that it is common ground that the Council cannot demonstrate the 5 year housing land supply expected at paragraph 47 of the Framework (IR12.10); and agrees with the Inspector’s conclusions at IR12.21 that, on the basis of the information presented at the Inquiry and assuming that this decision is issued within the statutory timetable set, the housing land supply should be regarded as standing at around 4 years. The Secretary of State

also agrees with the Inspector’s conclusion at IR12.22 that considerable weight should be attributed to the benefits to which the scheme would bring through delivering affordable housing.”

33. Under the heading “Planning balance and overall conclusion”, the Secretary of State concluded that “[the] proposal would make a significant contribution in terms of helping to make up the deficit against the 5 year housing land supply and the need for affordable housing” (paragraph 24). Agreeing with the inspector’s recommendation, he allowed the appeal.

Did the Secretary of State establish the extent of the shortfall against the five-year supply of housing land with sufficient precision, and were his reasons adequate?

34. Before Supperstone J., and again before us, Mr Thomas Hill Q.C., for Hallam Land, argued that, in any case where there is a dispute as to the five-year supply of housing land, the Secretary of State, or his inspector, is obliged to establish the level of supply and the extent of any shortfall. This, Mr Hill submitted, was because the local planning authority’s failure to demonstrate a five-year supply of housing land will bring into play the balancing exercise provided for in paragraph 14 of the NPPF, and the extent of the shortfall, if there is one, will influence the weight given by the decision-maker to the benefits of the proposed development, and to its conflict with the relevant restrictive policies of the development plan. He sought to strengthen this submission with observations made by judges at first instance – in particular, *Phides Estates (Overseas) Ltd. v Secretary of State for Communities and Local Government* [2015] EWHC 827 (Admin) (at paragraph 60), *Shropshire Council v Secretary of State for Communities and Local Government* [2016] EWHC 2733 (Admin) (at paragraph 28), and *Jelson Ltd. v Secretary of State for Communities and Local Government* [2016] EWHC 2979 (Admin) (at paragraph 13).
35. In this case, Mr Hill submitted, the Secretary of State had failed to make the planning judgments he needed to make. He noted, in paragraph 19 of his decision letter, that the council was “now of the view that [it was] able to demonstrate a 4.86 year supply”. But he did not say whether he accepted that this figure was accurate. Nor did he deal with the material before him, including the decision letters in the Bubb Lane and Botley Road appeals, showing that the council was now able to demonstrate only a supply of 4.25 years or even less than that. This could not sensibly be described as a “limited shortfall” – the expression the Secretary of State used in paragraph 17. In fact, Mr Hill submitted, the Secretary of State had failed to reach any conclusion on this question. His decision was vitiated by that failure.
36. Supperstone J. rejected those submissions. He did not accept that one can find in the authorities relied upon by Mr Hill the principle that the decision-maker is required “to determine a workable [five-year housing land supply] or range” in every case. He accepted the argument of Mr Zack Simons, for the Secretary of State, and Mr Paul Stinchcombe Q.C., for the council, that in a case such as this, where there was “inadequate housing supply on either [side’s] figures”, the Secretary of State was “not required to fix a figure for the extent of that inadequacy” (paragraph 22). He went on to say that “[in] making judgments on the issues of housing requirements and housing supply the decision maker was not required to fix a figure for the precise extent of the Council’s housing shortfall”. In his view the “key question” was “whether the housing supply is above or below five years”. This was what Lord Carnwath had called the “important question” in paragraph 59 of his judgment in *Hopkins Homes Ltd. v Secretary of State for Communities and Local Government* [2017] 1 W.L.R. 1865 (paragraph

- 23). The tenor of relevant decisions at first instance was to the same effect – for example, the observation of Gilbert J. in *South Oxfordshire District Council v Secretary of State for Communities and Local Government* [2016] EWHC 1173 (Admin), at paragraph 102, that it is “not necessary to conduct a full analysis of requirements and supply in every case”, and “[whether] one has to do so depends on the circumstances”.
37. On the basis of the inspector’s conclusion in paragraph 108 of his report, having regard to “the updated material before him from the Bubb Lane [decision letter] and the Botley Road [decision letter]”, and Hallam Land having provided “no further evidence” on housing land supply since the inquiry, the Secretary of State was, said Supperstone J., “entitled to note the agreed shortfall, describe it as “limited” (DL17), and agree with his Inspector that the scheme’s contribution to the Council’s housing shortage would be “significant” (DL19)”. Nothing more was required (paragraph 29).
38. In his submissions to us, Mr Hill argued that the authorities on which Supperstone J. had based his conclusions did not deny the need for a decision-maker to establish the extent of a shortfall against the five-year supply of housing land when conducting the balancing exercise under paragraph 14 of the NPPF. Relevant parts of the judgment of the Court of Appeal in *Hopkins Homes Ltd.* – particularly paragraph 47 – which were effectively endorsed by Lord Carnwath in the Supreme Court, indicate that there is such a requirement. Detailed analysis may not always be necessary. A range or an approximate figure may be enough. But, submitted Mr Hill, the judge’s view that the crucial question is simply whether the supply of housing land exceeds or falls below five years was unduly simplistic. In this case there were several factors that made it imperative for the Secretary of State to define the shortfall: in particular, the size of the development – more than 150 dwellings – which had led to the appeal being recovered by the Secretary of State; the significance of the shortfall for the weighting of policies in the development plan that went against the proposal, which could be decisive, especially policy 3.CO of the local plan; and the fact that there were other relevant and recent appeal decisions in which the scale of the shortfall had been considered, and on which the parties had made representations. In the circumstances, Mr Hill submitted, it was not enough for the Secretary of State merely to describe the shortfall as “limited”, without resolving what it actually was by the time he made his decision.
39. Mr Hill also submitted that, in any event, the Secretary of State had failed to explain how and why he had reached a markedly different conclusion on housing land supply from the conclusions recently reached by the inspectors in the Bubb Lane and Botley Road appeals – in spite of the further representations he had received from Hallam Land in the light of them. Those two decisions were clearly relevant in this case. Yet the Secretary of State did not even refer to them in his decision letter. He said he had given “careful consideration” to the representations made after the inquiry, but in this important respect it is not clear that he had in fact done so. In both cases the decision-maker had identified a considerable shortfall against the required five-year supply materially greater than the council had conceded here. In the Bubb Lane appeal the inspector had found “something in the order of a four year supply” (paragraph 45) and had described the shortfall as “significant” (paragraph 52). In the Botley Road appeal the supply was found to be 4.25 years. And the inspector there had also described the shortfall – which amounted to “some 833 dwellings” – as “significant” (paragraphs 18, 19 and 52).
40. Those conclusions, and those descriptions of the shortfall, Mr Hill submitted, simply cannot be reconciled with the figure of 4.86 years’ supply put forward by the council in its “Update on Housing Land Supply” of 23 June 2016. An explanation of some kind was clearly called for in

the Secretary of State's decision letter. None was provided. Even if he did not have to resolve the precise level of the shortfall, the Secretary of State had fallen short of his duty to provide intelligible and adequate reasons for his conclusion on an issue crucial to the outcome of the appeal (see the speech of Lord Brown of Eaton-under-Heywood in *South Bucks District Council v Porter (No.2)* [2004] 1 W.L.R. 1953, at paragraph 36). In the circumstances it was not enough for him simply to refer to the shortfall as "limited", without more.

41. Mr Simons and Mr Stinchcombe supported the judge's analysis. They submitted that it is not always, or generally, a decision-maker's task to determine the precise level of housing land supply. The critical question will always be whether or not a five-year supply of housing land has been demonstrated. Under NPPF policy, the degree of detail required in ascertaining housing need and supply is left largely to the decision-maker's planning judgment in the circumstances of the case before him – as Gilbert J. emphasized in *Dartford Borough Council v Secretary of State for Communities and Local Government* [2016] EWHC 649 (Admin) (at paragraphs 43 to 45), and in *South Oxfordshire District Council* (at paragraph 102). Mr Stinchcombe pointed to the recent decision of this court in *Jelson Ltd. v Secretary of State for Communities and Local Government* [2018] EWCA Civ 24 as lending support to this submission (see, in particular, paragraph 25). Mr Simons recalled Sir David Keene's warning in *City and District Council of St Albans v Hunston Properties Ltd.* [2013] EWCA Civ 1610 (at paragraph 26) about section 78 appeals descending into the kind of exercise appropriate only for the process of plan preparation.
42. In this case, Mr Simons and Mr Stinchcombe submitted, by the time the Secretary of State came to make his decision in November 2016, the evidence given by Hallam Land at the inquiry in June 2015 in contending for a housing land supply of between 1.78 and 2.92 years was stale. The Secretary of State did not have to go beyond his conclusions that the shortfall was now "limited", and that the provision of market and affordable housing in an area with an "acknowledged" shortfall merited "substantial weight". These conclusions were, in themselves, fully justified. The existence of a shortfall in housing land supply was not a "principal controversial issue" in this appeal, even if it was in the Bubb Lane and Botley Road appeals. The parties had drawn the Secretary of State's attention to the inspectors' decisions in those appeals. But that did not make it necessary for him to deal with those decisions in the reasons he gave for concluding as he did on the evidence in this case. The reasons he gave were sufficient to explain the decision he made.
43. Mr Hill's argument was persuasively presented, but I accept it only in part.
44. The Secretary of State's decision here was taken in the light of the judgment of this court in *Hopkins Homes Ltd.*, but before the Supreme Court had dismissed the subsequent appeals – though on the basis of a narrower reading of the policy in paragraph 49 of the NPPF. As this case shows, however, nothing turns on the difference between the so-called "wider" interpretation of paragraph 49, in which the phrase "policies for the supply of housing" embraces local plan policies that create and constrain the supply, and the "narrow" interpretation, which excludes policies that operate to constrain the supply but does not prevent the decision-maker from giving such policies reduced weight under the policy in paragraph 14 of the NPPF when five years' supply is not demonstrated. Either way, the consequences will, in the end, be the same. The weight given to a policy ultimately depends not on its status but on its effect – whether it enables the requisite five-year supply to be realized or acts contrary to that objective. Policies in a local plan are liable to carry less weight in the making of a decision on a proposal for housing development if – and because – their effect is to prevent a five-year supply of housing land (see the judgment of Lord Carnwath in *Hopkins Homes Ltd.*, at

paragraphs 59 and 61, followed in this court in *Barwood Strategic Land II LLP v East Staffordshire Borough Council* [2017] EWCA Civ 893, at paragraph 22).

45. None of that is controversial here, nor should it be. As Lord Carnwath said in *Hopkins Homes Ltd.* (at paragraph 54), “the primary purpose of paragraph 49 [of the NPPF] is simply to act as a trigger to the operation of the “tilted balance” under paragraph 14”. And he went on to say (in paragraph 59) that the “important question” is “not how to define individual policies, but whether the result is a five-year supply in accordance with the objectives set by paragraph 47”. If the local planning authority fails to demonstrate that supply, “it matters not whether the failure is because of the inadequacies of the policies specifically concerned with housing provision, or because of the over-restrictive nature of other non-housing policies”. In such a case “[the] shortfall is enough to trigger the operation of the second part of paragraph 14”. As Lord Carnwath emphasized (in paragraph 61), a restrictive policy may not itself be “out of date” under paragraph 49, “but the weight to be given to it alongside other material considerations, within the balance set by paragraph 14, remains a matter for the decision-maker in accordance with ordinary principles”.
46. As this court said in *Hopkins Homes Ltd.* (in paragraph 47), the policies in paragraphs 14 and 49 of the NPPF do not prescribe how much weight is to be given to relevant policies of the development plan in the determination of a planning application or appeal. Weight is always a matter for the decision-maker (see the speech of Lord Hoffmann in *Tesco Stores Ltd. v Secretary of State for the Environment* [1995] 1 W.L.R. 759, at p.780F-H) (paragraph 46). It will “vary according to the circumstances, including, for example, the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a “green wedge” or of a gap between settlements”. The decision-maker must judge “how much weight should be given to conflict with policies for the supply of housing that are out-of-date”. This is “not a matter of law; it is a matter of planning judgment” (see the first instance judgments in *Crane v Secretary of State for Communities and Local Government* [2015] EWHC 425 (Admin) (at paragraphs 70 to 75), *Phides* (at paragraphs 71 and 74), and *Woodcock Holdings Ltd. v Secretary of State for Communities and Local Government and Mid-Sussex District Council* [2015] EWHC 1173 (Admin) (at paragraphs 87, 105, 108 and 115)).
47. The NPPF does not state that the decision-maker must reduce the weight to be given to restrictive policies according to some notional scale derived from the extent of the shortfall against the five-year supply of housing land. The policy in paragraph 14 of the NPPF requires the appropriate balance to be struck, and a balance can only be struck if the considerations on either side of it are given due weight. But in a case where the local planning authority is unable to demonstrate five years’ supply of housing land, the policy leaves to the decision-maker’s planning judgment the weight he gives to relevant restrictive policies. Logically, however, one would expect the weight given to such policies to be less if the shortfall in the housing land supply is large, and more if it is small. Other considerations will be relevant too: the nature of the restrictive policies themselves, the interests they are intended to protect, whether they find support in policies of the NPPF, the implications of their being breached, and so forth.
48. Relevant authority in this court, and at first instance, does not support the proposition that, for the purposes of the appropriate balancing exercise under the policy in paragraph 14 of the NPPF, the decision-maker’s weighting of restrictive local plan policies, or of the proposal’s conflict with such policies, will always require an exact quantification of the shortfall in the supply of housing land. This is not surprising. If the court had ever said there was such a

requirement, it would have been reading into the NPPF more than the Government has chosen to put there, and more than is necessarily implied in the policies it contains.

49. Several decisions at first instance were cited in argument before Supperstone J., including those in *Jelson Ltd.* (at paragraphs 2 and 13) – upheld on appeal, *Shropshire Council* (at paragraph 28), *South Oxfordshire District Council* (at paragraph 102), *Dartford Borough Council* (at paragraphs 44 and 45), *Oadby and Wigston Borough Council v Secretary of State for Communities and Local Government* [2015] EWHC 1879 (Admin) (at paragraphs 42(ii) and 48) – upheld on appeal, and *Phides* (at paragraph 60). Mr Simons also referred to *Eastleigh Borough Council v Secretary of State for Communities and Local Government* [2014] EWHC 4225 (Admin) (at paragraphs 17 and 18). It is not necessary to explore the facts of these cases, or to set out the relevant observations of the judges who decided them. In summary, however, three main points emerge.
50. First, the relationship between housing need and housing supply in planning decision-making is ultimately a matter of planning judgment, exercised in the light of the material presented to the decision-maker, and in accordance with the policies in paragraphs 47 and 49 of the NPPF and the corresponding guidance in the Planning Practice Guidance (“the PPG”). The Government has chosen to express its policy in the way that it has – sometimes broadly, sometimes with more elaboration, sometimes with the aid of definitions or footnotes, sometimes not (see *Oadby and Wigston Borough Council v Secretary of State for Communities and Local Government* [2016] EWCA Civ 1040, at paragraph 33; *Jelson Ltd.*, at paragraphs 24 and 25; and *St Modwen Developments Ltd. v Secretary of State for Communities and Local Government* [2017] EWCA Civ 1643, at paragraphs 36 and 37). It is not the role of the court to add to or refine the policies of the NPPF, but only to interpret them when called upon to do so, to supervise their application within the constraints of lawfulness, and thus to ensure that unlawfully taken decisions do not survive challenge.
51. Secondly, the policies in paragraphs 14 and 49 of the NPPF do not specify the weight to be given to the benefit, in a particular proposal, of reducing or overcoming a shortfall against the requirement for a five-year supply of housing land. This is a matter for the decision-maker’s planning judgment, and the court will not interfere with that planning judgment except on public law grounds. But the weight given to the benefits of new housing development in an area where a shortfall in housing land supply has arisen is likely to depend on factors such as the broad magnitude of the shortfall, how long it is likely to persist, what the local planning authority is doing to reduce it, and how much of it the development will meet.
52. Thirdly, the NPPF does not stipulate the degree of precision required in calculating the supply of housing land when an application or appeal is being determined. This too is left to the decision-maker. It will not be the same in every case. The parties will sometimes be able to agree whether or not there is a five-year supply, and if there is a shortfall, what that shortfall actually is. Often there will be disagreement, which the decision-maker will have to resolve with as much certainty as the decision requires. In some cases the parties will not be able to agree whether there is a shortfall. And in others it will be agreed that a shortfall exists, but its extent will be in dispute. Typically, however, the question for the decision-maker will not be simply whether or not a five-year supply of housing land has been demonstrated. If there is a shortfall, he will generally have to gauge, at least in broad terms, how large it is. No hard and fast rule applies. But it seems implicit in the policies in paragraphs 47, 49 and 14 of the NPPF that the decision-maker, doing the best he can with the material before him, must be able to judge what weight should be given both to the benefits of housing development that will reduce a shortfall in the five-year supply and to any conflict with relevant “non-housing

policies” in the development plan that impede the supply. Otherwise, he will not be able to perform the task referred to by Lord Carnwath in *Hopkins Homes Ltd.*. It is for this reason that he will normally have to identify at least the broad magnitude of any shortfall in the supply of housing land.

53. With those three points in mind, I do not think that in this case the Secretary of State could fairly be criticized, in principle, for not having expressed a conclusion on the shortfall in the supply of housing land with great arithmetical precision. He was entitled to confine himself to an approximate figure or range – if that is what he did. Government policy in the NPPF did not require him to do more than that. There was nothing in the circumstances of this case that made it unreasonable for him in the “Wednesbury” sense, or otherwise unlawful, not to establish a mathematically exact figure for the shortfall. It would not have been an error of law or inappropriate for him to do so, but if, as a matter of planning judgment, he chose not to do it there was nothing legally wrong with that.
54. But what was his conclusion on housing land supply? He obviously accepted, as the council had acknowledged, that the requisite five-year supply had not been demonstrated. In paragraph 30 of his decision letter he referred to the “absence of a 5-year housing land supply”. And in the same paragraph he made it plain that he was applying “the presumption in favour of sustainable development”, which, as he said, meant “that permission should be granted unless any adverse impacts of doing so significantly and demonstrably outweigh the benefits”. He went on, in the following paragraphs, to apply that presumption, in accordance with the policy in paragraph 14 of the NPPF. In the course of that balancing exercise, he referred, in paragraph 31, to the “acknowledged shortfall”, which went into the balance on the positive side. All of this is clear.
55. Not so clear, however, is whether the Secretary of State reached any concluded view on the scale of the “acknowledged shortfall”. His reference in paragraph 17 to “the limited shortfall in housing land supply” suggests he had not found it possible to accept Hallam Land’s case at the inquiry, as recorded by the inspector in paragraph 62 of his report, that the supply of housing land was as low as “2.92 years, or 1.78 years if the need for affordable housing is included”, or even the “material shortfall” to which the inspector had referred in paragraph 108, in the light of the council’s concession that it was “not able to demonstrate more than a four and a half years supply of deliverable housing land”. A “limited shortfall” could hardly be equated to a “material shortfall”. It would have been a more apt description of the shortfall the council had now acknowledged in conceding, or contending, that it was able to demonstrate a supply of 4.86 years – the figure to which the Secretary of State referred in paragraphs 19 and 30 of his decision letter.
56. On a fair reading of the decision letter as a whole, I do not think one can be sure that the Secretary of State did fix upon a precise figure for the housing land supply. It may be that, in truth, he went no further than to conclude that the supply remained below five years. He certainly did not adopt the figures put forward by Hallam Land at the inquiry, nor did he even mention those figures. And he neither adopted nor rejected the council’s position at the inquiry. Instead, he took care to say, in paragraph 19 of his decision letter, that he “notes” the inspector’s comment that at the time of the inquiry the council was not able to demonstrate more than four and a half years’ supply. He was equally careful not to adopt or reject the figure that was now put forward by the council – a supply of 4.86 years. In paragraph 19, again, he said merely that he “notes” the council was now of the view that it was “able to demonstrate a 4.86 year supply”. In paragraph 30, once again, he used the word “notes” when referring to the position the council had taken in its letter of 23 June 2016 – “now claiming to

be able to demonstrate a 4.86 year supply”. He was not, I think, unequivocally endorsing that figure, but rather was relying on it as proof of “the absence of a 5-year housing land supply”.

57. The Secretary of State’s conclusions on housing land supply are not said to be irrational on their face – nor could they be. If one leaves aside for the moment the decisions in the Bubb Lane and Botley Road appeals and what had been said about those decisions in the parties’ further representations, they make sense. To describe the shortfall in housing land supply as “limited”, as the Secretary of State did in paragraph 17, seems reasonable if he was assuming – though without positively finding – that the housing land supply now stood at or about 4.86 years. And there is nothing necessarily inconsistent between that conclusion and his later conclusions: in paragraph 19, that the amount of new housing proposed was a “significant advantage”; in paragraph 30, that the “presumption in favour of sustainable development” fell to be applied in this case; and, in paragraph 31, that the provision of housing in an area with an “acknowledged shortfall” carried “substantial weight in favour of the development”.
58. All of this is logical, as far as it goes. It may reflect an assumption on the part of the Secretary of State that he could rely on the figure of 4.86 years for the housing land supply, or at least on a range of between four and half and 4.86 years, and that this was sufficient to found his conclusions on the weight to be given to the benefits of the housing development proposed and to its conflict with restrictive policies in the local plan.
59. This reading of the decision letter may be overly generous to the Secretary of State, because it resolves in his favour the doubt as to what figure, or range, he was actually prepared to accept for the present supply of housing land in the council’s area. Assuming it to be correct, however, he can be acquitted of any misunderstanding or unlawful misapplication of NPPF policy. If he did adopt, or at least assume, a figure of 4.86 years’ supply of housing land, or even a range of between four and half and 4.86 years, his approach could not, I think, be stigmatized as unlawful in either of those two respects. It could not be said, at least in the circumstances of this case, that he erred in law in failing to calculate exactly what the shortfall was. In principle, he was entitled to conclude that no greater precision was required than that the level of housing land supply fell within a clearly identified range below the requisite five years, and that, in the balancing exercise provided for in paragraph 14 of the NPPF, realistic conclusions could therefore be reached on the weight to be given to the benefits of the development and its conflict with relevant policies of the local plan. Such conclusions would not, I think, exceed a reasonable and lawful planning judgment.
60. However, even if that assumption is made in favour of the Secretary of State, there is in my view a fatal defect in his decision in his failure to engage with the conclusions on housing land supply in the recent decisions in the Bubb Lane and Botley Road appeals. Here, it seems to me, Mr Hill’s argument is demonstrably well founded.
61. At least by the time the parties in this appeal were given the opportunity to make further representations, an important issue between them, and arguably the focal issue, was the extent of the shortfall in housing land supply. This was, or at least had now become, a “principal controversial issue” in the sense to which Lord Brown of Eaton-under-Heywood referred in *South Bucks District Council v Porter* (at paragraph 36 of his speech). A related issue was the weight to be given to restrictive policies in the local plan – in particular, policy 3.CO. These were, in my view, clearly issues that required to be properly dealt with in the Secretary of State’s decision letter, in the light of the representations the parties had made about them, so as to leave no room for doubt that the substance of those representations had been understood and properly dealt with. This being so, it was in my view incumbent on the Secretary of State to

provide intelligible and adequate reasons to explain the conclusions he had reached on those issues, having regard to the parties' representations.

62. There is no explicit consideration of the inspectors' decisions in the Bubb Lane and Botley Road appeals in the Secretary of State's decision letter, nor any reference to them at all, despite the fact that they had been brought to his attention and their implications addressed in the further representations made to him after the inquiry. The inspectors' conclusions on housing land supply in those two decisions, and the consequences of those conclusions for the weight to be given to local plan policies, clearly were material considerations in this appeal. They would, in my view, qualify as material considerations on the basis of the case law relating to consistency in decision-making (see the judgment of Mann L.J. in *North Wiltshire District Council v Secretary of State for the Environment* (1993) 65 P. & C.R. 137, at p.145, most recently followed by this court in *DLA Delivery Ltd. v Baroness Cumberlege of Newick and Secretary of State for Communities and Local Government* [2018] EWCA Civ 1305, at paragraphs 29, and 42 to 56). But leaving aside the principle of consistency, they would have been, it seems to me, material considerations if only on the basis that they represented an up to date independent assessment of housing land supply in the council's area, which had been squarely put before the Secretary of State. Yet he said nothing at all about them. Nor is there any explicit reference to the relevant content of the representations the parties had made. It is clear that the reference in paragraph 19 of the decision letter to the council's view that it was now able to demonstrate 4.86 years' supply of housing land was taken from the "Update on Housing Land Supply" that it produced on 23 June 2016. But he did not refer to the very firm and thoroughly reasoned conclusions of the inspector in the Botley Road appeal, which were reached in the light of that evidence.
63. So it is not clear whether the Secretary of State confronted the conclusions of the inspectors in the Bubb Lane and Botley Road appeals, and in particular the latter. Had he done so, he would have appreciated that the conclusions they had reached on the scale of the shortfall in housing land supply could not reasonably be reconciled with his description of that shortfall, in paragraph 17 of his decision letter, as "limited". The language used by those two inspectors was distinctly different from that expression, and incompatible with it unless some cogent explanation were given. No such explanation was given. In both decision letters the shortfall was characterized as "significant", which plainly it was. This was more akin to saying that it was a "material shortfall", as the inspector in Hallam Land's appeal had himself described it in paragraph 108 of his decision letter. Neither description – a "significant" shortfall or a "material" one – can be squared with the Secretary of State's use of the adjective "limited". They are, on any view, quite different concepts.
64. Quite apart from the language they used to describe it, the inspectors' findings and conclusions as to the extent of the shortfall – only "something in the order of four year supply" in the Bubb Lane appeal and only "4.25 years' supply" in the Botley Road appeal – were also substantially different from the extent of the shortfall apparently accepted or assumed by the Secretary of State in his decision in this case, which was as high as 4.86 years' supply on the basis of evidence from the council that had been before the inspector in the Botley Road appeal and rejected by him.
65. One is left with genuine – not merely forensic – confusion on this important point, and the uncomfortable impression that the Secretary of State did not come to grips with the inspectors' conclusions on housing land supply in those two very recent appeal decisions. This impression is not dispelled by his statement in paragraph 7 of the decision letter that he had given "careful consideration" to the relevant representations.

66. The significance of the parties' dispute over the extent of the shortfall in housing land supply was not confined to that issue alone. It also bore on the question of how much weight should be given to restrictive policies in the local plan – in particular, policy 3.CO – for the purposes of the balancing exercise required by the policy in paragraph 14 of the NPPF. A factor to which the Secretary of State attached some importance in determining that “significant weight” should be given to policy 3.CO was that the shortfall in housing land supply was, as he said in paragraph 17 of the decision letter, only “limited”. This was an important issue in itself, and potentially decisive in the planning balance.
67. In the circumstances I am driven to the conclusion that the Secretary of State's reasons were in this respect deficient, when considered in the light of the familiar principle in *South Bucks District Council v Porter*, and that Hallam Land was substantially prejudiced by the failure to provide intelligible and adequate reasons. The parties, and in particular Hallam Land, whose section 78 appeal was being dismissed after a protracted exchange of post-inquiry representations, were entitled to know why the Secretary of State had concluded as he did not only on the question of housing land supply but also on its consequences, in spite of two very fresh appeal decisions in which the question of supply had been decided in a materially different way. This was a matter on which proper reasons were undoubtedly called for, but were not given. In the absence of those reasons, one cannot be sure that the Secretary of State had come to his conclusion lawfully, having regard to all material considerations. It follows, in my view, that in failing to provide such reasons the Secretary of State erred in law and his decision is liable to be quashed for that error. I can see no basis on which the court, in the circumstances, could properly withhold an order to quash his decision. To do so, we would have to speculate as to the outcome of Hallam Land's section 78 appeal on the assumption that the Secretary of State had regard to all material considerations, including the decisions in the Bubb Lane and Botley Road appeals.
68. Having come to that conclusion, I can take the other main issue more shortly.

Should the Secretary of State have had regard to the inspector's report on the Boorley Green appeal?

69. The argument here is that the Secretary of State's conclusion in this case that the shortfall in housing land supply was “limited” is impossible to reconcile with the conclusion in his decision letter in the Boorley Green appeal, issued about three weeks later, that the supply of housing land in the council's area was “around four years”. This offended the principle that there is a public interest in planning decisions in like cases being consistent, and that, in cases of inconsistency, the decision-maker should explain that inconsistency (see the judgment of Mann L.J. in *North Wiltshire District Council*). Where relevant matters arose after the close of an inquiry, such as an inspector reporting to him on an appeal raising closely similar planning issues in the same area as the appeal in hand, it was incumbent on the Secretary of State to take reasonable steps to inform himself of those matters, and so avoid inconsistent decisions. The inspector's report in the Boorley Green appeal fell into that category. By the time the Secretary of State eventually came to make his decision on Hallam Land's appeal, he had had that report for almost three months.
70. Supperstone J. rejected this argument, on the simple basis that the Secretary of State's decision in the Boorley Green appeal had not yet been made when the decision in this case was issued, and “accordingly, it cannot have been a material consideration to which the principle of

consistency can apply”. Although the inspector’s report on the Boorley Green appeal had been submitted to the Secretary of State before he made his decision in this case, “the principle of consistency in decision taking has no application to Inspectors’ reports which are not decisions” (paragraph 33 of the judgment). The proposition that the Secretary of State must always have imputed knowledge of an inspector’s report in an undetermined appeal was incorrect (paragraph 35). So was the submission that it was irrational, and a breach of the principle recognized by the House of Lords in *Secretary of State for Education and Science v Tameside Metropolitan Borough Council* [1976] 3 W.L.R. 641 that a decision-maker must take reasonable steps to acquaint himself of relevant matters, for the Secretary of State not to take into account an unpublished inspector’s report in another appeal that was yet to be decided on its own, different facts (paragraph 38).

71. The judge also accepted the submission of Mr Simons and Mr Stinchcombe that there was, in fact, no material inconsistency between the two decisions. In both cases the Secretary of State had found that there was less than the requisite five-year supply of housing land, and that the consequences provided for by NPPF policy must follow. In his decision on the Boorley Green appeal the Secretary of State did not adopt the inspector’s description of the shortfall as “significant”. His conclusion in that case that the housing land supply “should be regarded as standing at around four years” was consistent with his corresponding conclusions in his decision in this case. And in both cases, given the shortfall, he gave significant weight to the provision of housing: “substantial weight” in this case, “considerable weight” in the Boorley Green case (paragraph 39). The Secretary of State’s application of policy 3.CO of the local plan in this appeal, the weight he gave to that policy, and his relevant reasons did not betray an inconsistent approach with his inspector’s or his own in the Boorley Green appeal (paragraphs 40 to 46).
72. I agree with the judge’s approach to this issue, and the conclusions he reached upon it, essentially for the reasons he gave.
73. The principle of consistency in planning decision-making is not a principle of law. It is a principle of good practice, which the courts have traditionally supported and the Court of Appeal has recently confirmed in *DLA Delivery Ltd.*.
74. The principle applies to decisions of planning decision-makers, and is exercised with a view to the public interest in planning decisions in like cases being consistent, or if inconsistency arises, a clear explanation for it being given in the second of the two decisions concerned (see *DLA Delivery Ltd.*, at paragraphs 28 to 30, 46 and 47). It does not apply, in the case of decisions on planning appeals made by the Secretary of State, to inspectors’ reports that have been submitted to the Secretary of State but on which his decision is still to be made at the time of the decision subject to challenge in the case before the court. The purpose and status of such a report is, essentially, that of advice given to the Secretary of State by his appointed inspector, which will inform the decision itself, but which the Secretary of State is not bound to follow and is free to reject, so long as he gives adequate reasons for doing so. It is an intermediate stage in the process of decision-making. The assessment and conclusions contained in the report do not constitute the Secretary of State’s decision, nor do they form any part of that decision unless and until they are incorporated into it, whether in whole or in part. Usually, as in the Boorley Green appeal, the inspector’s report is not published until the Secretary of State has made his decision. On occasions, however, it may be released by the Secretary of State with a view to inviting further representations or evidence from the parties to deal with a particular issue raised in it.

75. It would be a radical and unjustified extension to the principle of consistency to embrace within it unpublished inspectors' reports, whose conclusions and recommendations the Secretary of State may in due course choose to accept or reject. Indeed, this would not be an extension of the principle of consistency but a distortion of it, because the basis for it would not be consistency between one decision and another, but consistency between a decision and a non-decision, a decision yet to be made. That is not a principle the court has ever recognized, nor even, in truth, a meaningful principle at all.

76. In my view, therefore, this part of the appeal is mistaken, and I would reject it.

Conclusion

77. For the reasons I have given, I would allow this appeal on the first issue alone and on the basis I have indicated.

Lord Justice Hickinbottom

78. For the reasons given by Lindblom L.J., with which I entirely agree, I agree that the appeal is allowed on the first issue alone.

Lord Justice Davis

79. I also agree that the appeal should be allowed.

80. I would like to make some observations of my own on the first issue.

81. Clearly a determination of whether or not there is a shortfall in the 5 year housing supply in any particular case is a key issue. For if there is then the "tilted balance" for the purposes of paragraph 14 of the NPPF comes into play.

82. Here, it was common ground that there was such a shortfall. That being so, I have the greatest difficulty in seeing how an overall planning judgment thereafter could properly be made without having at least some appreciation of the extent of the shortfall. That is not to say that the extent of the shortfall will itself be a key consideration. It may or not be: that is itself a planning judgment, to be assessed in the light of the various policies and other relevant considerations. But it ordinarily will be a relevant and material consideration, requiring to be evaluated.

83. The reason is obvious and involves no excessive legalism at all. The extent (be it relatively large or relatively small) of any such shortfall will bear directly on the weight to be given to the benefits or disbenefits of the proposed development. That is borne out by the observations of Lindblom LJ in the Court of Appeal in paragraph 47 of *Hopkins Homes*. I agree also with the observations of Lang J in paragraphs 27 and 28 of her judgment in the *Shropshire Council* case and in particular with her statements that "...Inspectors generally will be required to make judgments about housing need and supply. However these will not involve the kind of detailed analysis which would be appropriate at a "Development Plan inquiry" and that "the extent of any shortfall may well be relevant to the balancing exercise required under NPPF 14." I do not

regard the decisions of Gilbert J, cited above, when properly analysed, as contrary to this approach.

84. Thus exact quantification of the shortfall, even if that were feasible at that stage, as though some local plan process was involved, is not necessarily called for: nor did Mr Hill QC so argue. An evaluation of some “broad magnitude” (in the phrase of Lindblom LJ in his judgment) may for this purpose be legitimate. But, as I see it, at least some assessment of the extent of the shortfall should ordinarily be made; for without it the overall weighing process will be undermined. And even if some exception may in some cases be admitted (as connoted by the use by Lang J in *Shropshire Council* of the word “generally”) that will, by definition, connote some degree of exceptionality: and there is no exceptionality in the present case.
85. In this case (and in striking contrast to the Bubb Lane and Botley Road cases) a sufficient evaluation of the extent of the shortfall did not happen. Instead, the Secretary of State, having “noted” the council’s updated figure of 4.86 year supply and without any express reference to the Bubb Lane and Botley Road cases, simply announced a bald conclusion that there was a “limited” shortfall in the housing land supply. Broad statements elsewhere in the decision letter to the effect that “the Secretary of State has taken into account” the post-inquiry representations do not overcome the defect of a demonstrable lack of engagement with the actual extent of the shortfall: thereby resulting in an absence of a reasoned conclusion on this material issue. Moreover, such a conclusion departs – again, for no stated reason – from the inspector’s statement in paragraph 108 of his report that “it can be said that there is a material shortfall against the five year supply...”.
86. Although it was submitted on behalf of the council that the result would still inevitably have been the same, even had the extent of the shortfall been properly addressed, I cannot accept that that is necessarily so. So the matter must be the subject of further consideration.
87. Thus I too would allow the appeal on this basis. I would reject the appellant’s arguments on the second issue, for the reasons given by Lindblom LJ.



5 YEAR HOUSING LAND SUPPLY POSITION STATEMENT 2024-2029

1. INTRODUCTION

This statement sets out Rugby Borough Council’s 5 Year Housing Land Supply (5YHLS) as at 1 April 2024. The main statement explains the calculation, before summarising the result. Appendix 1 sets out the detailed calculation, and Appendix 2 the list of sites used.

The Rugby Borough Local Plan was adopted on 4 June 2019 and covers the period 2011-2031.

The Plan identifies a need of 12,400 dwellings to be provided in the Borough throughout the plan period at a rate of 540 per annum between 2011/12 to 2017/18 and 663 per annum between 2018/19 to 2030/31.

2. DELIVERY IN THE PLAN PERIOD TO DATE

Between 1st April 2011 and 31st March 2024 there has been a sizable over-delivery against the Local Plan Annual Requirement (LPAR) as detailed in the table below:

Year	Annual Requirement	Actual net dwellings
2011/2012	540	338
2012/2013	540	456
2013/2014	540	448
2014/2015	540	425
2015/2016	540	534
2016/2017	540	376
2017/2018	540	596
2018/2019	663	939
2019/2020	663	859
2020/2021	663	832
2021/2022	663	939
2022/2023	663	1,349
2023/2024	663	873
Total	7,758	8,964

Based on the above, it has been determined that a 5% buffer should be applied to the 5YHLS calculation in accordance with paragraph 74 of the National Planning Policy Framework.

3. SITE SELECTION

In calculating the 5YHLS it is necessary to identify the deliverable sites likely to come forward as referred to in Paragraph 74 of the NPPF 2021.

Annex 2 of the NPPF defines a deliverable site as follows:

Deliverable: *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 planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Applying this, all sites with detailed permission (i.e. full or reserved matters) have been considered deliverable.

The judgements about the deliverability of sites made in this statement have been supported by site assessment and consultation with site owners and their agents.

A delivery rate of 40 dwellings per sales outlet per annum has been applied unless there is evidence, for example from the developer, to suggest a different assumption.

At Rugby Radio Station (Houlton) the site is underway and progressing swiftly with numerous housebuilders on site. There have been rolling submissions of reserved matters for individual parcels within the defined key phases. Construction began at Houlton in the 2017-18 monitoring year. There have been completions in the past seven monitoring years from 2017-18 to 2023-24 at an average annual rate of 260 dwellings per annum. A delivery rate of 200-250 per annum on the site has been applied and has been confirmed as realistic by the master developer Urban & Civic.

Most of the main rural settlement allocations now have planning permission or applications awaiting determination.

On the South West Rugby allocation, completions are projected on the Barratt and David Wilson Homes sites at Ashlawn Road which have detailed planning permission and are under construction.

Additionally, at South West Rugby, completions are projected on the Coventry Road (L&Q Estates) parcel for 210 units within the five-year period. That site gained outline planning permission on 23 December 2022. In October 2024 it was reported that the site was sold to housebuilder Miller Homes with the impending submission of reserved matters reported in November 2024. A trajectory showing completions beginning in 2025-26 has been confirmed by the developer.

The Tritax Symmetry parcel at Cawston Farm, South West Rugby for 275 units has been subject to an outline planning application which was submitted in May 2019 and is expected to be determined in early 2025. The trajectory applied by the council assumes three years between potential grant of permission in 2024-25 and first completions in 2027-28, this has been confirmed by the developer. Cawston Farm 2, which is also promoted by Tritax Symmetry, is expected to follow a year later.

A windfall allowance for dwellings delivered on small sites of 50 dwellings per annum has been applied. A windfall site has been defined as being a site for fewer than 5 dwellings which is not built on garden land. This figure is based on data showing there has been an average of 50.3 dwellings per annum delivered on windfall sites between 2011/12 - 2022/23. In the 2023-24 monitoring year, 39

dwellings were delivered on small site windfalls, bringing the average annual delivery from this source in the plan period to date to 49.4.

The list of all sites considered as part of the 5YHLS and the trajectories used in the calculation are included in *Appendix 2*.

4. FIVE YEAR HOUSING LAND SUPPLY AS AT 1 APRIL 2024

Based on analysis of deliverable for the five-year period 1 April 2024 to 31 March 2029 the Council can identify a housing land supply of **6.9 years** against the plan requirement.

This figure includes a non-implementation rate of 5% for sites that are not allocated nor under construction. Sites that are under construction are very unlikely to lapse. For allocated sites, site-specific information is available, and the application of a generic lapse rate is not considered appropriate.

The calculations are presented in Appendix 1.

APPENDIX 1: 5YHLS POSITION 2024-2029

Completions to Date

Year	Local Plan Target	Net Completions
2011-12	540	338
2012-13	540	456
2013-14	540	448
2014-15	540	425
2015-16	540	534
2016-17	540	381
2017-18	540	578
2018-19	663	939
2019-20	663	859
2020-21	663	832
2021-22	663	939
2022-23	663	1349
2023-24	663	873
Total	7758	8951

Calculations

A	Housing Target (2011-31)	12400
B	Annual requirement (2011-2017)	540
C	Annual requirement (2018-2031)	663
D	Total Requirement to date	7758
E	Completions to date	8951
F	Under supply (D-E)	-1193
G	5 Year Local Plan Target (663*5)	3315
H	5 Year Local Plan Target including under supply (F+G)	2122
I	5 Year Annualised Requirement (I/5)	424

Supply

Year 1 of 5 year Supply is 2024/25

	2024/25	2025/26	2026/27	2027/28	2028/29	Total
Annualised Requirement (I)	424	424	424	424	424	2122
Projected Supply	636	757	543	526	500	2962

	Total Projected Supply	5 Year Supply	With 5% Non-Implementation Rate
5YHLS period 2024-2029	2962	6.98	<u>6.9</u>

Appendix 2 - List of identified 5YHLS sites for 2024-2029

= not deliverable

			2019-20	2020-21	2021-22	2022-23	2023-24	Gross to date	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Post 2031	TOTAL (from 2024/25)	Notes
Coton Park East																		
Coton Park East (North site- AC Lloyd)	Current Application - outline - R20/0787 - 475 Units	26/04/2023															0	Outline planning permission, landowner intending to sell site
Coton Park East (South site- Persimmon)	Detailed - R20/0336 - 225 Units	24/02/2021				80	111	191	34								34	Under construction
Coton Park East (Remainder)	Application not yet received - 100 Units															100	100	Application not yet received
Ashlawn Gardens																		
Land North of Ashlawn Road (Barratt)	Detailed - R19/1185 - 333 Units	17/09/2020			40	72	118	230	40	40	23						103	Under construction
Land North of Ashlawn Road, (David Wilson)	Detailed - R20/0124 - 206 Units	21/12/2021				15	91	106	40	40	20						100	Under construction, developer provided trajectory
Land North of Ashlawn Road (Barratt)	Detailed R21/0689 (Outline R13/2102) - 216 Units	23/03/2022				10	123	133	40	43							83	Under construction, developer provided trajectory
South West Rugby																		
Coventry Road (L&Q Estates) (parcel 6, plot L&Q1)	Outline- R18/0936 - 210 Units	23/12/2022								35	45	45	45	40			210	Outline planning permission. Developer confirmed trajectory 07/11/2024.
Cawston Farm 1 (Tritax Symmetry) (parcel 12, plot T2)	Current Application- Outline- R18/0995- 275 Units	Submitted 16/05/2019										20	50	50	50	105	275	Outline planning application awaiting determination. Developer confirmed trajectory 28/10/2024.
Cawston Farm 2 (Tritax Symmetry)(Parcel 12, Plot T3)	Outline application R22/0853 - 350 units	Submitted 26/08/2022											40	40	40	230	350	Outline planning application awaiting determination.
Land south west of Cawston Lane (L&Q Estates) (parcel 7, plot L&Q2)	Application not yet received (EIA Scoping Opinion R22/0707 for 550 dwellings)													20	40	390	450	Application not yet received
Land on the west site of Alwyn Road (Taylor Wimpey) (parcel 8, plots TW1 to 4)	Application not yet received (R22/1236 EIA scoping opinion for 900 dwellings)													20	70	692	782	Application not yet received
Land South of Montague Rd (TW) (Parcel 4, plot TW5)	Application not yet received													20	31		51	Application not yet received
Homes England parcels	Application not yet received													50	125	1389	1564	Application not yet received

			2019-20	2020-21	2021-22	2022-23	2023-24	Gross to date	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Post 2031	TOTAL (from 2024/25)	Notes
Richborough Estates plot RE1	Application not yet received													20	40	110	170	Application not yet received
L&Q estates plot L&Q 5	Application not yet received															91	91	Application not yet received
Eden Park																		
Eden Park Phase R3 (Bloor Homes)	Detailed - R19/0976- 146 Units	20/08/2020					37	37	40	40	29						109	Under construction
Eden Park Phases R5, R6, and R7 (Bloor Homes)	Outline R10/1272, RM R23/0453 (awaiting determination) - 555 units	20/08/2013									20	55	55	55	55	315	555	Outline planning permission, reserved matters awaiting determination
Houlton																		
Land at Wharf Farm (Bellway/David Wilson Homes)	Detailed R15/1702, R18/0544 and R20/0538 382 units	20/07/2018	8	114	68	163	26	379	3								3	Under construction, developer provided trajectory
Key Phase Two - Parcel A (Francis Jackson Homes)	Detailed - R21/1099 - 31 units	12/09/2022				5	6	11	20								20	Under construction
Key Phase Three - Parcels A and B (Redrow)	Detailed - R18/1177, R19/1375, R20/0709, R21/0739 - 248 Units	21/12/2018	3	69	17	50	45	184	45	19							64	Under construction, developer provided trajectory
Key Phase Three - Parcels C and F (William Davis)	Detailed - R20/0681 - 146 Units	01/04/2021				9	41	50	40	40	16						96	Under construction, developer provided trajectory
Key Phase Three - Parcel D (Mulberry Homes)	Detailed - R21/0873 - 147 units	11/04/2022					35	35	40	40	32						112	Under construction
Remainder of Houlton allocation	Outline R11/0699 and R17/0022 - (6,200 Units permission total) 4083 remaining without detailed permission.	21/05/2014						1163		80	175	225	225	250	250	2878	4083	Outline planning permission
Main Rural Settlements Allocations																		
Wolvey Campus, Wolvey (Countryside Properties)	Detailed R22/0113 - 90 Units	25/08/2022					44	44	46								46	Under construction
Land at Coventry Road, Wolvey (O'Flanagan Homes)	Detailed R22/0670 - 11 units	27/03/2024								11							11	Full planning permission. Developer provided trajectory 25/10/2024.
Land at Sherwood Farm, Binley Woods (Lion Court Homes)	Detailed - R18/2076 - 80 Units	20/08/2021				15	27	42	38								38	Under construction, developer provided trajectory

			2019-20	2020-21	2021-22	2022-23	2023-24	Gross to date	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Post 2031	TOTAL (from 2024/25)	Notes
Land North of Coventry Road, Long Lawford (Bloor Homes)	Detailed- R17/1089- 149 Units	Appeal Approved 01/09/2021					26	26	40	40	40	3					123	Under construction, developer provided trajectory
Land off Squires Road, Stretton on Dunsmore	Outline- R17/1767- 55 Units	26/04/2022										20	35				55	Outline planning permission, developer confirmed trajectory
Plott Lane, Stretton on Dunsmore	Revised application not yet received													25			25	Application not yet received, allocated for 25 units
Leamington Road, Ryton on Dunsmore	Application not yet received																0	Application not yet received, allocated for 75 units, Coventry City understood to be redeveloping the site as a training ground
Linden Tree Bungalow, Wolston	Application not yet received														15		15	Application not yet received, allocated for 15 units
Current Permissions & Prior Approvals - 50 dwellings or more																		
Former Newton Vehicle Rentals Site, 117 Newbold Road	Detailed- R19/1496 - 122 Units. Previous Detailed- R17/2113 & R19/0902 and R23/0357	20/08/2020									40	82					122	Full planning permission. Part of the development has been commenced. Final pre-commencement of above ground development conditions in process of being discharged. CEMP shows 72 week build period.
Herbert Gray College	Detailed - R18/1811 (78 units C2)	44526															0	Full planning permission, but current proposals understood to not be viable
Dipbar Fields, Dunchurch (Morris Homes)	Detailed - R19/1047 (Outline- R13/0690)- 86 Units	20/06/2023								20	40	26					86	Full planning permission
Biart Place, Rugby	Detailed - R23/0282 - 100 units	05/09/2023								100							100	Full planning permission. Under construction. Developer provided trajectory 25/10/2024.
Current Permissions & Prior Approvals- 10-49 dwellings																		
Yum Yum World Ltd, 4 High Street, Rugby, CV21 3BG	Detailed- R17/0967- 21 Units	03/04/2019						5	16								16	Under construction
Land South East of Brownsover Lane, Brownsover Lane (Jelson Homes)	Detailed - R14/1941, R22/0449- 14 Units	08/04/2020								14							14	Full planning permission, development has been commenced. Developer confirmed trajectory 28/10/2024.
Development Land at Pailton Radio Station, Montilo Lane, Pailton, CV23 0HD	Detailed - R21/0937 - 10 Units	08/11/2021								10							10	Full planning permission

			2019-20	2020-21	2021-22	2022-23	2023-24	Gross to date	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Post 2031	TOTAL (from 2024/25)	Notes
Elms Farm, Oxford Road, Marton, CV23 9RQ	Detailed - R21/0469 - 11 units	12/07/2023							11								11	Full planning permission
32 High Street, Rugby, CV21 3BW	Detailed - R21/0894 - 32 units	13/12/2022							32								32	Full planning permission
16-20 Lawford Road, Rugby, CV21 2DY	Detailed - R15/150, R21/0930 - 10 units	12/05/2022							10								10	Full planning permission, development has been commenced
First Floor 7-8 Church Street, Rugby, CV21 3PH	Detailed - R22/0479 - 10 Units	09/11/2022							10								10	Full planning permission
Wolston Allotments, Stretton Road, Wolston (Spitfire Homes)	Detailed - R22/0201 and R19/1411 - 48 units	31/03/2023							40	8							48	Under construction
Brinklow Marina, Cathiron Lane, Brinklow, CV23 0JH	Detailed - R22/1037 - 30 residential moorings	09/02/2023							30								30	Full planning permission
Land West Side of Heritage Close, Rugby	Detailed - R22/0383 - 10 units	06/12/2023							10								10	Full planning permission
Former Inwoods House, Ashlawn Road, Dunchurch	Detailed - R23/0491 - 25 units	20/03/2024							20	5							25	Full planning permission
Current Permissions & Prior Approvals- 5-9 dwellings																		
76 Buchanan Road, Bilton	Detailed- R18/0830, 21/0963 - 8 Units	22/11/2018							8								8	Under construction
Manor Farm, Birdingbury Lane, Frankton. CV23 9PB	Detailed- R19/1451 and R19/0754- 5 Units (4 remaining)	27/06/2019						4	1								1	Under construction
7 & 8 , St Matthews Street, Rugby, CV21 3BY	Detailed - R20/1092 - 7 Units	19/02/2021					3	3	4								4	Under construction
5, 5b and 6 Market Place, Rugby, CV21 3DY	Detailed - R20/0043 - 7 Units	10/02/2021							7								7	Full planning permission
Rosewood House, 42-44 Rosewood Avenue, Rugby, CV22 5PL	Detailed - R19/1498 - 5 units	06/07/2020							5								5	Under construction
Diamond House Hotel, 28 Hillmorton Road, Rugby, CV22 5AA	Detailed - R20/0960 - 8 Units	09/07/2021					6	6	2								2	Under construction
49 Midas Lounge, Church Street, Rugby, CV21 3PT	Detailed - R22/0702 - 8 Units	09/12/2022							8								8	Under construction
Manor Farm House, Main Street, Frankton, Rugby, CV23 9PB	Detailed - R21/0905 - 5 Units	12/01/2022					4	4	1								1	Under construction
15 Bilton Lane, Rugby	Detailed - R19/1309 (R21/0353, R21/0451, R22/0125) - 5 Units	17/05/2021				2		2	3								3	Under construction

			2019-20	2020-21	2021-22	2022-23	2023-24	Gross to date	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	Post 2031	TOTAL (from 2024/25)	Notes
Land at Manor Farm, Hinckley Road, Burton Hastings. CV11 6RG	Detailed R22/0260 - 6 units	22/12/2022							6								6	Full planning permission
Brotherhood House, Gas Street, Rugby, CV21 2TX	Detailed R20/0690, R23/0226 - 9 units	01/06/2022							9								9	Full planning permission
The Malthouse, Main Street, Thurlaston	Detailed R21/0477 - 6 units	30/06/2022							6								6	Full planning permission
11-12 Sheep Street, Rugby, CV21 3BU	Detailed R22/0979 - 5 units	03/07/2023							5								5	Full planning permission
Cawston House, Thurlaston Drive, Rugby, CV22 7SE	Detailed R23/0235 - 5 units	14/06/2023							5								5	Full planning permission
2-3 High Street, Rugby, CV21 3BG	Detailed R23/0722 - 6 units	27/03/2024							6								6	Full planning permission
Submitted Applications 10+ dwellings																		
Myson House, Railway Terrace, Rugby, CV21 3LS	Current application - Outline R22/1035 - 96 units	Submitted 27/09/2022															0	Outline planning application awaiting determination
Land North of Projects Drive, Rugby	Current application - Outline R24/0103 - 108 dwellings	Submitted 31/01/2024																Outline planning application awaiting determination
25 Barby Lane, Rugby, CV22 5QJ	Current application - Outline R24/0474 - 11 dwellings	Submitted 13/05/2024																Outline planning application awaiting determination
Former Nursery, Rugby Road, Brandon, CV8 3GJ	Current application - Outline R24/0716 - 43 dwellings	Submitted 29/07/2024																Outline planning application awaiting determination
Windfalls for sites of <5 dwellings									50	50	50	50	50	50	50		350	
TOTAL TRAJECTORY									636	757	543	526	500	640	751		4353	

STATEMENT OF COMMON GROUND

BETWEEN:

**RUGBY BOROUGH COUNCIL, DB SYMMETRY LTD,
GALLAGHER ESTATES LIMITED, RICHBOROUGH ESTATES,
TAYLOR WIMPEY UK LIMITED & WARWICKSHIRE
COUNTY COUNCIL (PROPERTY SERVICES)**


SOUTH WEST RUGBY ALLOCATION

**RUGBY BOROUGH LOCAL PLAN
EXAMINATION**

DATE: 22 JANUARY 2018

Signed: 	Signed: 
Name: Vicky Chapman	Name: Miss Louise Steele
On behalf of: Rugby Borough Council	On behalf of: db symmetry Ltd
Date: 22.01.2018	Date: 22.01.2018

Signed: 	Signed: 
Name: Mr Stuart Field	Name: Mr Haydn Jones
On behalf of: Gallagher Estates Ltd	On behalf of: Richborough Estates Ltd
Date: 22.01.2018	Date: 22.01.2018

	Signed: 
Signed:	
Name: Mr Marc Wilson	Name: Mr Steven Smith
On behalf of: Taylor Wimpey UK Ltd	On behalf of: Warwickshire County Council (Property Services)
Date: 22.01.2018	Date: 22.01.2018

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1. INTRODUCTION

- 1.1 This Statement of Common Ground (SoCG) is between Rugby Borough Council (RBC) and the consortium of landowners, developers, and land promoters for the South West Rugby allocation, namely db symmetry Ltd., Taylor Wimpey UK Limited, Gallagher Estates Limited, Warwickshire County Council (Property Services), and Richborough Estates hereafter known as “the parties”.
- 1.2 This SoCG relates solely to the proposed allocation of South West Rugby in the Submission Local Plan (LP01) within policies DS3 (residential allocations); DS4 (employment allocations); DS8 (South West Rugby), and DS9 (South West Rugby Spine Road Network). Reference is also made in this SoCG to RBC’s Table of Suggested Changes to the Plan (LP54).
- 1.3 db symmetry Ltd., Taylor Wimpey UK Limited, Gallagher Estates Limited, Warwickshire County Council (Property), and Richborough Estates (hereafter known as “the consortium”) control land necessary to deliver the proposed allocation and have jointly promoted their combined land interests. The land is available for development now, with willing landowners and no unresolved ownership, legal or other constraints likely to render it undeliverable in the plan period.
- 1.4 Each consortium member agrees to work together to deliver the development and associated infrastructure requirements (e.g. access, drainage and services etc.) of the South West Rugby allocation comprehensively; and agrees to the provision of access rights without ransom between their respective interests.
- 1.5 The parties have jointly worked together to produce a Draft Illustrative Framework Masterplan for the proposed allocation which is appended to the consortium Hearing Statement and the draft SPD (The SPD is Appendix B to Matter 3b 000, the Draft Illustrative Framework Masterplan is Appendix E within the SPD).
- 1.6 The parties are working together to produce an Indicative Phasing Plan, which will form part of the Masterplan SPD. The parties agree to the delivery of the Homestead Link, in accordance with the IDP, and further work is being undertaken on the timings for other infrastructure items. A draft Phasing Plan is appended to the consortium Hearing Statement, which the consortium are in agreement with, save for Taylor Wimpey who are proposing that a proportion of

their land to the west of Alwyn Road should be included in Phase 2 (2016/17 – 2020/21).

- 1.7 The draft SPD necessarily gives to the Inspector certainty that the required uses and infrastructure can be accommodated, mitigated and delivered by the respective parties in accordance with Local Plan policies DS8 and DS9. As stated at the beginning of Appendix B of the Council's Hearing Statement in respect of Matter 3 Issue 3b, the current draft has been written by the Council with the view to further update and review with the site promoters, stakeholders and relevant service providers in advance of consultation and adoption.
- 1.8 The final South West Rugby Masterplan SPD will contain the final agreed Illustrative Framework Masterplan and Indicative Phasing Plan (that aligns with the latest version of the IDP), together with the alignment for the 'Homestead Link and will supplement relevant policies of the Local Plan in adding detail to the policy framework. This will guide the determination of planning applications, and the form of any planning permission, Section 106 Agreement obligations and agreements under the Highways Act 1980 (e.g. Section 38 and Section 278) to ensure the comprehensive delivery of the South West Rugby allocation and its infrastructure.
- 1.9 The consortium has also worked with RBC on the preparation of a first draft of a South West Rugby Masterplan Supplementary Planning Document, published in September 2016. A further draft has been prepared by RBC (January 2018), and this accompanies the Council's Hearing Statement as Appendix B in relation to Matter 3: Issue 3b (South West Rugby Allocation). The consortium was not involved with the preparation of this draft, but will work with the Council to agree its content before it is finalised.

2. ALLOCATION PROPOSALS

- 2.1 South West Rugby is proposed for allocation through DS8 of the Publication Draft Local Plan (incorporating modifications as detailed in LP54A that will be subject to consideration by the Inspector) for the following:

Up to 5,000 dwellings;

35 ha of Class B8 employment;

A convenience store (Use Class A1) plus other retailing (Use Class A1 to A5);

A 3 GP surgery, rising to 7 GP surgery, as detailed in the IDP;

Provision for a Safer Neighbourhood Team, as detailed in the IDP;

One secondary school and one primary school, as detailed in the IDP,

The IDP details provision for a further three primary schools, each to be two form entry, with at least one rising to three form entry, as deemed necessary by WCC Education, as detailed in the IDP. The number, size, and timing of delivery of schools is to be agreed between the Consortium and WCC Education and Learning;

Other local facilities, as informed by the Masterplan SPD, to be located in appropriate sustainable locations which are outside the district centre;

Provision of land for onsite fire and rescue provision, as detailed in the IDP;

The site will also contain comprehensive sustainable transport provision that integrates:

An all traffic spine road network, connecting the site to the existing highway network, phased in line with the IDP, including 'Homestead Farm link';

Provides a comprehensive walking and cycling network;

Provides high quality public transport services to Rugby town centre; and

Provides further on-site and off-site measures to mitigate transport impacts as detailed in the IDP;

Provide a comprehensive Green Infrastructure Network that links to existing adjacent networks utilising existing habitats and historic landscape, in particular Cawston Spinney;

Require the production of a Woodland Management Plan including details of a buffer that accords with standing advice.

3. DESCRIPTION OF SITE AND SURROUNDING AREA

3.1 The full extent of the allocation is shown on the modified Urban Proposals Map (LP 54.190).

3.2 The site is approximately 390ha (960 acres) in predominantly agricultural use.

3.3 The allocation site:

- lies to the south west of Rugby, adjacent to existing residential areas;
- to the north the allocation is defined by the B4642 (Coventry Road) beyond which is the existing residential area of Cawston, and the Cawston extension site (which has planning permission for 600 dwellings ref. R11/0114 and is under construction);
- to the south and south east is the village of Dunchurch;
- to the west is the disused railway line (now a Sustrans route) beyond which is the A4071;
- to the south is farm land, the A45 and M45, beyond which Thurlaston village is located; and,
- extends eastwards to include land north of Ashlawn Road (Bilton Fields) which has planning permission for 860 dwellings (ref. R13/2102), and eastward to include land south of the B4642, (Meadow Farm) which subject to signing a s106 Agreement, has planning permission for 150 dwellings (ref. 15.1816).

3.4 The site adjoins the urban area of Rugby and the settlement of Dunchurch, and is contained on some of the sides by built development, and is not subject to Green Belt designation.

3.5 The site is well related to the main town's existing services and infrastructure. The town centre itself is approximately 3km from the site, while the local centres of Bilton and Dunchurch are located much closer to the site, they offer a more limited range of shops and services in comparison. The site is separated from the wider countryside to the south by the A45 (London Road), Ashlawn Road, and the disused railway line to the west which form physical and permanent boundaries to development.

- 3.6 The relevant party for the employment elements of the allocation (db symmetry Ltd) submitted an outline planning application (ref. 16/2569) in November 2017 for up to 186,500 sqm of buildings for Class B8 Warehousing and Distribution, with ancillary Class B1(a) offices. This will facilitate the provision of employment land early in the plan period. The application proposals also include land for a fire station (0.4 hectares).

4. ECOLOGY, BIODIVERSITY AND GREEN INFRASTRUCTURE

- 4.1 The allocation site contains an area of ancient woodland, but the vast majority of the site comprises mainly of arable fields bordered by intensively managed hedgerows and ditches that would not preclude or prevent development subject to appropriate protection and enhancement of features of interest in accordance with Policy NE2.
- 4.2 No part of the allocation site is subject to any statutory conservation designations, and there are no sites of European /International importance (Ramsar, Special Areas of Conservation (SAC) or Special Protection Areas (SPA)) within 10 km of the site. No part of the allocation site is designated as one of the 12 Nature Improvements Areas (NIAs).
- 4.3 The irrigation pond associated with Cawston Spinney is a non-statutory designated Local Wildlife Site (Rugby Council adopted Core Strategy 2011). At the present time, the site is assessed to have limited potential to support protected species. As necessary, surveys will be undertaken to inform the SPD and planning applications.

5. LANDSCAPE QUALITY AND CHARACTER

- 5.1 The site is located at the central part of the landscape character type (LCT) 'Dunsmore, Plateau Farmlands' (Dpfa) (Landscape Assessment of the Borough of Rugby Sensitivity and Condition Study; 2006). It is considered to have a 'moderate' inherent fragility and a 'low' visibility index, which in a visual sense means there is much potential to mitigate visual impact through appropriate landscaping.
- 5.2 The overall landscape sensitivity of the site is considered in the Landscape Assessment of 2006 to be 'moderate', and the report goes on to advise that the

condition and sensitivity of the landscape in this area is 'declining'. A further landscape study of part of the Rainsbrook Valley was published in January 2017 (LP36). This document has not informed the local plan, or the allocation of the site, but considered a study area that includes the eastern tip of the allocation. The 2017 Study finds parts of the allocation to be of high sensitivity.

There are no landscape designations covering the allocation site.

6. AGRICULTURAL LAND

- 6.1 DEFRA mapping shows that typically agricultural land in RBC (including South West Rugby) has a Grade 2 or 3 agricultural land classification. This ratio has been borne out in the detailed agricultural land classification survey undertaken by db symmetry for their employment application site, which has found Grade 2, 3a and 3b agricultural land classifications.

7. HERITAGE ASSETS

- 7.1 There are no designated heritage assets (as defined in Annex 2 of the National Planning Policy Framework (NPPF)) such as world heritage sites, scheduled monuments, registered parks and gardens or registered battlefields, within the allocation site. Cawston Farm House (Grade II) just off the B4429 (Coventry Road) is the nearest listed building to the site and Cock Robin Cottages (Grade II), Rugby Road is located to the west of the allocation site. No part of the allocation site is within a Conservation Area.
- 7.2 In the wider area, the National Heritage List for England identifies one scheduled monument and seven Grade II listed buildings within approximately 1km of the site boundary. Conservation Areas are located some distance from the site, in Rugby, Thurlaston and Dunchurch. The Bilton Grange School grounds are designated as a Historic Park and Garden, just to the south east of the site.
- 7.3 None of the heritage assets identified are considered to present an 'in principle' constraint to the allocation and future development of the site.

8. STRATEGIC AND LOCAL TRANSPORT INFRASTRUCTURE

- 8.1 The South West Rugby site is situated close to the A45 and M45 as part of the Trunk Road network as well as Coventry Road (B4642) and the Rugby Western Relief Road (A4071) facilitating access into Rugby town centre and the range of amenities and services found there.
- 8.2 The site is also well related to the local highway network with direct access onto Ashlawn Road, Alwyn Road, Cawston Lane, Coventry Road (B4429), Coventry Road (B4642), plus the Rugby Road (A426), and the M45/A45. The transport impacts of the proposals will require mitigation as part of the development proposals in the form of specific required infrastructure, as set out in Policy DS9, which include new links between the town and the M45/A45 that assists in relieving the pressure on Dunchurch Crossroads. With the required infrastructure being provided in an early phase, the proposed development at South West Rugby will benefit the existing highway network and help secure improvements to the environment of surrounding residential areas.

9. NOISE AND AIR POLLUTION, AND WATER QUALITY

- 9.1 The site is located close to Coventry Road (B4642) to the north, the A45 and M45 to the south and the A4071 to the west. Traffic on these roads is the key source of noise to the site. The development will be able to respond appropriately to these potential sources of noise through consideration of the proximity of dwellings to the major roads and the provision, as necessary, of appropriate mitigations e.g. buffers to achieve acceptable noise levels within homes and outside amenity areas.
- 9.2 Noise during the construction phase of the project will be assessed and managed as part of a Construction Environment Management Plan in the normal way. Further noise will be generated from existing traffic using the new spine road network, particularly the Homestead Farm link. This traffic already exists and will be a shift away from other roads, including those through Dunchurch. The allocation will therefore facilitate a reduction in traffic noise from existing urban roads and, through the use of modern surfacing materials and other noise reduction measures, should reduce the overall noise impact from existing traffic.

9.3 Rugby Borough Council has declared an Air Quality Management Area (AQMA) for the whole of the urban area of Rugby and Dunchurch. The AQMA relates to high nitrogen dioxide concentrations as a result of road traffic emissions. Air quality is also of concern within Dunchurch, again due to traffic related impacts. Recent air quality modelling undertaken by Vectos Microsim, on behalf of RBC, (OTH 07) shows there will be improvements in air quality in Dunchurch at the end of the plan period (2031) when the high improvements and mitigation proposed as part of this allocation have been implemented.

9.4 With regards water quality, a robust and sustainable drainage strategy will be delivered as part of the scheme which will protect the water quality in the area, with advice taken from the Lead Local Flood Authority.

10. FLOOD RISK AND DRAINAGE

10.1 The online Environment Agency (EA) flood map confirms that the vast majority of the allocation site lies within Flood Zone 1, appropriate for residential development.

10.2 There are small areas shown to lie within Flood Zones 2 and 3 with a medium or high probability of fluvial flooding. The majority of the site is therefore appropriate for development, with small areas which would be maintained as flood storage areas.

10.3 Future development proposals will manage surface water runoff in accordance with the requirements of the EA and Warwickshire County Council, including the Lead Local Flood Authority. Flood Risk and Drainage are therefore not considered to be a constraining factor to the development of the site.

11. RUGBY BOROUGH LOCAL PLAN – 2011-2031

11.1 The policies most relevant to the South West Rugby Allocation are Policies DS3 and DS4 (which allocate the site), DS5, DS8 and DS9. The draft SPD contains a fuller list of policies that may be relevant to planning applications in addition.

11.2 The consortium submitted objections to the proposed wording of policies DS3, DS4, DS8 and DS9 as contained within the Publication Local Plan (September 2016) (LP01).

- 11.3 The Council are proposing modifications to Policies DS8 and DS9 (LP 54 and LP54A).
- 11.4 The consortium is of the view that further changes to policies DS8 and DS9 are necessary (see Appendix 8 of the Consortium's Hearing Statement document reference SW2110).

12. MATTERS NOT IN DISPUTE

- 12.1 The following matters are in agreement:
1. That the Local Plan evidence base supports the allocation of South West Rugby for development, save for the consortium disagree with the inclusion of the Rainsbrook Valley Study (LP 36) (see below).
 2. The allocation of South West Rugby is the most appropriate strategy when considered against reasonable alternatives. The parties agree with the broad conclusions of the evidence base, save for the consortium members do not agree with the conclusions on page 41-43 of the Rainsbrook Valley Sensitivity Study (LP36), where it relates to part of the South West Rugby allocation. The parties agree that there is a need to consider this site within its strategic context: the strategic need for the South West Rugby Allocation, its position within the overall settlement hierarchy, the overall housing needs of the borough, and the fact that the site can be developed in a sustainable manner. This means that the conclusions of LP36 needs to be considered within the overall planning balance of the Local Plan. The parties agree that if designed appropriately, with adequate mitigation, development can occur at this location without adverse impacts on the landscape and the settlements of Rugby and Dunchurch.

Housing

3. That 5,000 dwellings, as detailed in DS8, can be accommodated within the allocation. The Draft Indicative Framework Masterplan and contained within the draft SPD (Appendix B of the Council's Hearing Statement in respect to Matter 3b 000) will be refined as part of the consultation process to demonstrate this in more detail. At least 3,565 dwellings can be constructed and delivered across the site within the Plan period. This equates on average to 274 dwellings per year (from 2018-19 to 2030-31) which the parties

consider is a robust and reasonable delivery from the site allocation as a whole.

4. All parties support the timely delivery of key supporting infrastructure, e.g. Homestead Link Road and a Phasing Plan will be prepared and agreed as part of the SPD to reflect the timescales for delivery.
5. That the proposed Housing Trajectory modification (LP54.115) provides a broad indication of how development could come forward. Relevant consortium members with proposed development identified within Local Plan Phases 2 and 3 have already commenced preparation of planning applications. These are intended to be submitted in 2018 and could be determined in line with the adoption of the Local Plan.

Employment

6. That the best location for the employment element of the South West Rugby allocation is to the south west, to take advantage of the immediate link and direct access to the M45/A45 corridor and the wider national trunk road network.
7. The parties agree that the use of the employment site will be for predominantly B8 use.
8. The parties agree to the identification of the Safeguarded Area in the proposed modifications to the South West Rugby Urban Proposals Map (LP54.98.2).

District Centre

9. That the District Centre will be delivered in Phase 3 (2021-22 to 2025-2026) of the Local Plan, and the relevant consortium member (Taylor Wimpey UK Limited or other provider) agrees to facilitate the delivery of the District Centre in the general location shown on the Draft Indicative Framework Masterplan. The District Centre will provide for a mix of services and facilities consistent with the requirements of DS8.

Schools

10. The number, size, and timing of delivery of schools is to be agreed between the Consortium and WCC Education and Learning. Each relevant consortium member agrees to facilitate the delivery of the schools in the approximate locations shown on the Draft Indicative Framework Masterplan and the IDP.

Fire and Rescue

11. Land will be made available, as required, for the fire and rescue centre in the location shown on the Draft Indicative Framework Masterplan, in line with the IDP. This land was included within the application submitted by db symmetry Ltd. in November 2017 for the employment element of the allocation (application ref. R16/2569).

Spine Road Network and Other Transport Measures

12. The parties agree with the need for a Spine Road Network to serve the allocation as proposed under Policy DS9 (as modified) and to provide mitigation for impacts on the Dunchurch Crossroads.
13. That development proposals cannot come forward ahead of the delivery of the east-west Homestead Farm link (between A426 and B4429), unless demonstrated in accordance with the NPPF that any residual impacts on the highway network are not considered to be severe.
14. Although the precise route for the Homestead Link Road is not a matter that the Inspector will need to consider as part of the local plan examination, both the consortium¹ and RBC² (in conjunction with Warwickshire County Council as Local Highway Authority) have prepared indicative layout options for the Homestead Farm Link. Further work will be undertaken by the parties on the alignment which, when agreed, will be incorporated into the final version of South West Rugby Masterplan SPD. The parties agree that a route can be delivered and the precise alignment will be detailed in the planning application(s) for the road.
15. That development which is likely to prejudice delivery of the spine road network (including the Homestead Farm link) will not be permitted.

¹ Figure 4 – South West Rugby Allocation – Homestead Farm Link Road Justification Statement (January 2018)

² Homestead Farm Link Concept Plan – Drawing Number: RUGBY-ATK-DR-001 Rev P02, prepared by Atkins

16. To commence the Homestead Farm Link Road within phase 2 of the Local Plan as per the IDP, and work with adjoining consortium members, and the relevant authorities, to ensure the spine road is designed and implemented in accordance with the relevant highway safety standards and specifications.
17. To deliver high quality public transport to Rugby town centre and other key destinations and a comprehensive pedestrian and cycle network within the allocation.
18. The relevant consortium member (Gallagher Estates Limited) is required to implement the agreed improvements to Dunchurch Crossroads within the first phase of development (phase 2 of the Local Plan (2016-17 to 2020-21), and before first occupation of housing on Bilton Fields Farm Ashlawn Road, (as required by condition 20 of planning permission reference R13/2102) which is anticipated will occur in 2018/2019 (i.e. with the first phase of development (Phase 2 of the Local Plan)).

Green Infrastructure and Open Space

19. Each consortium member agrees to the provision of open space in accordance with the most appropriate open space strategy as a whole as determined by the SPD, which contributes to a comprehensive green infrastructure network.
20. That Cawston Spinney will be protected from any adverse impacts through the implementation of a Woodland Management Plan to be contained within the South West Rugby Masterplan SPD, and secured through conditions or obligations attached to any planning permissions implemented on site. The Plan will include appropriate woodland management and buffering from development through the location of open space as required by the proposed policy wording for DS8, the South West Masterplan SPD, and Natural England's standing advice, and can provide Green Infrastructure and natural greenspace for the development.
21. As submitted DS8 requires a physical and visual separation in the form of a buffer to be provided between Rugby and Dunchurch. RBC and the consortium will undertake further work on the width of the buffer and the landscape strategy associated with it to inform Green Infrastructure, and how the buffer relates to the Homestead Link, and this will inform the South West Rugby SPD.

Planning Obligations

22. The parties agree that financial contributions will be secured through Section 106 Agreements to mitigate the effects of the development, and pooled where necessary, in accordance with the CIL Regulations, to deliver on site and off-site infrastructure. This will include on/off site infrastructure/mitigation to be funded through Section 278 and Section 38 agreements under the Highways Act 1980. Section 106 contributions will be required where there is a clear County Council wider scheme identified or the development triggers an impact at an identified location within the IDP. Mitigation will be secured in accordance with the Infrastructure Delivery Plan (as amended in Appendix C of the Council's Hearing Statement in respect of Matter 3b 000). The level of contributions and trigger points for contributions will be agreed and determined between the parties, and the relevant authorities.

Other matters not in dispute

23. The parties agree that noise, air and water quality is not considered to be a constraining factor in the development of the allocation site. The parties agree that the potential impacts of development will be assessed, and appropriate mitigation incorporated into the detailed proposals as necessary.

24. The parties agree that further investigations are required to assess the presence of any surviving archaeological remains. Subject to more detailed investigation at the planning application stage, Heritage and Archaeology are not considered at the present time to be a constraining factor in the development of the allocation site.

25. The parties agree that RBC's evidence base confirms that there are no other reasonable alternatives in the Borough than to develop on sites that include elements of Grade 2 or 3 agricultural land.

26. The parties agree that the ecological value of the site is not a constraint that would preclude or prevent development, and any features of interest can be protected, mitigated and enhanced where relevant. The parties agree that

there are opportunities associated with the development of the land for ecological enhancement, including in relation to the 'ecotone' border areas on the edges of the irrigation pond and Cawston Spinney, together with the introduction of a buffer which accords with Natural England/government standing advice around Cawston Spinney.

27. There are no landscape designations covering the allocation site.

28. The parties agree that evidence (Rugby Wider Area Paramics Model – Air Quality Assessment (STA 20 OTH 07) shows that the proposed Dunchurch Crossroads scheme, and delivery of the Homestead Farm Link Road will have a beneficial impact on air quality at the Crossroads.

29. The parties agree that the Draft Illustrative Framework Masterplan demonstrates how it can meet the policy aspirations of DS8. Further work on the SPD in respect of providing a comprehensive and extensive Green Infrastructure network, including amongst other things a physical connection between Cawston Spinney and Cock Robin Wood, having regard to the Borough Council's Green Infrastructure Study (LP39) will take place in due course.

30. The parties agree that there is an opportunity to increase the biodiversity value of the allocation site and the local area. This includes, but is not limited to, habitat creation / enhancement in and around the Cawston Spinney lake and woodland.

13. MATTERS CURRENTLY IN DISPUTE

1. The consortium disagrees with the limit on housing and employment allocations proposed by Policies DS3 and DS4.

2. The consortium disagrees with the Publication Draft version of Policies DS8 and DS9, and although LP54 and LP54A have addressed some of the concerns, further changes to policies DS8 and DS9 are considered necessary (see Appendix 8 of the Consortium's Hearing Statement document reference SW2110). Although the plan which accompanies the policy is only intended to

represent an indicative alignment of the proposed link road, the consortium believes it would be helpful if the plan was amended so that route more closely reflects the latest detailed design work undertaken by the consortium. As part of this design work, a Homestead Farm Justification Statement prepared by the consortium illustrates their current indicative proposals for the Homestead Farm link, having regard to constraints, particularly the Grade II listed Cock Robin Cottages on Rugby Road. The Council consider that further work is required to determine the detailed route of the Homestead Farm Link which will feed into the SPD.

3. The consortium disagrees with the findings of the Rainsbrook Valley Sensitivity Study in relation to the allocation site, and its inclusion as part of the local plan evidence base as it was not originally prepared to inform the Local Plan process. The consortium considers that the 2006 landscape study (LP34) provides a more objective assessment of the landscape value of the edge of Rugby, including the south west Rugby. It is however acknowledged by the parties that the Rainsbrook Valley Sensitivity Study does not preclude development, and that Study needs to be considered in the planning balance.
4. The consortium members do not consider that the Potford's Dam Farm link is necessary to deliver the South West allocation, and therefore the development should not be expected to contribute towards the link, particularly as an alternative link to Coventry Road (B4642) is considered an alternative option.

1. INTRODUCTION

- 1.1 This Memorandum of Understanding (MoU) has been prepared in accordance with national guidance¹ and is intended to cover matters of strategic importance relevant to all authorities, specifically relating to housing and employment needs across the Housing Market Area (HMA) and Functional Economic Market Area (FEMA).
- 1.2 The intention is that once discussed and supported, through amendments if required, this MoU will be agreed by the following Councils:

Coventry City Council
North Warwickshire Borough Council
Nuneaton & Bedworth Borough Council
Rugby Borough Council
Stratford-on-Avon District Council
Warwick District Council
Warwickshire County Council

2. GEOGRAPHY COVERED BY MEMORANDUM OF UNDERSTANDING

- 2.1 This MoU covers the Local Planning Authorities within the Coventry and Warwickshire HMA/FEMA (C&W HMA). The C&W HMA/FEMA is made up of Coventry City Council, North Warwickshire Borough Council, Nuneaton and Bedworth Borough Council, Rugby Borough Council, Stratford-on-Avon District Council, Warwick District Council and Warwickshire County Council. It is also acknowledged that North Warwickshire Borough Council and Stratford-on-Avon District Council are also part of the Greater Birmingham HMA.

3. PURPOSE

- 3.1 There is a legal requirement for effective cooperation relating to strategic matters that cross administrative boundaries to be dealt with and evidenced by Statements of Common Ground.
- 3.2 This Memorandum of Understanding seeks to ensure that as the Local Planning Authorities develop their Local Plans, at differing paces, the housing and employment needs of the C&W HMA/FEMA are met. It is framed within the duty to cooperate set out in Section 33A of the Planning and Compulsory Purchase Act 2004 and in the context of the National Planning Policy Framework (2023 & 2024). This sets out the duty for local planning authorities and county councils to co-operate in maximising the effectiveness of the preparation of development plan documents so far as relating to strategic matters which affect more than one local authority area. As many of the local planning authorities in the Coventry and

¹ Planning Practice Guidance Paragraph 011 Reference ID: 61-011-20190315

Warwickshire area are only in the early stages of reviewing their adopted plans (and acknowledging that not all have commenced such reviews, nor are required to at this stage), the situation is evolving in identifying levels of supply for housing and employment needs within authority boundaries. Through capacity assessment and a strategy of promoting best use of development land it is understood that Coventry anticipates being able to meet its own local housing needs as identified in the HEDNA – Table 1.

- 3.3 The Coventry & Warwickshire HEDNA-WMSESS Alignment Paper (November 2024) establishes that Coventry has 105 Ha of local employment need to 2041, a supply of 60ha and a residual need of 45Ha (Table 3). In regard to strategic need, Appendix 1 of the Alignment Report sets out details of committed sites across the FEMA. Discussions with partners as to how to address residual local and strategic employment needs across the FEMA are underway, therefore the MoU is iterative and will be updated as discussions progress.
- 3.4 This Memorandum of Understanding commits Coventry City Council and the five Borough/District Councils within Warwickshire to an ongoing collaborative process to address the housing and economic development needs of the market area and to maintain realistic assumptions about the availability, suitability and viability of land to meet that need. In addition, given the importance of Warwickshire County Council’s role and responsibilities within the area they are a signatory to this MoU.

4. POINTS OF AGREEMENT

- 4.1 It is agreed that for plan making purposes there is a housing market area and functional economic market area comprising Coventry and the whole of Warwickshire. In addition, North Warwickshire Borough Council and Stratford-on-Avon District Council fall within the Greater Birmingham and Black Country Housing Market Area and therefore have a functional relationship with that area.
- 4.2 The Coventry and Warwickshire Housing and Economic Development Needs Assessment 2022 (HEDNA), produced by independent consultants ICENI Projects on behalf of the Coventry and Warwickshire local authorities, sets out an objective assessment of housing need and employment need for the Coventry and Warwickshire area. The figures below are taken directly from the HEDNA and do not include the 35% ‘cities uplift’ for Coventry (see para.4.6.3)

Table 1: Local Housing Need (dwellings per annum) Trend-based - HEDNA

Authority	HEDNA Housing Need (dpa)
Coventry	1455
North Warwickshire	119

Nuneaton and Bedworth ²	409
Rugby	735
Stratford-on-Avon	868
Warwick	811
Total	4397

Source: Table 5.33 HEDNA 2022

- 4.3 It is agreed that the 2022 HEDNA, utilising 2021 Census Data, forms the most robust evidence base of establishing the housing and employment needs of the HMA/FEMA for plans being prepared by Coventry City Council and Nuneaton and Bedworth Borough Council, under the December 2023 NPPF.
- 4.4 It is agreed that for plans being prepared under the December 2024 NPPF, the HEDNA Housing Needs are superseded by the December 2024 NPPF Standard Method outcomes of Local Housing Need, as shown in Table 2 below.

Table 2: December 2024 National Planning Policy Framework - Local Housing Need

Authority	2024 NPPF Indicative Local Housing Need (dpa)
Coventry	1388
North Warwickshire	364
Nuneaton and Bedworth ³	737
Rugby	618
Stratford-on-Avon	1126
Warwick	1062
Total	5295

Source: NPPF Standard Method December 2024

- 4.5 It is agreed that the West Midlands Strategic Employment Sites Study (WMSESS) 2023/2024 further informs the strategic employment needs of the HMA/FEMA, and that the Coventry & Warwickshire HEDNA-WMSESS Alignment Paper (2024) accurately updates the HEDNA employment evidence and presents the current levels of employment need and supply across the HMA/FEMA.

² Nuneaton and Bedworth Borough Council commissioned a bespoke report 'Towards a Housing Requirement for Nuneaton' to be read alongside the HEDNA which provides more specific consideration of housing and employment need in Nuneaton and Bedworth Borough taking into account relevant local considerations. This identifies a housing requirement of 545 dwellings per annum for Nuneaton and Bedworth Borough.

³ See Footnote 2 regarding the figure for NBBC.

Table 3: Local Industrial Residual Need 2021-41 (Ha) – Icení HEDNA - WMSESS Alignment Paper – November 2024

Authority	Need	Supply	Residual Need
Rugby	58	5	53
North Warwickshire	60	34	26
Nuneaton and Bedworth ⁴	41	52 ⁵	-11
Coventry	105	60	45
Stratford	144	56	88
Warwick	83	37	46
Total	492	244	248

NB: figures may not sum due to rounding

Table 4: Local Industrial Residual Need 2021-45 (Ha) – Icení HEDNA - WMSESS Alignment Paper – November 2024

Authority	Need	Supply	Residual Need
Rugby	68	5	63
North Warwickshire	70	34	36
Nuneaton and Bedworth	48	52	-4
Coventry	122	60	62
Stratford	167	56	111
Warwick	97	37	60
Total	572	244	328

Table 5: Local Industrial Residual Need 2021-50 (Ha) – Icení HEDNA - WMSESS Alignment Paper – November 2024

Authority	Need	Supply	Residual Need
Rugby	80	5	75
North Warwickshire	82	34	48
Nuneaton and Bedworth	56	52	4
Coventry	143	60	83
Stratford	196	56	140
Warwick	113	37	76
Total	670	244	426

- 4.6 Each Council will cooperate in the delivery of the local housing and employment need which ensures that the overall needs across the housing market area will be met. To achieve this objective, it is agreed that:

⁴ Nuneaton and Bedworth Borough Council commissioned a bespoke report 'Towards a Housing Requirement for Nuneaton' and to be read alongside the HEDNA and 'Review of Nuneaton & Bedworth Employment Land Portfolio'. These documents identify a local industrial and warehouse employment need figure for Nuneaton and Bedworth of 66.45 ha.

⁵ Figure only includes allocated sites.

- 4.6.1 At the time of signing this agreement it is considered that the HEDNA and WMSESS Alignment paper constitutes robust evidence for future plan-making for both housing and employment land for Coventry and Warwickshire (noting the provisions for calculating housing need as set out in paragraph 4.3 and 4.4).
- 4.6.2 The local authorities consider that the exceptional circumstances in Coventry and Warwickshire which are identified in the HEDNA⁶, justify a departure from the use of the Government’s Standard Method for assessing local housing need, in line with paragraph 61 of the NPPF December 2023⁷.
- 4.6.3 It is agreed the 35% cities uplift applies specifically to the Government's Standard Method as referred to in the 2023 NPPF paragraph 62 and supporting Guidance and has been deleted in the 2024 NPPF revision. It relates only to specific cities and there is no requirement for this to be redistributed. It is agreed this figure was not evidenced by Government and did not reflect local need.
- 4.6.4 All parties will work together to address Strategic Employment Needs as shown in Table 6.

Table 6: Residual Strategic Site needs 2022-2045 – Icen HEDNA - WMSESS Alignment Paper – November 2024

Opportunity area*	Residual Need
Area 5 – North Warwickshire	50 – 100ha
Area 7 – M6/A45/A46/M45 Coventry and Rugby	9 – 84ha
Area 8 – A46 / M40 Warwick	75 – 125ha

*As set out in the WMSESS these are broad areas they do not represent Local Authority administrative boundaries

- 4.6.5 The plan making process will ultimately establish the capacity of each area, and the quantities of housing and employment development that can be delivered.
- 4.6.6 Each local authority is committed to ongoing cooperation and engagement by both officers and members in relation to delivery of housing and employment land for the Coventry and Warwickshire area. Should any authority identify a shortfall, the Local Authorities will seek to work constructively together to explore how the needs of the HMA and/or FEMA may be accommodated within the appropriate geography.
- 4.6.7 This MOU will be reviewed as necessary in light of any changes to the National Planning Policy Framework (NPPF) and any new relevant new legislation.
- 4.6.8 All parties confirm the understanding that Coventry City Council is proceeding with

⁶ See summary section 5, paragraph 5.159 to 5.161 of the HEDNA.

⁷ In line with the Transitional Arrangements under which the Coventry Local Plan is being reviewed.

progressing its plan under the current transitional arrangements and as such it is being prepared in line with the NPPF December 2023. Should this position change the MoU will be reviewed.

5. POINTS YET TO BE RESOLVED

- 5.1 Distribution of housing and employment: if any LPA within the area determines they are unable to deliver the amount of housing or employment as identified in the tables contained in this MoU then further discussions will be held and the MoU will be revised as appropriate.
- 5.2 Coventry City Council considers that it cannot meet its residual need of 45 hectares to 2041 and is requesting assistance from partners across the FEMA to help meet its Local Employment Need shortfall. However, the extent of this shortfall has not yet been agreed with partners and has been subject to challenge by other FEMA authorities. The detailed extent of agreement and disagreement will be set out in Statements of Common Ground with the relevant FEMA authorities.
- 5.3 Discussions regarding strategic employment need are underway across the FEMA in relation to the Opportunity Areas identified in the WMSESS but how this will be accommodated is yet to be resolved.
- 5.4 Rugby Borough Council has identified a need for 47 Gypsy and Traveller pitches beyond that which it can meet within its administrative boundaries. It has written to the other signatories to this MOU, together with its neighbouring authorities in Leicestershire and Northamptonshire to seek assistance in meeting this unmet need.

6. LIMITATIONS

- 6.1 For the avoidance of doubt, this Memorandum shall not fetter the discretion of any of the Councils in the determination of any planning application, or in the exercise of any of their statutory powers and duties, or in their response to consultations, and is not intended to be legally binding but shows clear commitment and intent to meeting the full housing and employment needs of the market area.
- 6.2 The objectively assessed need figures set out in this MOU have not yet been tested at examination and do not supersede the housing or employment land requirements in current local plans.

7. LIAISON

- 7.1 Member level representatives of the Local Authorities will meet when appropriate, in order to:
 - Maintain and update the memorandum, as necessary.

- Monitor the preparation of Local Plans across the six authorities and discuss strategic issues emerging from them.

8. MONITORING

- 8.1 Annual monitoring will be carried out for both housing and employment. This will be overseen by the Joint Monitoring Officers Group (JMOG) for the Coventry and Warwickshire area, who will agree monitoring targets to include permissions and completions.

9. SIGNATORIES

Signed on behalf of Coventry City Council: 

Councillor N Akhtar, Cabinet Member, Housing and Communities

Date: 27th August 2025

Signed on behalf of North Warwickshire Borough Council:

Date:

Signed on behalf of Nuneaton & Bedworth Borough Council:

Cllr Tony Venson


Date: 26.06.2025

Signed on behalf of Rugby Borough Council: 

Date: 28 July 2025

Authorised Officer: KAREN HILLMAN

Sign No. 75/25

Signed on behalf of Stratford-on-Avon District Council:

Susan Juned – Leader of the Council



Date: 21/10/25


Signed on behalf of Warwick District Council:

Councillor Ian Davison – Leader



Date: 15/08/2025

Signed on behalf of Warwickshire County Council:

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Date: 05-Mar-26 | 15:35 GMT

Appendix NH8 - Whole Plan Trajectory

Site No.	Site	Units to deliver	Permission /application date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2043 onward	Notes	
South West Rugby		3900			35	65	170	242	283	338	338	338	288	253	238	208	203	198	178	130	395		
	Coventry Road (Miller Homes)	210	23/12/2022		35	45	45	40	45														Detailed planning permission
	Cawston Farm 1 (Tritax Symmetry)	275	Submitted 16/05/2019			20	40	40	40	40	40	40	15										Outline planning application approved subject to S106
	Cawston Farm 2 (Tritax Symmetry)	350	Submitted 26/08/2022				40	40	40	40	40	40	40	40	30								Outline planning application awaiting determination
	Land south west of Cawston Lane (Catesby Estates)	470	Submitted 02/06/2025				25	50	50	50	50	50	50	45	40	40	20						Outline planning application awaiting determination
	Land to the North East of Cawston Lane & Land to the East of Alwyn Road (Taylor Wimpey)	800	Submitted 01/05/2025				20	52	68	68	68	68	68	68	68	68	68	68	68	48			Outline planning application awaiting determination
	Land East and West of Cawston Lane, North of Coventry Road and Land East of Alwyn Road (Homes England)	1600	Submitted 05/06/2025							100	100	100	100	100	100	100	115	130	130	130	395		Outline planning application awaiting determination
	Taylor Wimpey remaining land	195	Application not yet received					20	40	40	40	40	15										Application not yet received, developer has indicated submission this financial year
Eden Park		602		52	10	55	55	55	55	55	55	55	55	50	50								
	Eden Park Phase R3 (Bloor Homes)	52	20/08/2020	52																			Under construction
	Eden Park Phases R5, R6, and R7 (Bloor Homes)	550	15/01/2025		10	55	55	55	55	55	55	55	55	50	50								Full permission granted, pre-commencement conditions submitted for discharge
Houlton		4297		124	197	219	265	240	241	220	160	154	155	155	155	155	155	155	155	155	155	1237	
	Key Phase Two - Parcel A (Francis Jackson Homes)	9	12/09/2022	9																			Under construction
	Key Phase Three - Parcels A and B (Redrow)	35	21/12/2018	35																			Under construction, developer provided trajectory
	Key Phase Three - Parcels C and F (William Davis)	82	01/04/2021	40	40	2																	Under construction, developer provided trajectory
	Key Phase Three - Parcel D (Mulberry Homes)	82	11/04/2022	40	40	2																	Under construction
	Key Phase Four - Parcel E (Miller Homes)	216	20/06/2025		37	40	40	40	40	19													Reserved matters awaiting determination, developer provided trajectory
	Remainder of Houlton allocation	3873	21/05/2014		80	175	225	200	201	201	160	154	155	155	155	155	155	155	155	155	155	1237	Outline planning permission, developer provided trajectory

Site No.	Site	Units to deliver	Permission /application date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2043 onward	Notes
2019 Local Plan Other Allocations		205		82	28	20	20	15	25	15												
	Wolvey Campus, Wolvey (Countryside Properties)	90	25/08/2022	1																		Under construction
	Land at Coventry Road, Wolvey (O'Flanagan Homes)	11	27/03/2024	11																		Full planning permission
	Land North of Coventry Road, Long Lawford (Bloor Homes)	149	Appeal approved 01/09/2021	70	28																	Under construction, developer provided trajectory
	Land off Squires Road, Stretton on Dunsmore	55	26/04/2022			20	20	15														Detailed planning permission, developer confirmed trajectory
	Plott Lane, Stretton on Dunsmore	25							25													Application not yet received, allocated for 25 units
	Linden Tree Bungalow, Wolston	15								15												Application not yet received, allocated for 15 units
Current Permissions & Prior Approvals as of 1 April 2025		621		259	102	70	40	28	40	82												
	Land North of Ashlawn Road, (David Wilson)	206	21/12/2021	45	37																	Under construction, developer provided trajectory
	Land North of Ashlawn Road (Barratt)	216	23/03/2022	20	10																	Under construction, developer provided trajectory
	Former Newton Vehicle Rentals Site, 117 Newbold Road	122	20/08/2020						40	82												Full planning permission
	Dipbar Fields, Dunchurch (Persimmon Homes)	86	20/06/2023	16	40	30																Full planning permission
	Land North of Projects Drive, Rugby	108	26/06/2025			40	40	28														Full planning permission. WMCA gap funding approved for delivery
	Yum Yum World Ltd, 4 High Street, Rugby, CV21 3BG	21	03/04/2019	16																		Under construction
	Land South East of Brownsover Lane, Brownsover Lane (Jelson Homes)	14	08/04/2020	9																		Full planning permission, development has been commenced
	Development Land at Pailton Radio Station, Montilo Lane, Pailton, CV23 0HD	10	08/11/2021	10																		Full planning permission

Site No.	Site	Units to deliver	Permission /application date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2043 onward	Notes
	Elms Farm, Oxford Road, Marton, CV23 9RQ	11	12/07/2023	11																		Full planning permission
	16-20 Lawford Road, Rugby, CV21 2DY	10	12/05/2022	10																		Under construction
	First Floor 7-8 Church Street, Rugby, CV21 3PH	10	09/11/2022	10																		Full planning permission
	32 High Street, Rugby, CV21 3BW	27	13/12/2022	27																		Under construction
	Wolston Allotments, Stretton Road, Wolston (Spitfire Homes)	48	31/03/2023	4																		Under construction
	Land West Side of Heritage Close, Rugby	10	06/12/2023		10																	Full planning permission
	Former Inwoods House, Ashlawn Road, Dunchurch	25	20/03/2024	20	5																	Full planning permission
	76 Buchanan Road, Bilton	8	22/11/2018	8																		Under construction
	7 & 8 St Matthews Street, Rugby, CV21 3BY	7	19/02/2021	4																		Complete
	15 Bilton Lane, Rugby	5	17/05/2021	2																		Under construction
	Land at Manor Farm, Hinckley Road, Burton Hastings. CV11 6RG	6	22/12/2022	6																		Full planning permission
	The Malthouse, Main Street, Thurlaston	6	30/06/2022	6																		Under construction
	11-12 Sheep Street, Rugby, CV21 3BU	5	03/07/2023	5																		Full planning permission
	Cawston House, Thurlaston Drive, Rugby, CV22 7SE	5	14/06/2023	5																		Full planning permission
	2-3 High Street, Rugby, CV21 3BG	6	27/03/2024	6																		Full planning permission

Site No.	Site	Units to deliver	Permission /application date	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35	2035-36	2036-37	2037-38	2038-39	2039-40	2040-41	2041-42	2043 onward	Notes
294	Land adjacent to 9 Railway Terrace, Rugby	14	Assume 2027/28					14														
307	North Road, Clifton upon Dunsmore	10	Assume 2027/28						10													
309	Land north of B4109, Wolvey	150	Assume 2026-27							40	40	40	30									
315	Land south of Rugby Road, Brinklow	250	Assume 2027/28										40	40	40	40	40	40	10			
316	Land at Long Lawford	400	Assume 2027/28								40	40	40	40	40	40	40	40	40	40		
332	Albert Street, Rugby	25	Assume 2027-28						25													
337	West Farm and Home Farm, Brinklow	75	Assume 2028/29								20	20	20	15								
338	Land south of Crick Road, Houlton	250	Assume 2027-28								40	40	40	40	50	40						
348	The Croft, Stretton-on-Dunsmore	70	Assume 2028/29								20	20	20	10								
349	Land rear of 30 Albert Street, Rugby	5	Assume 2027/28						5													
350	Rounds Gardens South, Rugby	70	Assume 2027/28							20	20	20	10									
351	Rounds Gardens North, Rugby	60	Assume 2027/28							20	20	20										
352	Former Snooker Hall, Railway Terrace, Rugby	7	Assume 2027/28						7													
353	Town Hall, Rugby	114	Assume 2034/35												40	40	34					
354	92 Lower Hillmorton Road, Rugby	34	Assume 2027/28						34													
355	Land adjacent to 44 Craven Road, Rugby	5	Assume 2030/31									5										
356	The Railings, Rugby	10	Assume 2027/28						10													
357	28-29 High Street, Rugby	8	Assume 2027/28						8													
358	Land at Coventry Road, Wolvey	60	Assume 2027/28							20	20	20										
Total Trajectory				555	434	479	625	894	1072	984	908	908	853	738	753	628	527	488	438	375	1520	

Start to Finish

How quickly do large-scale housing sites deliver?

THIRD EDITION



LICHFIELDS

Lichfields is the pre-eminent planning and development consultancy in the UK

We've been helping create great places for over 60 years.

Executive summary

This is the third edition of Start to Finish. The purpose of this research remains to help inform the planning system and policy makers in considering the approach to planning for new homes. The empirical evidence we produced in the first two versions has informed numerous local plan examinations, S.78 inquiries and five-year land supply statements.

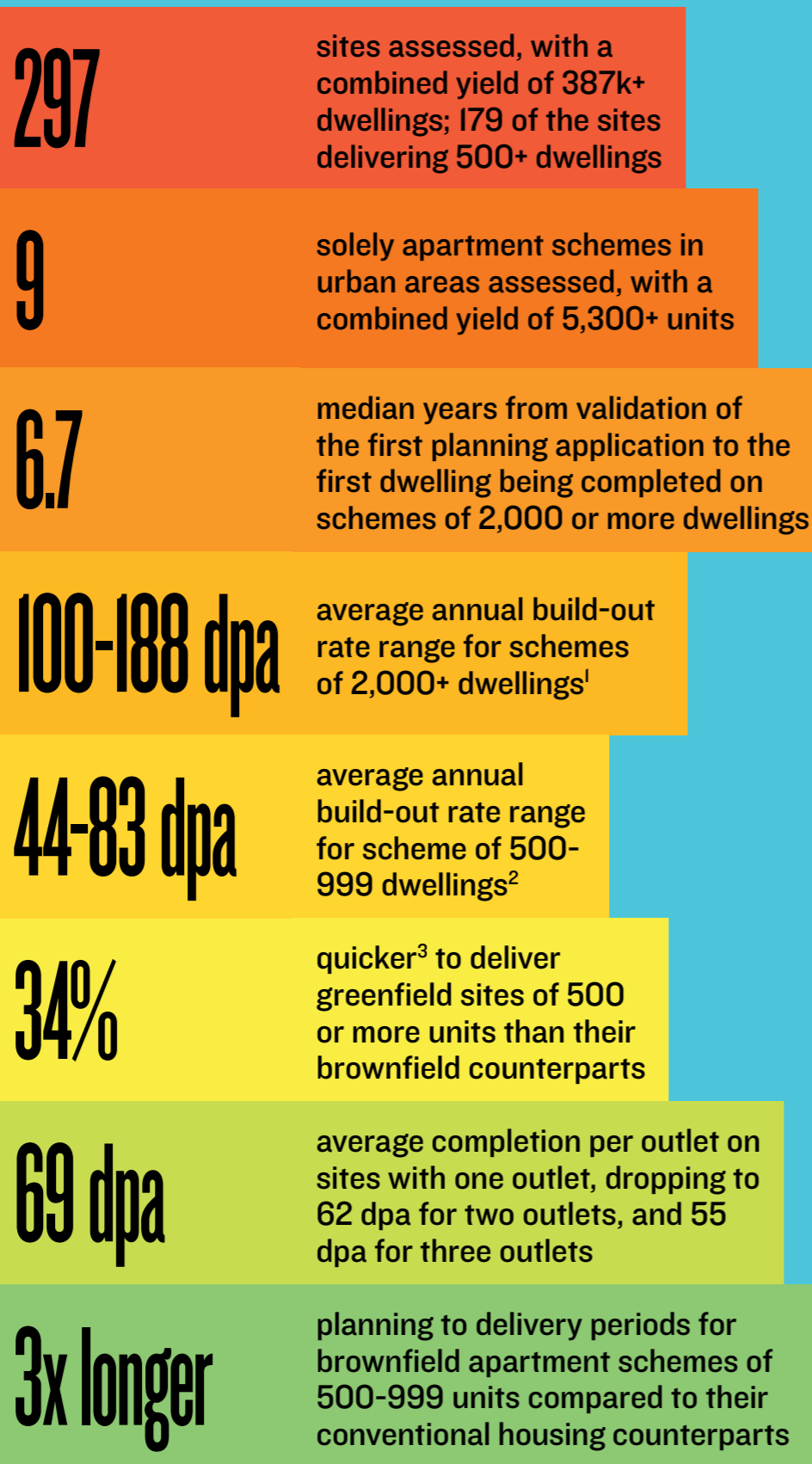
Things have moved on notably since the second edition in 2020. Plan making and decision taking have slowed, the housing market no longer benefits from Help to Buy or cheap mortgage rates and the perennial concern about perceived land banking has been comprehensively rebutted by the Competition and Markets Authority (CMA). As we approach a general election, and with no end to the housing crisis, the boosting of housing delivery to achieve 300,000 homes per annum through a new generation of Local Plans (prepared under the Levelling Up and Regeneration Act) faces renewed focus. It is therefore timely to refresh the evidence on the delivery of large-scale housing sites, which – with our enlarged sample – now considers real-world implementation across 179 sites of over 500 dwellings.

We draw six key conclusions:

- 1. Only sites of 99 dwellings or fewer can, on average, be expected to deliver anything in a five-year period from validation of a planning application, with delivery of the first dwelling on average taking 3.8 years.** By comparison, sites of 1,000+ dwellings take on average five years to obtain detailed planning permission, then a further 1.3 - 1.6 years to deliver the first dwelling.
- 2. Mean annual build-out rates on large sites have dipped slightly for all site sizes compared to previous editions of this research but are broadly comparable.** The slight dip may capture characteristics of newly-surveyed sites, but also extra monitoring years since 2019 that reflect market changes.
- 3. Tough market conditions mean a likely slowing in build-out rates and house building overall.** The impact of the Help to Buy programme ending and increased mortgage rates is not yet showing in completions data, but the effect on transactions has already been significant and the OBR forecast they will fall further in 2024/25.
- 4. Demand is a key driver of build-out rates.** The absorption rate of the local housing market dictates the number of homes a builder will sell at a price consistent with the price they paid for the land. Areas with a higher demand for housing (measured by higher affordability ratios, of house prices to earnings) had higher average annual build-out rates than lower demand areas.
- 5. Variety (of housing type and tenure) is the spice of life.** Schemes with 30% or more affordable housing had faster average annual build-out rates than schemes with a lower percentage, but schemes with no affordable housing at all delivered at a faster pace than schemes with 10 - 29% affordable units. Having additional outlets on site also has a positive impact on build-out rates.
- 6. Large-scale entirely apartment schemes can achieve significant annual build-out rates, but delivery is not always consistent, with 'lumpy' delivery of blocks of apartments and a higher susceptibility to market downturns and other development constraints.** These schemes can also have protracted planning to delivery periods compared to conventional housing schemes of the same size.



Key figures



¹ Range is from the lower quartile to upper quartile figures

² As above

³ This is based on the median metric

O1 Introduction

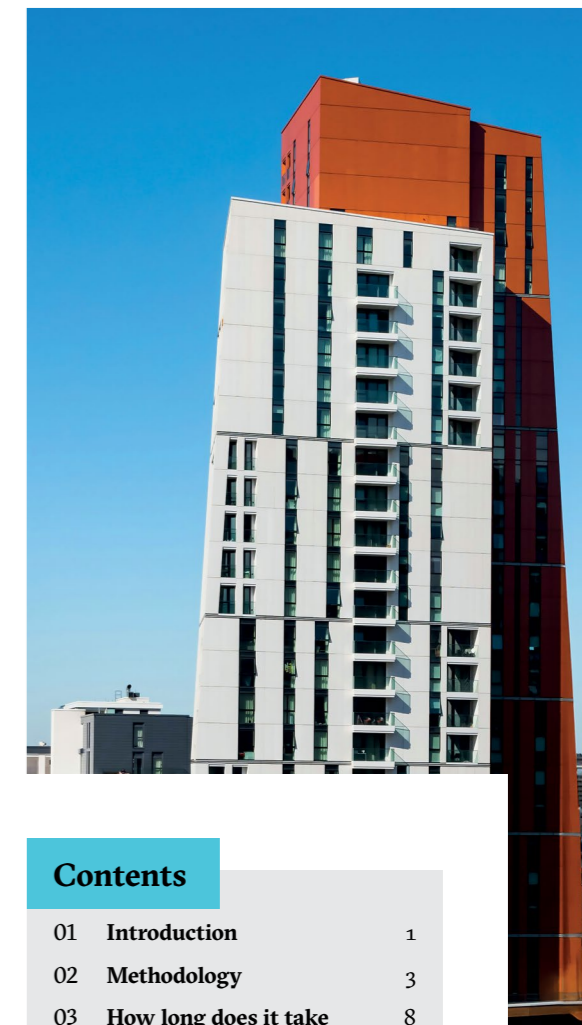
This is the third edition of Lichfields' award winning⁴ research on the build out of large-scale residential development sites.

First published in 2016 and then updated in 2020, the report is established as an authoritative evidence base for considering housing delivery in the context of planning decisions, local plans and public policy debates.

In this update, we have expanded the sample size (with an extra 82 large sites delivering 500 or more dwellings, taking our total to 179 large sites, equivalent to over 365,000 dwellings). Small sites data has also been updated with 118 examples totalling over 22,000 dwellings in this third edition. We have used the latest monitoring data⁵ where available, up to 1st April 2023.

The context for considering the delivery of development sites has evolved since our last edition and this has shaped the focus of our analysis.

In 2020 a recently re-elected Conservative government was gearing up for radical planning reform⁶ including proposals aimed at boosting rates of on-site delivery following Sir Oliver Letwin's independent review of build out⁷. As of 2024, the business models of housebuilders and land promoters - and allegations of perceived 'land banking' - have received fresh examination by the Competition and Markets Authority (CMA) which published its Market Study in February 2024⁸. The CMA found that land banking is a symptom of the planning system rather than a cause of under delivery of housing. We have cross referenced our latest findings with the CMA's work.



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04	How quickly do sites build out?	12
05	What factors can influence build-out rates?	15
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⁴ The first edition was the winner of the 2017 RTP1 Planning Consultancy Research Award

⁵ Some sites have not been updated due to lack of publicly available data. The appendices make clear to which sites this relates

⁶ Leading in due course to the August 2020 Planning White Paper: Planning for the Future

⁷ Published October 2018

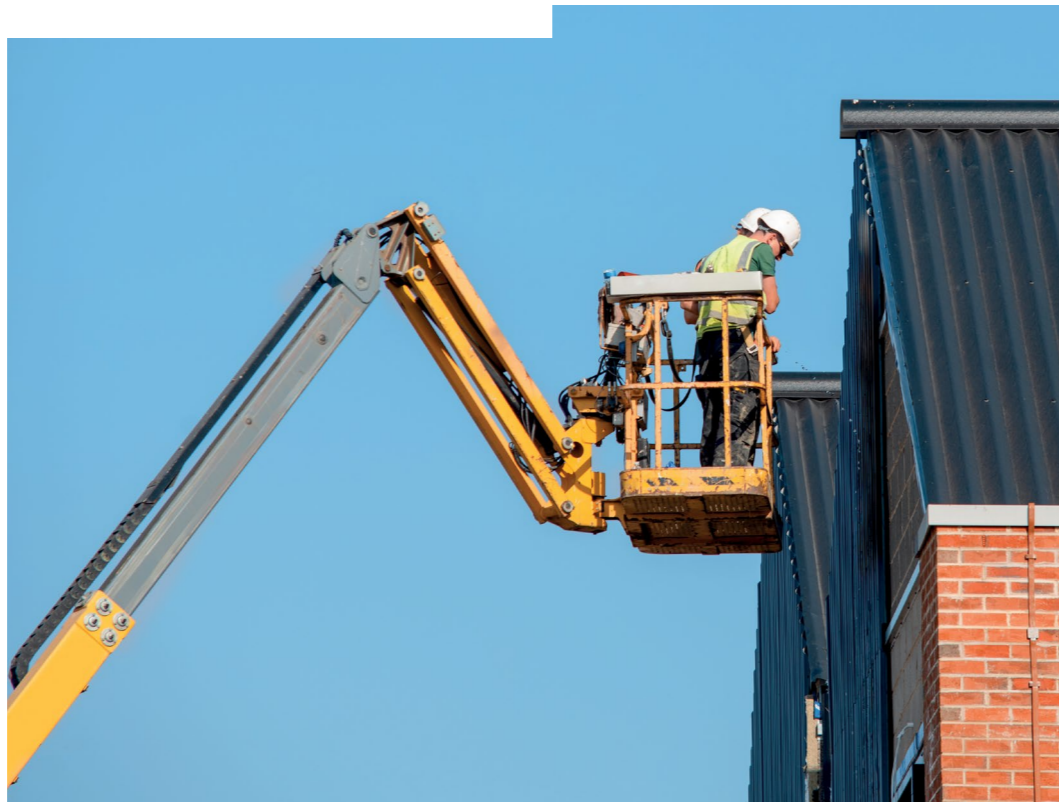
⁸ https://assets.publishing.service.gov.uk/media/65d8baed6efa83001ddcc5cd/Housebuilding_market_study_final_report.pdf

The Levelling Up and Regeneration Act ('LURA')⁹ introduced new measures aimed at build-out via the use of Commencement Notices (s111), Progress Reports (s114) and Completion Notices (s112). Regulations to determine the practicalities of these measures are awaited¹⁰ but their design and application will benefit from a sound evidence-based grasp of how strategic housing schemes are implemented.

Our research continues to focus exclusively on what has happened on the ground, how long things took and what has been built. We do not include forecasts of future delivery. Our aim is to provide real-world benchmarks to inform consideration of housing delivery trajectories. This can be particularly relevant in locations with few contemporary examples of strategic-scale development. It also provides some context for when Government considers the recommendations of the CMA.

The research excludes London because of the distinctive characteristics of housing development in the capital. However, our sample does include apartment schemes on brownfield land in regional urban centres. Recent policy shifts – increasing the focus on boosting housing supply on previously-developed sites¹¹ – mean it will become more important to understand the distinctive delivery profile of such schemes.

Finally, the housing market has taken a turn. In 2020, net housing additions in England peaked at 248,500. But in 2024, the market has stuttered with downward pressures on values and sales rates: Help to Buy closed in March 2023, mortgage rates more than doubled in 2022 and remain high and Registered Providers face challenges that limit their ability to invest in new stock. Our report considers how these headwinds may affect annual build-out rates.



⁹ <https://www.legislation.gov.uk/ukpga/2023/55/enacted>

¹⁰ The provisions require secondary legislation which, at the time of writing, has not been published and for which there is no timetable. There is also no guarantee the provisions will ever come into force. Albeit the provisions for making these regulations will come in to force on 31st March and the intentions were set out at the time the Bill was published in the supporting Further Information paper.

¹¹ Including the December 2023 changes to the NPPF, which clarify that the 35% uplift to the Standard Method in the 20 largest urban centres is expected to be delivered in those areas rather than in surrounding areas. In February 2024, the Secretary of State published the review into the London Plan and issued a consultation on 'Strengthening planning policy for brownfield development': <https://www.gov.uk/government/consultations/strengthening-planning-policy-for-brownfield-development>

02 Methodology

This report focuses analysis on the pace at which large-scale housing sites of 500 dwellings or more emerge through the planning system and how quickly they are built out. It identifies the factors which lead to faster or slower rates of delivery, including those impacting specifically on apartment schemes on brownfield sites in urban areas.

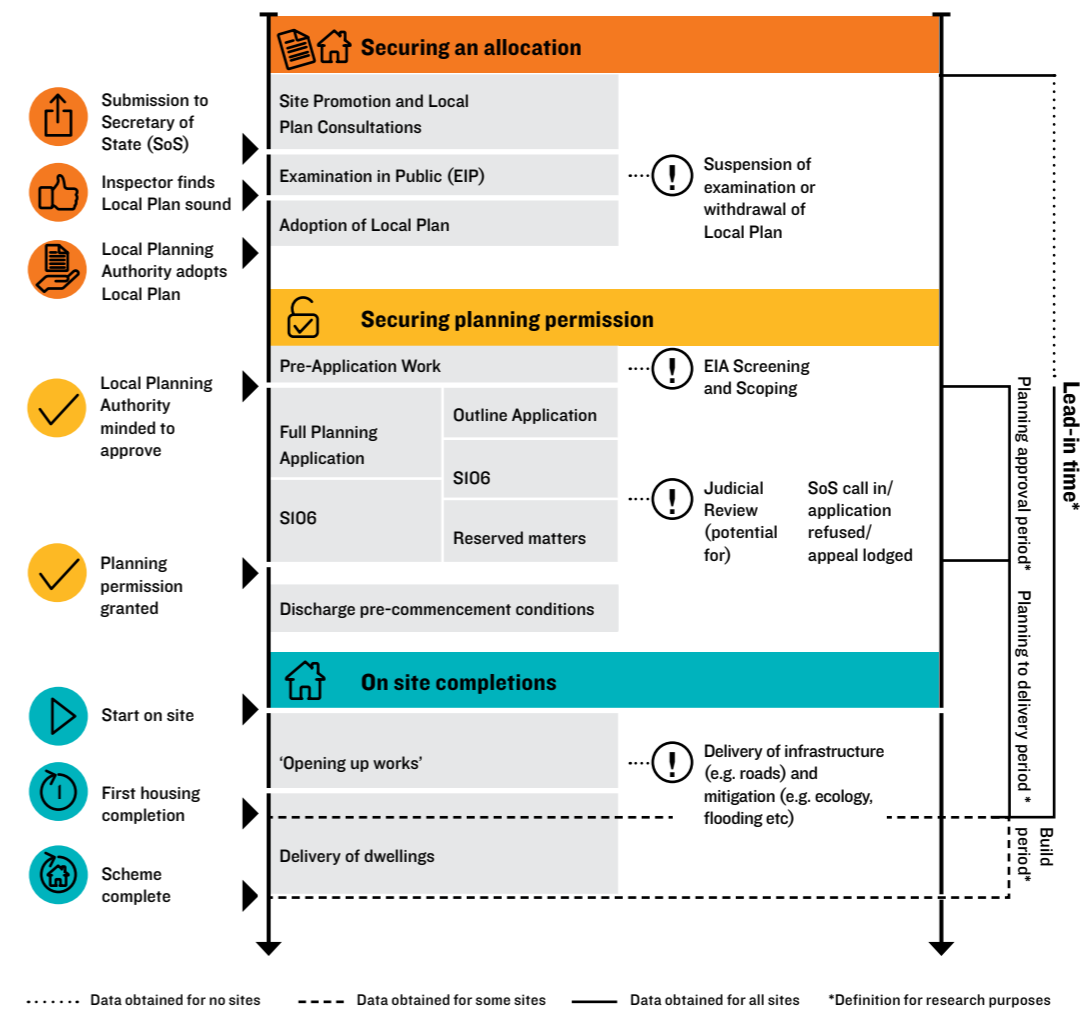
Definitions

For all sites, we look at the full extent of the planning and delivery period. To help structure

the research and provide a basis for standardised measurement and comparison, the development stages have been codified as illustrated in Figure 2.1, which remain unchanged from the previous editions of this research.

The overall 'lead-in time' covers stages associated with securing a local plan allocation, going through the 'planning approval period' and 'planning to delivery period', and ending when the first dwelling is completed. The 'build period' commences when the first dwelling is completed, denoting the end of the lead-in time.

Figure 2.1: Timeline for the delivery of large-scale housing sites



Source: Lichfields analysis

Lead-in time

Securing a development plan allocation is an important stage in the delivery of most large-scale housing sites. However, it is not possible to obtain information on a consistent basis for this process – which can often take decades across multiple plan cycles – and so we have not incorporated it in our analysis. For the purposes of this research the lead-in time reflects only the time from the start of the planning approval period up to the first housing completion.

Planning approval period

The 'planning approval period' begins with the validation date of the first planning application on the site (usually an outline application but sometimes hybrid or full) and extends until the date of the first detailed approval for dwellings on the site (either full, hybrid or reserved matters applications). It is worth noting that applications are typically preceded by significant amounts of (so-called) 'pre-app' engagement and evidence work, but due to a lack of data on these matters, it is not possible to establish a reliable estimate of the time taken on these activities (including through the local plan and pre-application). But the time taken to achieve an implementable planning permission will be markedly longer than we have identified in this study because work inevitably begins prior to the date the planning application is validated.



Planning to delivery period

The 'planning to delivery period' follows the planning approval period and measures the time from the date of the first detailed permission for construction of homes (usually reserved matters but could be a hybrid or full application) to the completion of the first dwelling. The use of the 'completion of the first dwelling' rather than 'works on site' reflects the availability of data: housing completions are routinely publicly recorded by LPAs but the commencement of work on site tends not to be. This allows for a consistent basis for measurement.

We can mostly only identify the monitoring year in which the completion took place, so the mid-point of the monitoring year has been used to calculate the end date of the planning to delivery period. For example, a scheme delivering its first unit in 2014/15 would be recorded as delivering its first unit on 1 October 2014.

For solely apartment schemes this will be slightly different as developers will typically complete an entire block on a single day. This will often mean the 'planning to delivery period' is longer as the first recorded completion for multiple apartments in a newly constructed multi-storey block would require more on-site work than required to complete a single house.

Build period

The annualised build-out rates are recorded for the development up to the latest year where data was available as of April 2023 (2022/23 in most cases). Not every site assessed will have completed its build period as many of the sites we considered had not delivered all dwellings permitted at the time of assessment; some have not delivered any dwellings.

We anticipate multi-phased apartment schemes will have more 'lumpy' completions data as entire blocks are recorded as having been completed on the same day. This could mean years with high delivery preceded and/or followed by more fallow years.

Detailed definitions of each of these stages can be found in Appendix 1.



Development and data

Our analysis focuses on larger sites of 500 or more dwellings, but we have also considered data from smaller sites ranging from 50-499 dwellings for comparison and to identify trends. The geographic distribution of sites assessed is shown in Figure 2.2 and a full list can be found in Appendix 2 (large sites) and Appendix 3 (small sites).

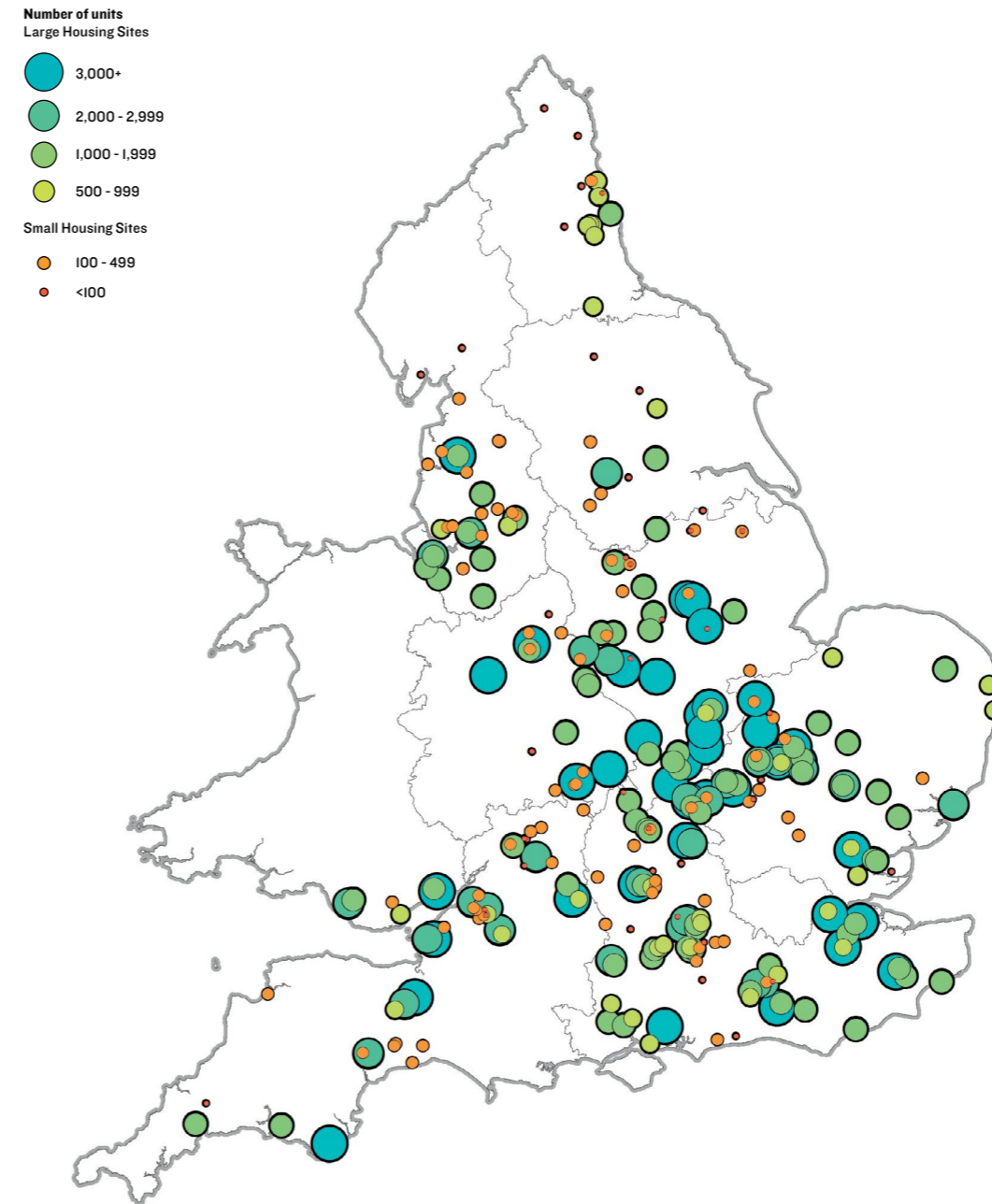
Efforts were made to cover a range of locations and site sizes in the sample, but we cannot say it is representative of the housing market throughout England and Wales. Our conclusions may not be applicable in all areas or on all sites. Our sample size has increased significantly: we now have 179 large sites (the second edition had 97) and 118 small sites (the second edition had 83). We have endeavoured to include more recent examples to ensure that the latest trends in planning determination and build-out rates for housing sites are picked up proportionally through the analysis of housing sites of all sizes.



The sources on which we have relied to secure delivery data on all sites in this research include:

1. Annual Monitoring Reports (AMRs) and other planning evidence base documents produced by LPAs¹²;
2. Contacting the relevant LPA, and in some instances the relevant County Council, to validate or update the data; and
3. In a handful of instances obtaining/confirming the information from the relevant house builders.

Figure 2.2: Map of sites assessed, by size of site (dwellings)



Source: Lichfields analysis

¹² Monitoring documents, five-year land supply reports, housing trajectories (some in land availability assessments), housing development reports and newsletters

03 How long does it take to get started?

In this section we look at lead-in times; the time it takes for large housing sites to get planning permission and begin to deliver homes on site. This includes both the 'planning approval period' and the 'planning to delivery period'.

Planning approval period

The first stage is the planning approval period: the time taken from the validation of the first application to the first detailed permission. For large sites, this period typically comprises the determination of an outline application, and then a reserved matters application (but in some cases, it may refer to a single full/hybrid application). Our data shows that the average median planning approval period generally increases in accordance with site size; for small sites of less than 100 dwellings, this is on average 1.5 years, but for sites of 1,000 dwellings or more, it takes an average of five years to obtain detailed planning permission, with minimal change in this period as site size increases above this point.

Although it takes longer to achieve a detailed planning permission on larger sites, there is not a linear relationship between size of site and time taken to secure the detailed permission. This might be because the largest sites are more likely to be allocated in adopted local plans and so the principle of development would have already been established by the time an application is submitted. In theory this would help to speed up the planning approval process but end-to-end timescales are dependent on a timely local plan system.

Table 3.1 Lower quartile, median and upper quartile planning approval period (years) by site size

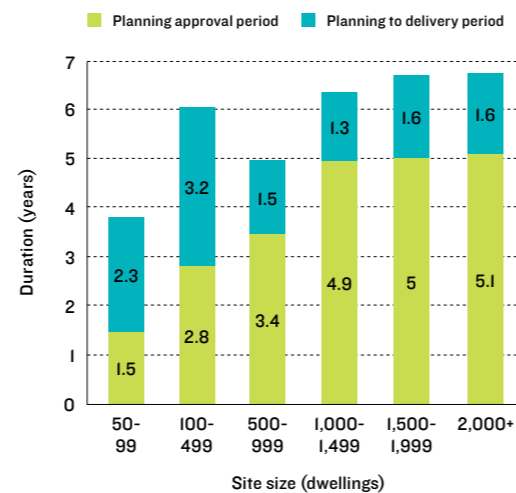
	50-99 dwellings	100-499 dwellings	500-999 dwellings	1,000-1,499 dwellings	1,500-1,999 dwellings	2,000+ dwellings
Lower Quartile	1.4	2.6	2.7	3.7	3.7	4.1
Median	1.5	2.8	3.4	4.9	5.0	5.1
Upper Quartile	5.9	9.0	6.6	8.3	6.9	7.9

Source: Lichfields analysis

In Wales, the restrictive policy towards speculative applications makes an allocation almost essential.

The CMA has also undertaken analysis into the length of time it takes land promoters and house builders to obtain outline planning permission. Using data obtained from land promoters, the CMA found that of the outline permissions obtained in 2022, 43.4% of them were obtained within five years or less, with 97.4% in nine years or less. These periods are significantly longer than the figures in our analysis because this includes pre-application promotion work, which is not captured in our data which starts with submission of the first application.

Figure 3.1 Median average timeframes from validation of the first application to completion of the first dwelling



Source: Lichfields analysis

The CMA go on to say in footnote 111 that "in estimating the development timeline, our estimate for the most comparable element of the process is, on average, 3 to 4.5 years". This is more closely aligned to our findings on securing planning permission on a large site.

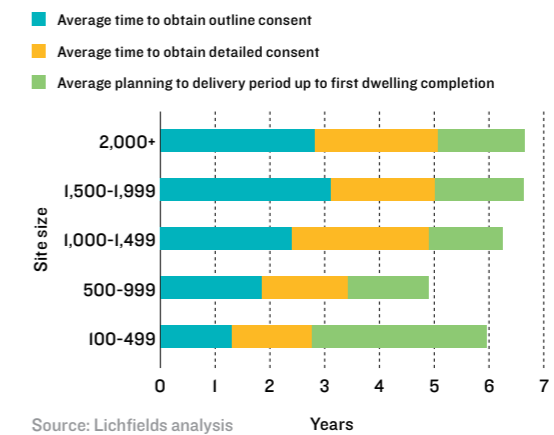
The CMA also found that the time required to make planning decisions is increasing (paragraph 4.27). However, its analysis considered developments of all sizes; we found no discernible difference in the time it takes schemes of 500 dwellings to achieve detailed approval since 2012/13 compared to older schemes. This could be because large-scale housing applications have always been more complex and so inevitably took longer to determine. They would, likely, also only be pursued by those with significant experience in this sphere. However, we did find an increase in the planning to delivery period which we discuss later in the report.

Outline permission to completion of the first dwelling

Our 2020 research was published in the aftermath of the NPPF¹³ which raised the bar on the definition of 'deliverable' for determining whether a site could be assumed to supply completions within the five-year housing land supply period. This definition is now well-established with the 'clear evidence' required to demonstrate deliverability of sites that do not benefit from a detailed permission.

We have updated our findings on the average time taken from gaining outline permission to the completion of the first dwelling on site, as shown in Figure 3.2. This indicates that it takes on average around 3 - 4.6 years from the grant of outline planning permission to deliver the first dwelling. This means at the time of its granting, an outline permission will on average deliver limited amounts of housing within the next five-year period.

Figure 3.2 Overall lead-in times for sites of 100 dwellings or more including time taken for outline consent by site size



Source: Lichfields analysis

Planning approval period: What is going on?

Larger sites are often complex and require outline permissions to set the framework for future phases or staged delivery before bringing forward a detailed scheme through reserved matters and detailed permissions.

Outline planning permissions for strategic development are often not obtained by the company that builds the houses. Master developers and land promoters play a significant role in bringing forward large-scale sites that are subsequently implemented by house builders.

Promoters will typically obtain outline planning permission and then sell the site to a house builder that will secure the detailed approvals.

The CMA explains that land promoters are contractually obligated to begin the sale of land as soon as practically possible after receiving outline planning permission. The CMA found that whilst in 2022 65% of sites sold by promoters were sold within 12 months of obtaining planning permission, their data implied a large variation in the time taken to sell a site¹⁴. Reasons included low interest in the site, protracted price negotiations, withdrawal from a sale, and multi-phased sales.

¹³ February 2019

¹⁴ CMA Housebuilding Market Report paragraphs 4.53 and 4.66-4.69

1.6 years

time taken to build the first dwelling following detailed consent on a 1,500+ dwelling scheme

Planning to delivery period

Figure 3.1 demonstrates that smaller sites in this research take longer to deliver their first dwelling than large sites, measuring the time from detailed approval being secured. Sites of 500+ dwellings take 1.3 - 1.6 years to deliver the first dwelling. By contrast sites for 50 - 99 dwellings take 2.3 years, whilst sites of 100 - 499 dwellings takes 3.2 years.

Planning to delivery period: What is going on?

There are typically complex site-specific issues such as securing statutory approvals, signing-off details, resolving land ownership and legal hurdles prior to the commencement of development.

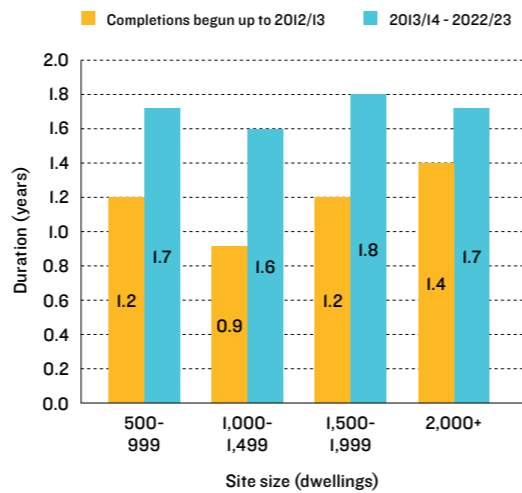
House builders must discharge pre-commencement planning conditions before constructing a home. These should be tailored to tackle specific problems but can be used broadly, for example relating to drainage, soil surveys, ecology, environmental health, materials samples, highways/ traffic plans and formalise any CIL liability.

Our 2021 research¹⁵ provided a deep dive into five local authority case studies, using their monitoring data to look at what is happening to individual planning permissions at the local level once granted. Some permissions require re-working or replanning to improve a scheme. Often these reworks – undertaken at a point at which the principle of development has already been established – will help ensure the most efficient use of land and the right scheme for the market, while also reducing planning risk for the developer. Detailed permissions are more likely to be reworked, likely reflecting their relative inflexibility compared to outline permissions. The extent of re-plans reflects the limited scope to quickly amend permitted schemes without needing to submit a new application.

Planning to delivery period over time

The planning-to-delivery period is longer for sites of all sizes in the part of our sample that started in the last decade. Figure 3.3 splits the planning to delivery analysis in Figure 3.1 by time. It shows that up until 2012/13 (just after the NPPF was first introduced), the planning to delivery period ranged between 0.9 – 1.4 years, with schemes of 2,000+ dwellings taking the longest to get started. In the period since the NPPF, the planning to delivery period has extended up to 1.6 - 1.8 years, a figure that is relatively consistent across all site sizes. The reasons for the change are not identified in the data, but may reflect the increased complexity of planning requirements as well as resourcing pressures in LPAs.

Figure 3.3 Planning to delivery period by site size



Source: Lichfields analysis

The overall lead-in time

The average time from validation of an outline application to the delivery of the first dwelling for large sites of 500 dwellings or more ranges from 4.9 to 6.7 years depending on site size, i.e. beyond an immediate five-year period for land supply calculations.

When combining the planning approval period and planning to delivery period only sites comprising 99 dwellings or less will – on average – deliver anything within an immediate five-year period. Interestingly, sites of 100 - 499 dwellings and all sites of 1,000 dwellings or more have a very similar combined planning approval and planning to delivery period of 6 - 7 years, despite significant variation in site size.

After this period, an appropriate build-out rate based on the size of the site should also be considered as part of the assessment of deliverability (see Section 4).



¹⁵ Lichfields, 2021 Tracking Progress

04 How quickly do sites build out?

The rate at which homes are to be built on sites – and the realism of housing land supply and trajectories – is often contested at local plan examinations and planning inquiries. Whilst the pressure on LPAs to maintain a five (or four¹⁶) year housing land supply may be decreasing¹⁷, the LURA contains measures that will increase scrutiny of build-out rates at the planning application stage, with the potential (at least in theory) for Completion Notices that nullify permissions when sites fall behind from their agreed delivery pace. A good understanding of real-world examples and evidence on absorption rates (see Section 5) remains essential.

Our analysis of build rate averages excludes any sites which have less than three years of completions data. This is because it is unlikely the completion figure in year one would cover a whole monitoring year, and so could distort the average for that site when considered alongside only one full year of completion data.

Some schemes do achieve very high rates of build-out in particular years (the top five annual figures were 520-620 dwellings per annum [dpa]) but this rate of delivery is not sustained (see Table 4.1). Apart from Ebbsfleet¹⁸, the peak build-out rates were anomalous. That said, the five examples in Table 4.1 remain at the upper end of (or above) the range of our overall sample: for schemes of 2,000 or more dwellings the average annual completion rate throughout build-out ranges from 100 to 188 dpa (see Figure 4.1).

Table 4.1 Peak annual build-out rates compared against average annual build-out rates on these sites

Site	Local Planning Authority	Site size (dwellings)	Peak annual build-out rate (dpa)	Average annual build-out rate (dpa)
Cambourne (original new settlement ¹⁹)	South Cambridgeshire	3,300	620	188
Ebbsfleet	Dartford	15,000	619	255
Berryfields Major Development Area (Aylesbury Garden Town)	Buckinghamshire	3,254	562	251
Great Kneighton (Clay Farm)	Cambridge	2,188	539	219
Oakley Vale	North Northamptonshire	3,100	520	162

Source: Lichfields analysis

¹⁶ See NPPF paragraph 226

¹⁷ See NPPF paragraph 76

¹⁸ Ebbsfleet has delivered a series of high annual build-out rates in the most recent five-year period: 2018/19 = 613, 2019/20 = 553, 2020/21 = 347, 2021/22 = 533 and 2022/23 = 619

¹⁹ The second edition of this research included Cambourne as an example with a total site size of 4,343 dwellings. However, in this iteration we have separated out the sites into Cambourne the original new settlement (3,300 dwellings), Upper Cambourne (950 dwellings) and Cambourne West (2,350 dwellings)

100-188 dpa
average annual build-out rate on 2,000+ dwelling scheme

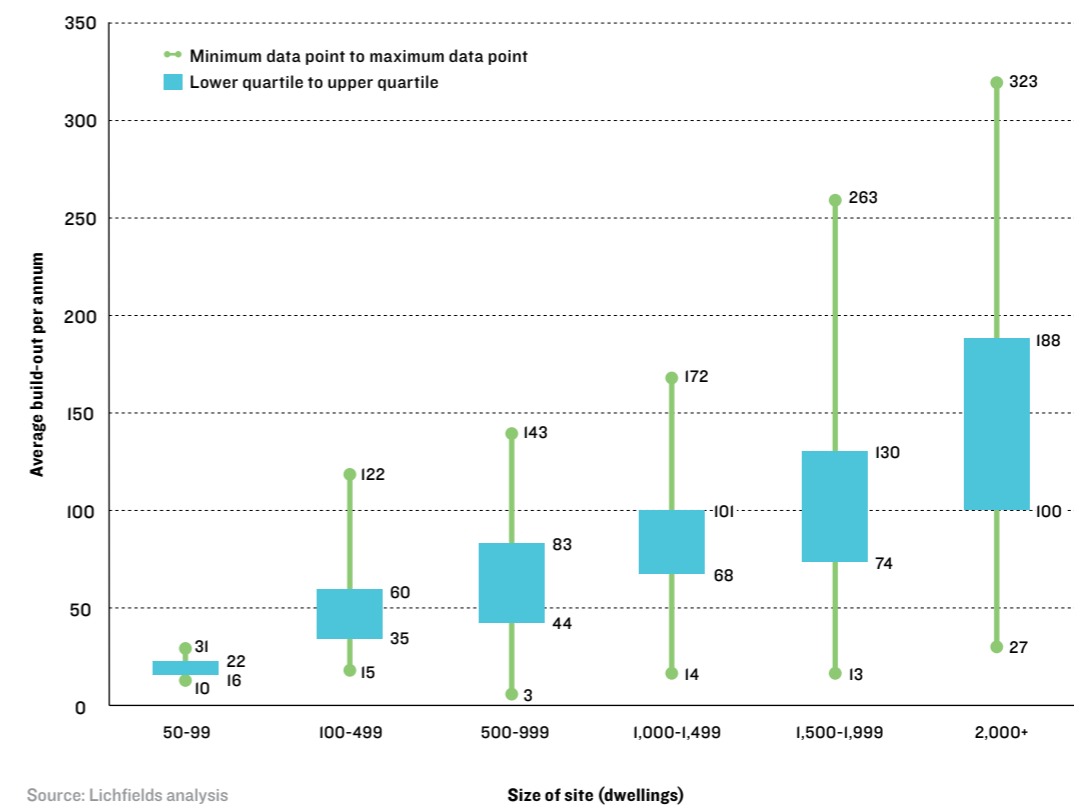
Average annual build-out rates

Figure 4.1 presents our updated results for average annual build-out rates by site size for all sites in our sample. Unsurprisingly, larger sites deliver on average more per year than smaller sites. Those of 2,000 dwellings or more, delivered on average more than twice the rate of sites of 500 - 999 dwellings.

In this third iteration of the research, we have identified the average (mean and median) build rate, but also the lower and upper quartiles to illustrate a range.

This avoids too much focus on a singular figure, recognising the wide range of factors that influence build-out rates as set out in Section 5. For sites of 2,000 or more dwellings, the lower to upper quartile range for build-out rates is 100 to 188 dpa. The highest average build-out rate in our analysis is 323 dpa, at Great Western Park, in the Vale of White Horse.

Figure 4.1: Average build-out rate by size of site (dwellings)



Source: Lichfields analysis

Comparison with our previous editions

The number of sites we have assessed is significantly increased in this edition of the research, but particularly for the largest sites (2,000+ dwellings) where we have 43 extra examples. Over the three editions of our research, the mean build-out rate has decreased marginally, whilst the median rate is also lower for sites under 999 dwellings but broadly static for sites of 1,000 dwellings or more. Overall, there is limited difference in the average build-out rates across all three editions which gives us confidence in the findings. However, it does show there a reduction in the presented build-out rates overall. We explore whether this is a function of our sample size or the addition of new years of monitoring data in Section 5.

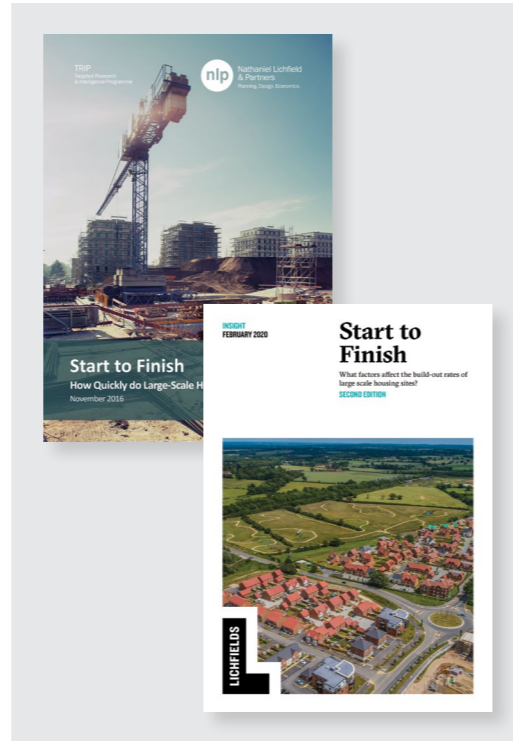


Table 4.2 Average build-out rates by size of site (dwellings) compared with the first and second editions of the research

Site Size (dwellings)	Mean build-out rate (dpa)				Median build-out rate (dpa)		
	First Edition	Second Edition	Third Edition		Second Edition	Third Edition	
50-99	27	22	20		27	18	
100-499	60	55	49		54	44	
500-999	70	68	67		73	68	
1,000-1,499	117	107	90		88	87	
1,500-1,999	129	120	110		104	104	
2,000+	161	160	150		137	138	

Source: Lichfields analysis

05 What factors can influence build-out rates?

In this section we explore some of the factors that can influence the pace at which sites are built out. This includes site and location-specific factors, such as the strength of local market, the amount of affordable housing and whether a site is greenfield or brownfield. In this third edition, we also consider the potential impact of economic and housing market cycles.

Economy and market impacts

The housing market appears to be at the start of a new economic cycle. After around a decade of generally favourable market conditions (with cheap finance and policy support) potential home purchasers and builders are facing different circumstances.

Figure 5.1 looks at how average build-out rates on our sampled sites have correlated with net additional dwellings in England and recent economic events and interventions over our study period.

Economic and policy context for house building and build-out rates

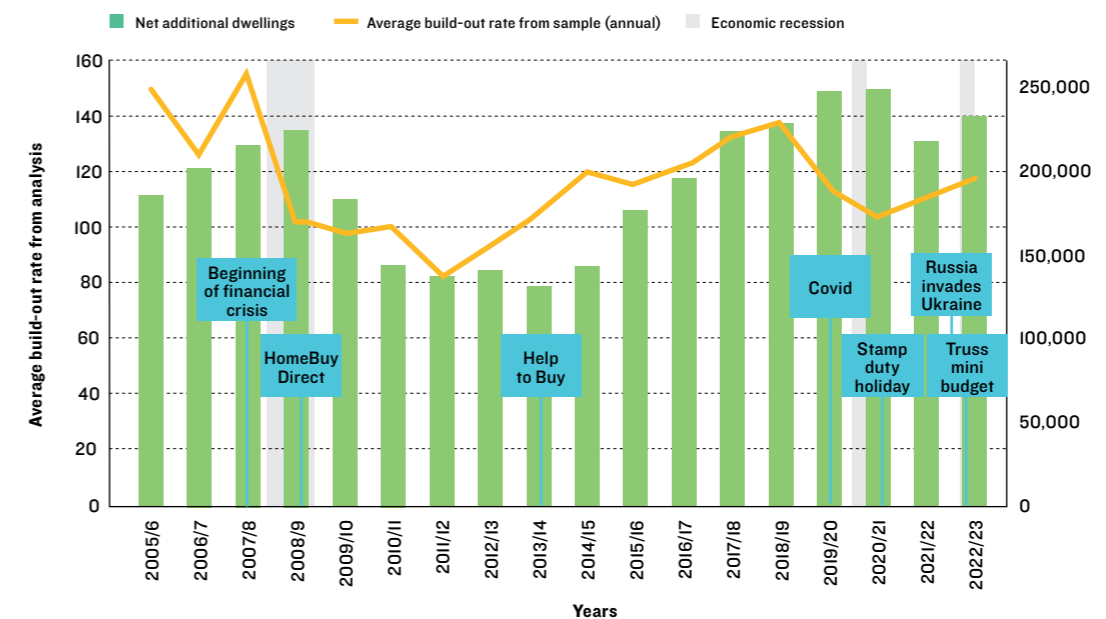
Government support for new home buyers was available before the Global Financial Crisis (GFC), (i.e. "First Buy" in 2006/7) but more robust support was introduced subsequently, firstly with Homebuy Direct, then Help to Buy which was introduced in 2013 and lasted until October 2022. It supported almost a third of new home sales over this period²⁰. COVID-19 prompted a further stimulus in the form of a stamp duty holiday (July 2020 - July 2021).

Alongside these policy measures, mortgage rates were historically and consistently low, falling to 0.5% in March 2009 and 0.1% in March 2020 before rising again from December 2021.

Combined, this provided favourable conditions for home buyers and house builders.

The end of Help to Buy in 2022 was compounded by dramatically increased mortgage rates, reaching 5.25% in August 2023. The effect to transactions has already been significant and the OBR forecast (in March 2024) that transactions in 2024 will be 14% below pre-pandemic levels (2017-2019) and will not return to this level until 2027.

Figure 5.1: Net Additional Dwellings (England) and build-out rates (England and Wales) in economic context



Sources: Lichfields analysis of build-out rates, DLUHC 2024, Increase in Dwelling stock Table I04

²⁰ <https://www.gov.uk/government/statistics/help-to-buy-equity-loan-scheme-data-to-30-september-2021/help-to-buy-equity-loan-scheme-data-to-30-september-2021#about-the-help-to-buy-equity-loan-scheme>

Looking ahead

The Bank of England estimates that (due to the increased share of fixed rate mortgages now being 85% compared to closer to 50% in 2007) "over half the impact from two years of interest rate increases is still to be felt". This leads to the OBR forecasting a drop in housing transactions, and in housebuilding from an already low rate, to just 213,600 in 2025/26.

Worsening market conditions will likely markedly reduce build-out rates. Savills research for the LPDF 'A New Normal for Housebuilding' forecast fewer sales outlets (with fewer consented sites) and lower sales by outlet, dropping from the 0.73 average homes sold per week between 2015 and 2021 (and 0.67 before the 2008 recession) to 0.5 - 0.6 over the medium term, taking into account the low and falling number of consented sites in developer pipelines, and the size of each site increasing. As we show (see Figure 5.6 later in this section), a lower number of outlets is correlated with slower build-out rates. The post-2022 conditions are yet to be fully captured in monitoring data, but we would expect this to arise in future years.

There is some room for optimism. The February 2024 RICS residential survey shows sales expectations improving over the next year and a positive sentiment for new instructions of sales for the first time in three years. This is likely at least partly due to a consensus that interest rates have peaked, with UK Finance forecasting mortgage affordability is plateauing, and will improve in 2025²¹.

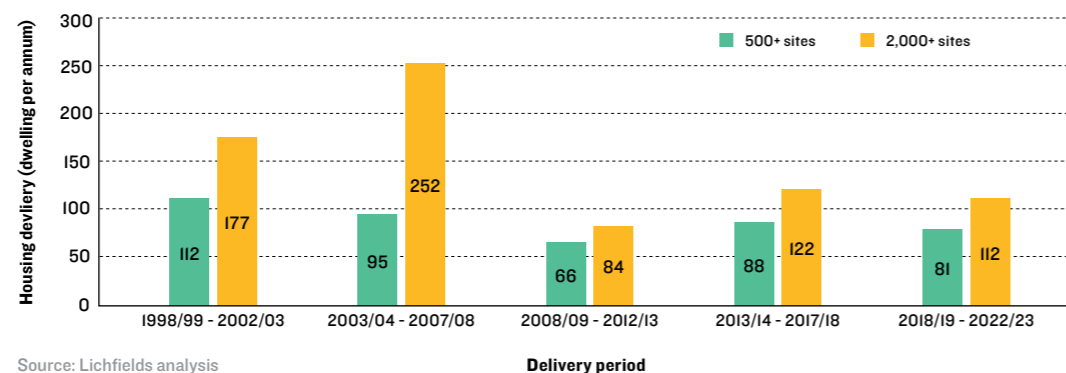
Looking back

The average build-out rates achieved on large sites (Figure 5.2) has fallen over time since before the GFC. The drop-off is most considerable for large sites starting development in the period directly after the GFC. Build out picked up slightly for projects that started in the five years to 2017/2018 taking in the impact of the 2012 NPPF. The COVID-19 pandemic and the rise in interest rates in the 2018/19 to 2022/23 period shows in the slight dip in build-out rate.

The largest sites (2,000+ dwellings) seem to have been hardest hit, falling from a peak average annual build-out of 252 dpa prior to the GFC to just 84 dpa during the recession and early recovery, before increasing again to 112 dpa in the most recent five-year period. However, the drop following 2007/8 may not be solely economically-driven; changes in the type of sites allocated, the structuring of delivery, and relying on s.106 for funding affordable housing and infrastructure may be determinative factors.



Figure 5.2: Average annual build-out rates for large sites (500 or more and 2,000 or more dwellings) by five-year interval



Source: Lichfields analysis

Site specific factors

Do homes get delivered faster in high pressure areas?

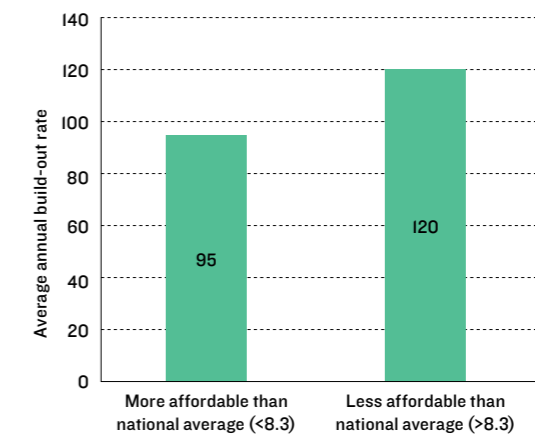
The rate at which homes can be sold (the 'absorption rate') determines the build-out rate. The CMA report found that there is strong evidence - from studies (including the second edition of this research) and engagement with stakeholders - that housebuilders (typically buying consented land using the residual land value method) generally respond to the incentive to sell at prevailing market value by building homes at a rate that is consistent with the local absorption rates. This avoids capital being tied up in partly finished or finished but unsold homes.

We have considered whether housing demand at the local authority level affects build-out rates. For the purposes of this research, higher demand areas are assumed to be those with a higher ratio of house prices to earnings, utilising the same measure as that applied in the Government's standard method for assessing local housing need. Figure 5.3 shows the sample of 500 or more dwelling schemes (that have delivered for at least three years) divided between whether they are located in a local authority above or below the national median affordability ratio (8.3). It shows higher demand areas appear to absorb 26% higher annual build-out rate than lower demand areas²².

Of the five sites identified at Table 4.1 with the highest peak rates of delivery, all but Oakley Vale in North Northamptonshire are in local authority areas with workplace-based affordability ratios more than the national average when those rates were achieved²³.



Figure 5.3 Build-out rates by level of demand using national median 2022 workplace based affordability ratio (dpa)



Source: Lichfields analysis

26%

greater average annual build-out rate in higher demand areas

²² This is in line with the findings of the second edition of the research, albeit both averages are lower this time. The previous research showed the large sites in LPAs which were 'more affordable than the national average (<8.72)' delivered on average 99 dpa versus those large sites in LPAs which were 'less affordable than the national average (>8.72)' at 126 dpa

²³ Using ONS long term affordability data <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingaffordabilityinenglandanddwales/2022#:~:text=ln%202022%2C%20full%2Dtime%20employees,6.2%20times%20their%20annual%20earnings>

²¹ <https://www.ukfinance.org.uk/news-and-insight/press-release/mortgage-lending-fall-in-2024>

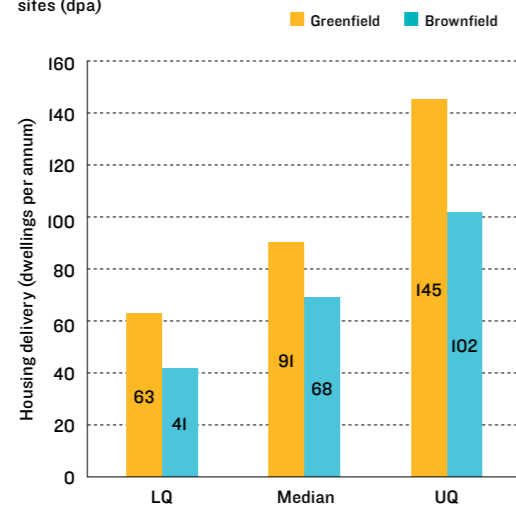
34%

greater annual average build-out rate on greenfield sites

Do sites on greenfield land deliver quicker?

Both previous editions of this research found that greenfield sites have, on average, delivered more quickly than brownfield sites. This remains the case in our updated cohort of sites. The median figures show greenfield sites delivering 34% higher average annual build-out rates. Using lower and upper quartiles to set a range, Figure 5.4 shows that brownfield sites are seen to deliver between 41 to 102 dpa compared with greenfield sites delivering 63 to 145 dpa. This is likely to reflect the fact that brownfield sites are more complex to deliver, can carry extra cost (e.g. for remediation) which reduces the scale of contribution they make to infrastructure and affordable housing provisions, which as shown in Figure 5.5, can boost build-out rates. We consider issues related to apartment-led brownfield schemes in Section 6.

Figure 5.4 Average build-out rates on greenfield and brownfield sites (dpa)



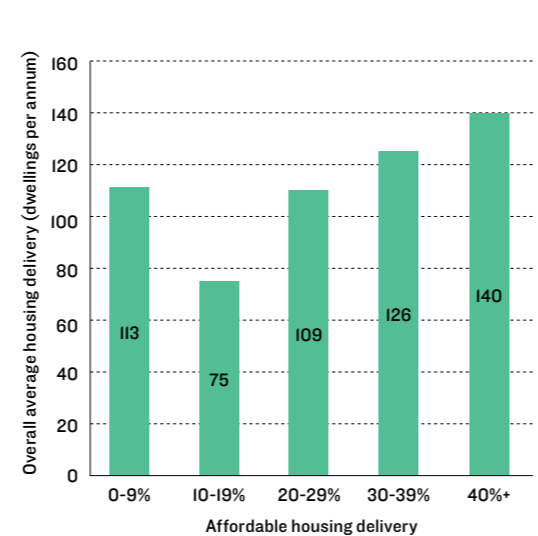
Source: Lichfields analysis

Housing mix and variety

The Letwin Review²⁴ posited that increasing the diversity of dwellings on large sites in areas of high housing demand would help achieve a greater rate of build-out. It concluded that a variety of housing is likely to appeal to a wider, complementary range of potential customers which in turn would mean a greater absorption rate of housing by the local market.

Consistent data on the mix of sizes, types and prices of homes built out on any given site is difficult to source, so we have tested this hypothesis by using affordable housing delivery percentages on site as a marker of a different tenure and the number of sales outlets on a site as a proxy for variety of product types.

Figure 5.5 Average build-out rates by level of affordable housing (dpa)



Source: Lichfields analysis

Affordable housing

Large amounts of affordable housing on a site can boost delivery, if viable, because it taps into an additional source of demand. This is supported by our findings: schemes with the highest proportions of affordable housing (30%+) have the highest average annual build-out rates. However, there is not a direct correlation for those providing lower percentages; indeed, those providing 10-19% affordable housing had the lowest average build-out rates whereas rates on schemes delivering the lowest levels of affordable housing (i.e. less than 10% and some providing zero) were on average higher than those providing 10-29% affordable homes.

Whilst schemes with the highest rates of affordable housing achieve the highest rates, these are likely to be located in the strongest markets for homes to buy and there will, in most cases, be a cap on the proportion of affordable homes that can be achieved on sites without compromising overall viability.

Key worker housing

Among our sample of sites was a scheme delivering significant quantities of key worker housing. This specific type of housing was excluded from our wider research to avoid distorting the data.

Delivery data obtained for North West Cambridge includes annual build-out rates by the University of Cambridge and Hill Residential (Table 5.1). This suggests a specific type of product may yield high annual build-out rates with the peak year of delivery reaching 409 dwellings. The average annual build-out rate for this site is 178 dpa which is significantly higher than other schemes in the 500-999 dwellings category. However, North West Cambridge also comprises apartments which have specific delivery circumstances which make them not be readily compared to the wider research. We consider urban apartment developments on brownfield sites in Section 6.

Table 5.1 Annual build-out rates at North West Cambridge by phase

North West Cambridge	2016/17	2017/18	2018/19	2019/20	2020/21	Average Build-out Rate
Lot 1 (University of Cambridge) KEY WORKER UNITS		117				
Lot 2 (University of Cambridge) KEY WORKER UNITS			264			
Lot 3 (University of Cambridge) KEY WORKER UNITS		232				
Lot 8 (University of Cambridge) KEY WORKER UNITS	73					
Lot M1 (University of Cambridge And Hill Residential)		3	109	7	2	
Lot M2 (University of Cambridge And Hill Residential)		1	36	15	33	
Totals	73	353	409	22	35	178

Source: Lichfields analysis

²⁴ <https://www.gov.uk/government/publications/independent-review-of-build-out-final-report>

²⁵ <https://www.gov.uk/government/publications/independent-review-of-build-out-final-report>

Outlets

Across the years in which the number of outlets varied on the same site we have a total of 114 data points from 15 sites. The data is limited to those local authorities that publish information relating to outlets on site. It is a small sample, but larger than that available in our second edition (12 sites, and 80 data points).

We consider the number of outlets delivering dwellings each year. For example, if two phases are being built out in parallel by the same housebuilder this has been counted as one outlet with the assumption there is little variety (although some builders may in reality differentiate their products on the same site, particularly if dual branded). However, if two phases are being built out in parallel by different housebuilders this is counted as two outlets, with the assumption that there would be some variation in the product on offer.

Figure 5.6 shows a clear relationship between the number of outlets on site and the annual build-out rate achieved. Table 5.2 also shows that, although the quantum of completions in a year increases with every additional outlet, the average delivered per outlet increases slightly with four and five outlets.

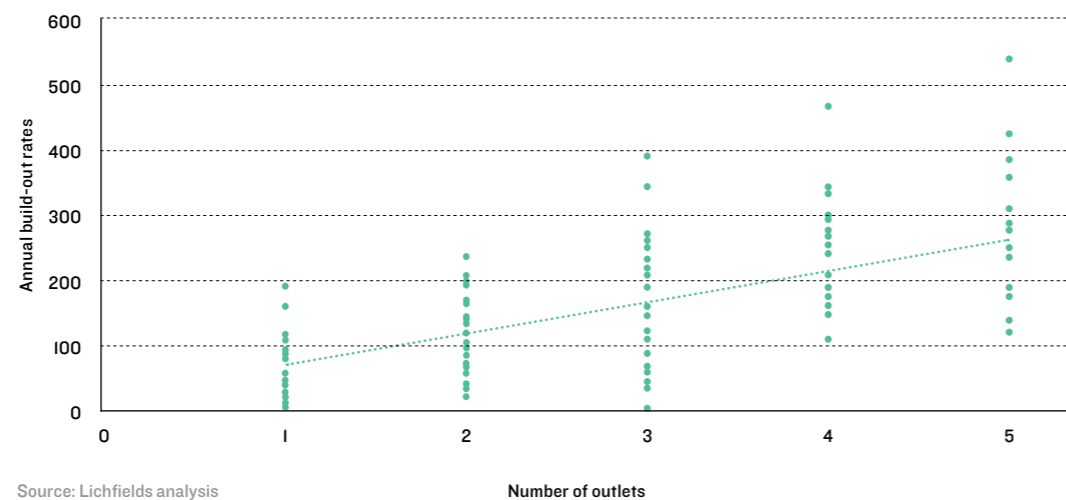
Table 5.2 Average annual completions per outlet

No of outlets	Average annual completions	Average completions per outlet
1	69	69
2	123	62
3	164	55
4	230	57
5	286	57

Source: Lichfields analysis



Figure 5.6: Build-out rates by number of outlets present (dpa)



Source: Lichfields analysis

06 Delivery of brownfield, urban apartment schemes

Government policy is seeking to increase the emphasis on brownfield residential development, and higher density, apartment schemes are likely to be a consequence. What contribution can these sites make to housing trajectories?

We have identified data for nine examples of solely apartment schemes in excess of 250 units on urban brownfield sites (all outside London). This is a reasonable number of units to differentiate sites from lower density suburban apartment developments that might appear in the research. These have been

considered separately from the other large sites in the research and include no other types of dwelling (i.e. no townhouses, semis or detached properties). Some of the large sites analysis already considered will include apartments, potentially for significant proportions of their schemes, but they will include some conventional houses.

Appendix 4 contains a short explanation of the planning history and build-out rates for each of the examples which have informed the analysis in this section. Their locations are shown on Figure 6.1.

Figure 6.1: Map of sites



Source: Lichfields analysis

Lead-in times

Whilst a modest sample size, it is immediately apparent that there is a significant extension in the time it takes for these sites to progress from planning to delivery (Table 6.1 and Figure 6.2).

When compared with comparably sized sites of conventional housing, our sample of apartment schemes have similar planning approval periods but then progressed to delivery much more slowly. This is particularly the case with the larger apartment schemes (500+ units) where the planning to delivery period for those considered was more than three times longer than the benchmarks for large conventional housing sites. For X1 Media City which is 1,100 units, it was more than seven times longer than conventional housing counterparts. Whilst one should be cautious drawing conclusions on a small sample, what might these findings imply?

1. Firstly, when recording the completion of an apartment, this will be alongside others in one or more blocks that are completed in one go, rather than an individual dwelling that can be built and sold as the site progresses. Because it is likely to take longer to complete a block of apartments than a single house. As such, the period over which we are measuring planning to completion of the first apartment will likely be longer.
2. Secondly, as set out in Appendix 4, there can be considerable time spent in 'optimising' a planning permission once the 'original' detailed consent is granted. For example:
 - **X1 Media City:** This scheme was granted detailed consent in 2007. An extension of time application for the original consent was submitted in April 2010 and approved in November 2012.

A further amendment to previously approved planning permission was approved in May 2016. First completions were recorded in 2017/18.

- **University Campus (Chelmsford):** Outline planning permission was granted at appeal in October 2003. Following a public inquiry for Stopping Up Orders and their confirmation in October 2005, the site was sold in 2007. A further process of exploring land use and design solutions to resolve commercial and planning objectives followed. Another outline and full application were approved in November 2012. First completions were recorded in 2014/15.

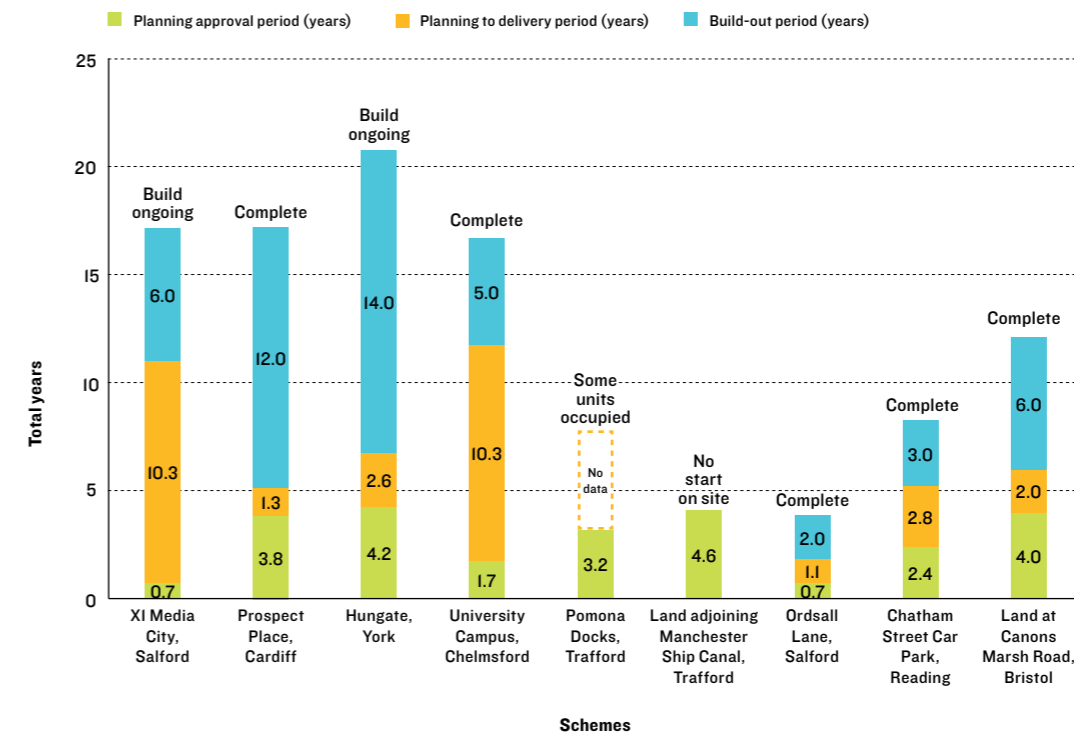
3. Thirdly, brownfield sites at scale can be complex with unusual issues to resolve. For example, Prospect Place (Cardiff) required extensive land reclamation. Further, the viability of delivering brownfield sites of this scale can be finely balanced with schemes susceptible to changes in the costs and values, necessitating redesigns prior to commencement of development.

Table 6.1 Lead-in time analysis for 9 example brownfield apartment schemes

	Site	Site Size (units)	Brownfield apartment schemes		Sites considered in sections 3 & 4	
			Planning approval period (years)	Planning to delivery period (years)	Planning approval period (years)	Planning to delivery period (years)
> 500 units	X1 Media City, Salford	1,100	0.7	10.3	4.9	1.3
	Prospect Place, Cardiff	979	3.8	1.3	3.4	1.5
	Hungate, York	720	4.2	2.6		
	University Campus, Chelmsford	645	2.7	9.0		
	Pomona Docks, Manchester	526	3.2	Unknown		
	AVERAGE			3.5	4.3	
< 500 units	Land adjoining Manchester Ship Canal, Manchester	449	4.4	Unknown	2.8	3.2
	Ordsall Lane, Salford	394	0.7	1.1		
	Land at Canons Marsh Road, Bristol	307	4.0	2.0		
	Chatham Street Car Park, Reading	272	2.4	2.8		
	AVERAGE			2.9	2.0	

Source: Lichfields analysis

Figure 6.2: Lead-in time analysis for brownfield apartment schemes



Source: Lichfields analysis

07 Conclusions

Build-out rates

As explained, the nature of apartment schemes means that annual build-out rates can be lumpy, as homes delivered can only be recorded when a block is completed. Figure 6.3 shows Prospect Place, Hungate, University Campus Chelmsford and X1 Media City with years when many units were completed with subsequent fallow periods of no delivery. Table 6.2 further illustrates this by comparing the peak year of delivery with the average rate.

Apartment schemes may also be more susceptible to downturns in the market – the ‘all or nothing’ requirement (to complete whole blocks before units can be released to prospective purchasers) ties up capital and makes them higher risk for conventional sale. For example, LPAs told us that both Prospect Place and Hungate were significantly impacted by the GFC: each having more than five years in which there were no new completions.

From our sample of nine sites, there is (perhaps unsurprisingly) much variety in the pace at which brownfield apartment schemes obtain planning permission (as there can be with greenfield sites), but more notable is how long it takes some sites to turn that consent into homes

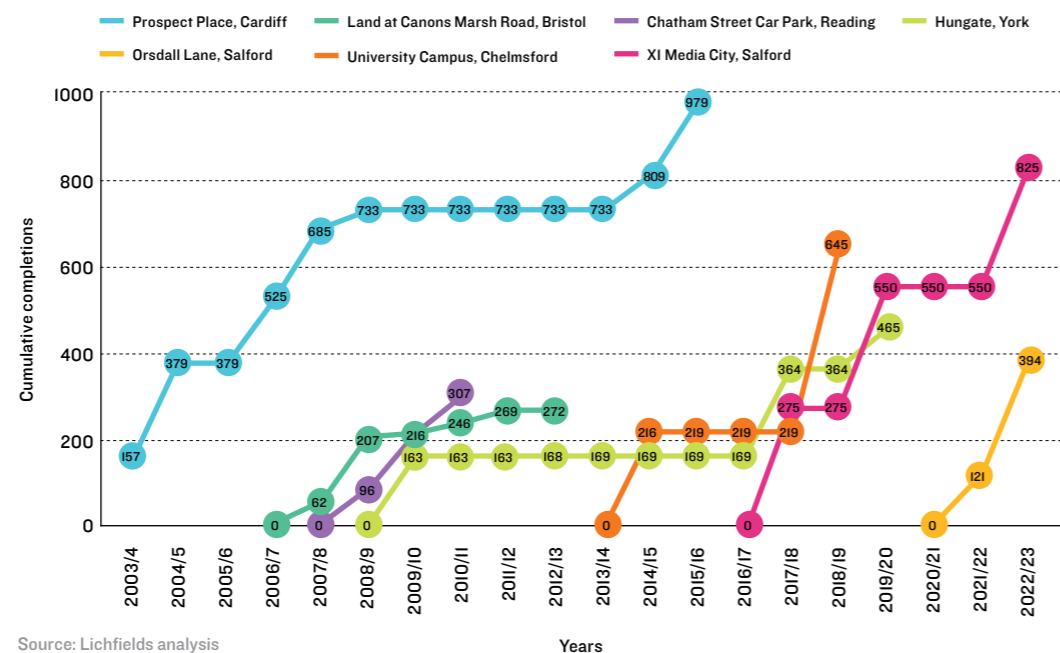
Table 6.2 Peak annual build-out rates compared against average annual build-out rates on the example urban apartment schemes

Site	Average annual build-out	Peak years build-out
Prospect Place, Cardiff	75	222
Hungate, York	33	195
University Campus, Chelmsford	129	426
X1 Media City, Salford	138	275
Chatham Street Car Park, Reading	102	120
Land at Canons Marsh Road, Bristol	45	145
Ordsall Lane, Salford	197	273

Source: Lichfields analysis

available for sale and occupation. Furthermore, while some significant ‘peak’ annual build-out rates can be achieved on these sites, delivery is lumpy and we found the GFC stalled completions on some schemes. Local authorities relying on higher density apartment schemes on brownfield sites to secure their five-year land supply or local plan housing trajectory will need to incorporate more flexibility if they are to be confident in achieving housing requirements.

Figure 6.3: Annual build-out rates for the urban apartment scheme examples (years)



Source: Lichfields analysis

Our research provides real-world benchmarks to assist planning for the effective delivery of large-scale housing. These benchmarks can be particularly helpful in locations where there is limited experience of such developments to inform housing trajectories and land supply assessments. It augments the debate on build-out rates stimulated by the CMA's work. We present some statistical averages to assist the debate, but the real relevance of our findings is that there are likely to be many factors which affect lead-in times and build-out rates, and it is these – alongside the characteristics of individual sites – that needs to be considered carefully by local authorities relying on these projects to deliver planned housing.

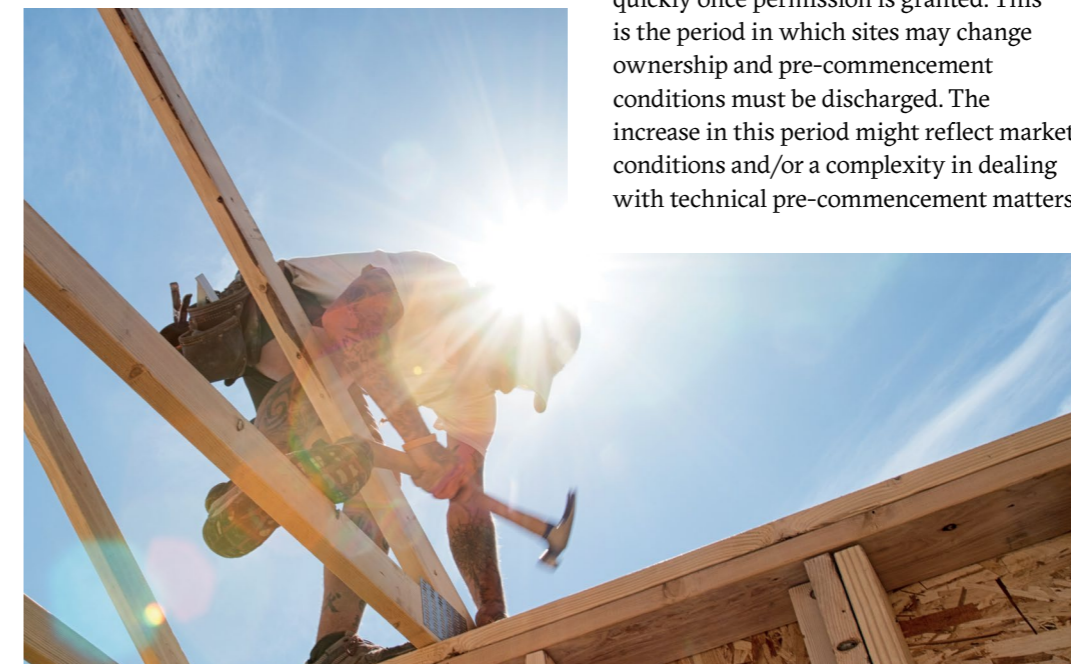
The averages presented in our analysis are not intended to be definitive or a substitute for a robust, bottom-up justification for the delivery trajectory of any given site factoring in local absorption rates. It is clear from our analysis that some sites start and deliver more quickly than the average, whilst others have delivered much more slowly. Every site is different and the range in our lower and upper quartile figures for build out illustrates the risk of relying on a singular estimate.

Key findings

1. Only sites below 100 dwellings on average begin to deliver within a five-year period from validation of an outline application

When considering our updated data on lead-in times, it shows only smaller sites with 99 dwellings or fewer will typically deliver any homes within a five-year period from the date that the first application is validated. The lead-in time comprises the planning approval period and the planning to delivery period. Even small sites make a modest contribution within five years as the lead in time is on average 3.8 years. Larger sites of 1,000 dwellings or more on average take five years to obtain detailed planning permission (the planning approval period), meaning at the time the first application is validated, no homes from that site might be expected to be delivered in the forthcoming five-year period.

The planning to delivery period is circa 1.3 – 1.6 years for all sites of 500+ dwellings and does not vary significantly according to site size. This demonstrates the truism that most sites proceed to implementation quickly once permission is granted. This is the period in which sites may change ownership and pre-commencement conditions must be discharged. The increase in this period might reflect market conditions and/or a complexity in dealing with technical pre-commencement matters.



2. Average annual build-out rates on large scale sites are lower than previous editions of this research

The build-out rates for schemes of 2,000 dwellings or more is 100 to 188 dpa using the lower and upper quartiles of our analysis. The lower and upper quartiles for every size of site category increase as they get larger. Bigger sites deliver more homes each year.

This third iteration of the research has increased our sample size, especially for the largest sites of 2,000+ dwellings (with 43 new examples). Whilst our findings remain comparable, the average rates of build out are slightly lower. The mean build-out rate has marginally decreased for every site size over the three editions of our research. For sites of 2,000+ dwellings the mean has decreased from 161 dpa to 151 dpa. For sites of under 1,000 homes, the median build-out rate is also lower. This may capture characteristics of newly surveyed sites, but also extra monitoring years since 2019 that reflect a market impacted by COVID and the Russian invasion of Ukraine. Our additional sites in the sample are also ones that tended to commence development more recently.



3. Tough market conditions mean a likely slowing in build-out rates and house building overall

Market conditions have a clear effect on house building and the build-out rates of individual schemes. It is in this context that, ceterus paribus, one might expect to see a drop in build-out rates over the next few years. Recent research for the LPDF forecast fewer sales outlets (with fewer consented sites) and lower sales by outlet. Our research shows, a lower number of outlets is likely to lead to slower build-out rates.

There is some room for optimism with the February RICS residential survey showing sales expectations improving over the next year and for the first time in three years, a positive sentiment for new instructions of sales. This is likely at least partly due to a common belief that interest rates have peaked, and mortgage affordability will improve in 2025.



4. Demand is key to maximising build-out rates

The rate at which homes can be sold (the 'absorption rate') at a market value consistent with the price paid for the land determines the build-out rate. The CMA found there is strong evidence from studies and its own engagement with stakeholders, that housebuilders generally respond to the incentive to maximise prices by building homes at a rate that is consistent with the local absorption rates.

Our analysis found that areas with a higher ratio of house prices to earnings had an average 26% higher annual build-out rates on schemes of 500+ dwellings than lower demand areas. The top four highest individual years of delivery in this research (see Table 4.1) are in local authority areas with workplace-based affordability ratios greater than the national average at the time those build-out rates were achieved.



5. Variety is the spice of life

Additional outlets on site have a positive impact on build-out rates, although there is not a linear relationship. Schemes with most affordable housing (30% or more) built out faster, i.e. with higher average build-out rates than those with lower levels of affordable housing delivery; but those delivering 10-10% of their units as affordable had the lowest build-out rates of all. One case study example – in Cambridge – was a predominantly key worker scheme that was able to deliver at an average of 178 dpa, significantly higher than other similar sized schemes included in this research. This points to the principle – identified by the Letwin Review – that, where there is a demand, a mix of homes, complementing market housing for sale, could have a positive impact on build rates.

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6. Large-scale apartment schemes on brownfield land are less predictable forms of supply

The largest apartment schemes delivered on brownfield sites appear susceptible to elongated planning-to-delivery periods compared to the benchmark averages for conventional houses on sites of similar scale. There can be protracted periods of redesign and site sale which means implementation can take longer. They can also be more susceptible to downturns in the market; two of the considered examples stalled after the GFC.

Furthermore, the nature of apartment schemes – built in blocks rather than individual dwellings – also means that annualised build-out rates can be lumpy.

Combined, these factors mean any local authority relying on brownfield apartment developments to meet its housing needs, will likely need to incorporate flexibility in its approach when arriving at a realistic housing trajectory.



Looking forward

The CMA report states at paragraph 4.138:

“While we consider that measures to speed up the pace at which new build housing is supplied to the market may be beneficial (and we set out options for some in the chapter on addressing the problems we have found), these would need to be accompanied by planning reform if they were to deliver increases in housing delivery of the size needed to bring GB housing completions significantly closer to 300,000 per year.”

The CMA’s recommendation on seeking to speed up the pace of new housebuilding should be viewed in the context of this research which, when compared with the first and second editions, shows that reported average build-out rates are slightly lower, albeit only slightly.

As we approach a general election, and with the housing crisis unresolved, the challenge of boosting housing delivery is being discussed with renewed vigour.

The CMA concludes that achieving the necessary step-change in housing output is likely to be reliant on measures to improve the efficiency of the planning system: increasing the speed at which sites progress through the planning system, and then from planning to delivery; in increasing the number of sites granted planning permission for residential development; and increasing the pace and number of development plans being prepared and reviewed. Other factors – including funding for affordable housing and to unblock barriers to site delivery – are also needed.

In the current environment, a sufficient pipeline of sites with planning status in each location (itself dependent on a functioning planning system), with a suitably varied range of housing types and tenures, and the forecast recovery of the housing market from its recent downturn are all necessary to secure a recovery in the supply of new homes.

Appendices

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- Appendix 2: Large sites table**
- Appendix 3: Small sites tables**
- Appendix 4: Solely apartment scheme details**

Appendix 1: Definitions and notes

The 'lead-in'

Measures the period up to first completion of a house on site from the validation date of the first planning application made for the scheme. The lead-in time covers both the planning approval period and planning to delivery periods set out below. The lead-in time also includes the date of the first formal identification of the site as a potential housing allocation (e.g. in a LPA policy document), but consistent data on this for the sample is not available.

The 'planning approval period'

Measured from the validation date of the first application for the proposed development (be that an outline, full or hybrid application). The end date is the decision date of the first detailed application which permits the development of dwelling/s on site (this may be a full or hybrid application or the first reserved matters approval which includes details for housing). A measurement based on a detailed 'consent' was considered reasonable and proportionate milestone for 'planning' in the context of this research. However, this need not be the detailed scheme which is built out. Many large-scale developments are re-designed over multiple iterations before work starts on site. This can be reflected in a protracted 'planning to delivery period'.

The 'planning to delivery period'

This includes any amended or extension of time planning applications, the discharge of any pre-commencement planning conditions and any opening up works required to deliver the site. It finishes on completion of the first dwelling.

The date of the 'first housing completion'

The month and year is used where the data is available. However, in most instances the monitoring year of the first completion is all that is available and in these cases a midpoint of the monitoring period (1st October, falling halfway between 1st April and the following 31st March) is used.

The 'annual build-out rate'

Each site is taken or inferred from a number of sources. This includes Annual Monitoring Reports (AMRs) and other planning evidence base documents produced by local authorities, contacting the LPA monitoring officers or planners where necessary and in a handful of instances obtaining the information from housebuilders.

Appendix 3: Small sites tables

Site Name	Local Planning Authority	Size
Cookridge Hospital	Leeds	495
Stenson Fields	South Derbyshire	487
Farnborough Business Park	Rushmoor	476
Bickershaw Colliery, Leigh	Wigan	471
Farington Park	South Ribble	468
Kingsmead South	Milton Keynes	450
New Central	Woking	445
Former Masons Cerement Works and Adjoining Ministry of Defence Land	Mid Suffolk	437
Land at former Battle Hospital	Reading	434
Hazelwalls Uttoxeter	East Staffordshire	429
New World House	Warrington	426
Pinn Court Farm	East Devon	426
Radyr Sidings	Cardiff	421
Halifax Road	Barnsley	414
Luneside West	Lancaster	403
Campden Road	Stratford-upon-Avon	400
Chard Road, Axminster	East Devon	400
Woolley Edge Park Site	Wakefield	375
Former NCB Workshops (Portland Park)	Northumberland	357
Hampton Heights	Peterborough	350
Cholsey Meadows	South Oxfordshire	341
Dunston Lane	Chesterfield	300
Land At Dorian Road	Bristol	300
Ryebank Gate	Arun	300

Site Name	Local Planning Authority	Size
Land At Fire Service College, Moreton in Marsh	Cotswold	299
Land at Badsey Road	Wychavon	298
Land at Brookwood Farm	Woking	297
Land west of Hayne Lane, Honiton	East Devon	291
Long Marston Storage Depot Phase I	Stratford-upon-Avon	284
Land South of Park Road, Faringdon	Vale Of White Horse	277
M & G Sports Ground, Golden Yolk and Middle Farm, Badgeworth	Tewkesbury	273
Hortham Hospital	South Gloucestershire	270
Land Between A419 And A417, Kingshill North	Cotswold	270
Land off Henthorn Road	Ribble Valley	270
GCHQ Oakley - Phase I	Cheltenham	262
I28-I34 Bridge Road and Nos 1 - 4 Oldfield Road	Windsor and Maidenhead	242
Hewlett Packard (Land Adjacent To Romney House) Romney Avenue	Bristol	242
Hale Road, Wallingford	South Oxfordshire	240
Land adjacent to Tesco, Harbour Road, Seaton	East Devon	230
Hilton Lane, Worsley	Salford	209
Saxon Drive, Biggleswade	Central Bedfordshire	200
Great North Road, St. Neots	Huntingdonshire	199
Hoval Ltd North Gate	Newark and Sherwood	196
Bookbinder Lane, Prescot	Knowsley	191
Biggin Lane, Ramsey	Huntingdonshire	188
Notcutts Nursery	Cherwell	182
Land South of Inervet Campus off Brickhill Street	Milton Keynes	176

Site Name	Local Planning Authority	Size
Sellars Farm	Stroud	176
Queen Mary School	Fylde	169
Littleton Road	Salford	158
North End Road	North Somerset	154
Benson Lane, Wallingford	South Oxfordshire	150
Ottery Moor Lane (former industrial estate), Honiton	East Devon	150
London Road/ Adj. St Francis Close	East Hertfordshire	149
MR4 Site, Land off Gallamore Lane	West Lindsey	149
Doxey Road	Stafford	145
Shefford Road, Meppershall	Central Bedfordshire	145
Cornborough Road, Bideford	Torridge	143
Alfreton Road, South Normanton	Bolsover	142
Bracken Park, Land At Corringham Road	West Lindsey	141
Land at Farnham Hospital	Waverley	134
Astley Road, Huyton	Knowsley	131
North of Douglas Road, Kingswood	South Gloucestershire	131
Land to the east of Efflinch Lane	East Staffordshire	129
Land Rear Of Mount Pleasant	Cheshire West and Chester	127
Shuttlewood Road & Oxcroft Lane	Bolsover	127
Primrose Mill Site	Ribble Valley	126
Bibby Scientific Ltd	Stafford	120
Bluntisham Road, Needingworth	Huntingdonshire	120
Land Between Godsey Lane And Towngate East	South Kesteven	120
Land West Of Birchwood Road	Bristol	119

Site Name	Local Planning Authority	Size
Former Bewbush Leisure Centre Site	Crawley	112
Land South of Station Road	East Hertfordshire	111
Canon Green Drive	Salford	108
Poppy Meadow	Stratford-upon-Avon	106
Weeton Road/Fleetwood Road	Fylde	106
Salisbury Road, Hungerford	West Berkshire	100
Auction Mart	South Lakeland	95
North East Sandylands	South Lakeland	94
Parcel 4 Gloucester Business Park Brockworth	Tewkesbury	94
Land At Green Road, Reading College	Reading	93
OS Field 9972 York Road Easingwold	Hambleton	93
Land off Lower Icknield Way, Chinnor	South Oxfordshire	89
MRIO Site, Caistor Road	West Lindsey	89
The Kylins, Morpeth	Northumberland	88
Dappers Lane, Littlehampton	Arun	84
St Marys Road, Ramsey	Huntingdonshire	82
Broad Street, Clifton	Central Bedfordshire	80
Southminster Road, Burnham-On-Crouch	Maldon	80
Land at Willoughbys Bank, Alnwick	Northumberland	76
North East Area Professional Centre	Crawley	76
Cranleigh Road, Chesterfield	Chesterfield	75
Watermead, Land At Kennel Lane, Brockworth	Tewkesbury	72
Land to the North of Walk Mill Drive	Wychavon	71
Hawthorn Croft, Gainsborough	West Lindsey	69

Site Name	Local Planning Authority	Size
Former Wensleydale School, Blyth	Northumberland	68
Land at Lintham Drive, Kingswood	South Gloucestershire	68
Land off Crown Lane	Wychavon	68
Springfield Road/Caunt Road	South Kesteven	67
Land Off Cirencester Rd	Stroud	66
Land to the east of Newington Road, Stadhampton	South Oxfordshire	65
Land south of Pinchington Lane	West Berkshire	64
Iveshead Road, Shepshed	Charnwood	63
Mill Lane, Potton	Central Bedfordshire	62
Clewborough House School	Cherwell	60
Land at Prudhoe Hospital	Northumberland	60
Oxfordshire County Council Highways Depot	Cherwell	60
Hanwell Fields Development, Banbury	Cherwell	59
Land at the Beacon, Tilford Road	Waverley	59
Land To Rear Of 28 - 34 Bedale Road	Hambleton	59
Thorley Drive, Stoke-on-Trent	Staffordshire Moorlands	57
Shelford Road, Nottingham	Rushcliffe	55
Fenton Grange, Wooler	Northumberland	54
Former Downend Lower School	South Gloucestershire	52
Holme Farm	Wakefield	50
Launceston Road, Bodmin	Cornwall	50
Part SR3 Site, Off Elizabeth Close, Scotter	West Lindsey	50
Oxcroft Lane	Bolsover	50

Appendix 4: Solely apartment scheme details

XI Media City, Salford (1,100 units)	
Planning approval period	Planning Approval Period = 0.7 years 06/53636/FUL - Erection of four-26 storey buildings comprising 1036 apartments and 58,475 sq.ft of commercial space for A1,A2,A3,A4,A5,B1,D1 and D2 use together with associated car parking and alteration to existing and construction of new vehicular access Validated - 09/10/2006 Decision issued - 28/6/2007
Extended planning period	10/58887/FUL - Extension of time for implementation of planning permission 06/53636/FUL. Validated - 30/4/2010 Decision issued - 05/11/2012 15/66481/FUL - Amendment to previously approved planning permission 10/58887/FUL. Validated - 11/6/2015 Decision issued - 13/5/2016
Planning to delivery period	Planning to delivery period = 10.3 years
Build period	First completion in 2017/18. 2017/18 - 275 2018/19 - 0 2019/20 - 275 2020/21 - 0 2021/22 - 0 22/23 - 275 Works still ongoing
Notes from LPA	N/A

Prospect Place, Cardiff (979 units)	
Planning approval period	Planning Approval Period = 3.8 years Original outline application 98/425/R Validated - 14/09/1998 Decision issued - 01/03/2001 The first reserved matters application 02/00516/R Validated - 11/03/2002 Decision issued - 21/06/2002
Extended planning period	03/724/R - Reserved Matters for 99 units 03/725/R - Reserved Matters for 58 units 02/1252/R - Full application including 677 apartments 03/01973/R - Full application including 222 residential units 04/2474c - Full changes, increasing the number of flats to 931, reduced to 927 during determination and granted in Feb 2006 06/00613/c - 394 units - granted in Oct 2006
Planning to delivery period	Planning to delivery period = 1.3 years
Build period	First completion in 2003/04 2003/04 - 157 2004/05 - 222 2005/06 - 0 2006/07 - 146 2007/08 - 160 2008/09 - 48 2009/10 - 0 2010/11 - 0 2011/12 - 0 2012/13 - 0 2013/14 - 0 2014/15 - 76 2015/16 - 170
Notes from LPA	The site was 'mothballed' for some years following the financial crash/recession with the principal Tower and another waterfront block not completing until several years later. Initially, this site required extensive and fairly unique land reclamation prior to commencement.

Hungate, York (720 units)	
Planning approval period	Planning Approval Period = 4.2 years Outline application 02/03741/OUT for 720 units Validated - 6/12/02 Decision Issued - 18/07/06 The first approved reserved matters 06/02384/REMM for Phase I erection of 163 units Validated - 27/11/2006 Decision Issued - 26/02/07
Extended planning period	07/01901/REM - Phase II - 154 unit 10/02534/REMM - variation of conditions to increase from 154 to 175 flats 10/02646/FULM - Phase I conversion to 7 townhouses to 14 flats 12/02216/FULM - Phase I conversion to 6 townhouses to 12 flats 12/02282/OUTM - outline to redevelop for 720 units - extension of time to 02/03741/OUT 13/03015/FULM - Phase II 195 units 15/01709/OUTM - Outline for Blocks G and H, 86 and 101 units 17/03032/REMM - Block G 196 units 18/02946/FULM - Increasing Block D to 196 units (increase of 10 units)
Planning to delivery period	Planning to delivery period = 2.6 years
Build period	2009/10 to present. 2009/10 - 163 2010/11 - 0 2011/12 - 0 2012/13 - 5 2013/14 - 1 2014/15 - 0 2015/16 - 0 2016/17 - 0 2017/18 - 195 2018/19 - 0 2019/20 - 101 2020/21 - 0 2021/22 - 0 2022/23 - 0 Blocks D, G and H not developed out yet
Notes from LPA	Build figures provided by York Council. The Council confirmed that there has been a significant complexity in delivering this site and consequently monitoring of delivery.

Pomona Docks II, Trafford (526 units)	
Planning approval period	Planning Approval Period = 3.2 years Full application for 546 apartments (H/58948) Validated - 10/03/2004 Decision Issued - 09/05/2007
Extended planning period	The above scheme was never implemented. 93779/FUL/18 for 526 dwellings across three apartment blocks Validated - 13/03/2018 Decision Issued - 11/04/2019 This has been subject to a number of DoC/NMAs since.
Planning to delivery period	Unknown - unable to obtain completions data to identify year of first completion
Build period	Ongoing - unable to obtain completion data from the Council.
Notes from LPA	As of October 2023 advised that the first 2 towers are complete and construction is underway on the 3rd tower.

University Campus, Chelmsford (645 units)	
Planning approval period	Planning Approval Period = 1.7 years Outline 02/02073/EIA for redevelopment of 692 residential units Validated - 05/02/2003 Decision Issued (appeal) - 17/10/2003 This outline consent was subsequently varied by 04/01825/FUL, principally to provide for a phased discharge of conditions. A reserved matters application was submitted for most of the southern part of the site (04/00865/REM). Validated - 19/04/2004 Decision Issued - 08/10/2004
Extended planning period	Following a public inquiry relating to Stopping Up Orders to paths between Victoria Road South and Park Road and Parkway and Park Road and the confirmation of the Orders (October 2005 FPS/W1525/5/1 refers), the site was sold to Genesis Housing Group in 2007. A long process of exploring land use and design solutions to resolve commercial and planning objectives followed. Another outline application (11/01360/OUT) and a full application (11/01360/FUL) were both submitted for the Part full (Phase I), part outline (Phase 2) Validated - 31/08/2011 Decision Issued - 02/11/2012 A further full application (14/01470/FUL) for Phase 2 - mixed-use redevelopment including residential Validated - 09/09/14 Decision Issued - 06/02/15
Planning to delivery period	Planning to delivery period = 10 years
Build period	First completions in 2014/15 2014/15 - 216 2015/16 - 3 2016/17 - 0 2017/18 - 0 2018/19 - 426
Notes from LPA	N/A

Land adjoining Manchester Ship Canal - Trafford (449 units)	
Planning approval period	Planning Approval Period = 4.4 years Outline application for up to 550 dwellings (APP: H/OUT/68617) Validated - 24/12/2007 Decision Issued - 30/07/2010 First reserved matters application (78681/RM/2012) Validated - 12/05/2012 Decision Issued - 27/07/2012
Extended planning period	86160/OUT/15 - Application to extend the time limit for the implementation of H/OUT/68617 Validated - 09/07/2015 Decision Issued - 26/09/2019 The overall area was split between two separate sites- 'Land off Hall Lane' and 'Lock Lane'. The reserved matters application for Lock Lane concluded that only 298 dwellings would be included within the development (APP: 100110/RES/20). Validated - 17/02/2020 Decision Issued - 27/01/2021 Meanwhile, a full planning application was submitted for 151 dwellings relating to the Land off Hall Lane part of the site (APP: 100109/FUL/20) Validated - 17/02/2020 Decision Issued - 24/03/2021
Planning to delivery period	N/A - No delivery to date
Build period	None to date
Notes from LPA	N/A

Ordsall Lane, Salford (394 units)	
Planning approval period	Planning Approval Period = 0.7 years Full planning application 19/74531/FUL Validated - 13/12/2019 Decision Issued - 12/08/2020
Extended planning period	N/A
Planning to delivery period	Planning to delivery period 1.1 years
Build period	First completions in 2021/22 2021/22 - 121 2022/23 - 273 Complete in 2 years
Notes from LPA	N/A

Chatham Street Car Park, Reading (307 units)	
Planning approval period	Planning Approval Period = 2.4 years Outline application 03/00825/OUT Validated - 17/07/2003 Decision Issued - 12/10/2004 Full application 05/00849/FUL/JL for phase I comprising a mixed use development including 307 residential units Validated - 27/07/2005 Decision Issued - 29/11/2005
Extended planning period	N/A
Planning to delivery period	Planning to delivery period 2.8 years
Build period	First completions in 2008/09 2008/09 - 96 2009/10 - 120 2010/11 - 91 Complete in 3 years
Notes from LPA	N/A

Land at Canons Marsh Road, Bristol (272 units)	
Planning approval period	Planning Approval Period = 4 years Outline planning permission 01/00986/F was first resolved to be approved in October 2001 and the s.106 agreement signed in February 2003. Validation - 01/10/2001 (we do not have a validation date for 01/00986/F so we have used the committee date, as the earliest date we can obtain) Decision Issued - 01/02/2003 Phase 2 - Section 73 Permission Ref: 04/03230/X which encompassed Building 9 for residential development Validated - 30/07/2004 Decision Issued - 03/10/2005
Extended planning period	N/A
Planning to delivery period	Planning to delivery period 2 years
Build period	First completions in 2007/08 2007/08 - 62 2008/09 - 145 2009/10 - 6 2010/11 - 33 2011/12 - 23 2012/13 - 3
Notes from LPA	N/A

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