

# **HOUSING LAND SUPPLY STATEMENT FOR WYCHAVON DISTRICT AND MALVERN HILLS DISTRICT**

**ON BEHALF OF BEECHCROFT LAND LIMITED**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)  
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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## **1. INTRODUCTION**

- 1.1 This Housing Land Supply Statement has been prepared by Pegasus Group on behalf of Beechcroft Land Limited. Its purpose is to consider the five-year housing land supply position for the districts of Wychavon and Malvern Hills.

## 2. POLICY CONTEXT

### **National Policy Context**

2.1 The Government's imperative to significantly boost the supply of housing to address the national housing crisis which currently exists, is set out in paragraph 60 of the NPPF, which requires local planning authorities:

**"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay."**  
**(emphasis added)**

2.2 In order to achieve this and meet the objectively assessed need for housing paragraph 74 requires that a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing with an appropriate buffer is maintained.

2.3 Where an LPA is unable to identify such a supply, paragraph 11d and footnote 8 of the NPPF identify that the policies which are most important for determining residential planning applications are to be considered out-of-date such that planning permission should be granted unless either:

- The application of specific policies referred to in footnote 7 of the NPPF provide a clear reason for refusal; or
- Any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits.

### **Local Policy Context**

2.4 Malvern Hills District Council, Worcester City Council and Wychavon District Council prepared a joint development plan, the South Worcestershire Development Plan (SWDP), to provide a single strategic planning policy framework for the three local authority areas.

### **The latest assessment of the five year land supply**

2.5 The latest published assessment of the five year housing land supply is contained in the South Worcestershire Councils 2021 Five Year Housing Land Supply Report (5YHLRS), September 2021 with a base date of April 2021.

### 3. AREA OF ASSESSMENT

3.1 The PPG (68-028) advises that:

**"Areas which have a joint plan have the option to monitor their 5 year housing land supply and have the Housing Delivery Test applied over the whole of the joint planning area or on a single authority basis. The approach to using individual or combined housing requirement figures will be established through the plan-making process and will need to be set out in the strategic policies." (emphasis added)**

3.2 Part C of Policy SWDP3 states:

**"Housing provision will be made for about 28,400 dwellings (net) during the plan period, comprising the area subtotals, which are separate and non-transferable." (emphasis added)**

3.3 Paragraph 40 of the SWDP explains that:

**""Separate and non-transferable housing provision" in the policy means that, subject to the provisions of the Framework paragraph 141, any shortfall identified in the five-year housing land supply against any Area sub total will not be met elsewhere in another Sub Area or Area identified in SWDP 3".**

3.4 Therefore, the Development Plan is clear that the five year land supply must be assessed separately for each sub-area and the PPG is clear that this approach will apply until it is reviewed through the plan-led process.

3.5 Notwithstanding this, the 5YHLSR presents a single joint housing land supply position covering the three local authority areas contrary to the PPG and the SWDP.

3.6 To be comprehensive, the five year land supply position is considered both in accordance with the SWDP and on a combined basis, but it is the former that should be used for the purposes of paragraph 74 of the NPPF.

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<sup>1</sup> Referring to the original paragraph 14 in the NPPF published in 2012. This has been replaced and updated by paragraph 11 of the current NPPF, 2021.

#### 4. THE FIVE YEAR HOUSING REQUIREMENT

##### The local housing need

4.1 Paragraph 74 of the NPPF identifies that the five-year housing land supply should be calculated against the housing requirement in adopted strategic policies, or against the local housing need where the strategic policies are more than 5 years old. Footnote 39 explains that

**"Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance."**

4.2 Consequently, where a housing requirement is more than 5 years old, the five year land supply position is to be assessed against the minimum local housing need derived from the standard method (SM).

4.3 The SWDP was adopted on 25<sup>th</sup> February 2016 and is therefore more than five years old, such that the five year housing land supply position must be assessed relative to the minimum local housing need identified by the SM.

4.4 The 5YHLSR correctly calculates the minimum local housing need in Table 1 as follows:

- 413 homes per annum in Malvern Hills
- 502 homes per annum in Wychavon
- 1,283 homes per annum across the SWDP.

##### Over delivery

4.5 The 5YHLSR seeks to take into account an alleged over supply of housing that has arisen in previous years to reduce the current minimum local housing need.

4.6 The Councils have identified the over-supply by comparing the levels of completions which have arisen since 2006 with the adopted housing requirement over that period. This does not accord with paragraph 74 of the NPF which requires that given the age of the SWDP the adopted housing requirement is not used for the purposes of calculating the five year land supply.

- 4.7 Such an approach does not accord with the fact that the local housing need is a forward looking figure from 2021 onwards and so should not be adjusted to take account of previous delivery.
- 4.8 It is also contrary to the PPG (68-031) which identifies that the SM already factors in previous levels of delivery. Indeed, given that previous levels of delivery will have influenced the affordability ratio used within the SM, any adjustment to take account of previous levels of delivery again would result in double counting.
- 4.9 The adjustment sought by the Councils is therefore directly contrary to national policy and national guidance and it results in double counting.
- 4.10 Once the SM is applied in accordance with national policy and guidance, there would be a five year requirement (excluding buffer) for:
- 2,065 homes per annum in Malvern Hills
  - 2,510 homes per annum in Wychavon
  - 6,415 homes per annum across the SWDP.

Buffer

- 4.11 In addition, paragraph 74 of the NPPF requires:

**"The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:**

**a) 5% to ensure choice and competition in the market for land; or**

**b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan40, to account for any fluctuations in the market during that year; or**

**c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply."**

- 4.12 The latest HDT result across the SWDP area is 157% and as such it is appropriate to apply a 5% buffer. This results in a five year requirement for:
- 2,166 homes per annum in Malvern Hills

- 2,636 homes per annum in Wychavon
- 6,736 homes per annum across the SWDP.



## 5. THE DELIVERABLE SUPPLY

- 5.1 The 5YHLSR identifies a total deliverable supply of 5,800 homes and it is possible to identify the supply for individual LPAs from the accompanying appendices.
- 5.2 For the purposes of this assessment, no review of the deliverability of the supply has been undertaken but even on the basis of the supply identified by the Councils it is apparent that the Councils are unable to demonstrate a five year land supply for Malvern Hills or for Wychavon as illustrated in the table below. This remains the case, even if the supply is assessed in aggregate across the SWDP contrary to the PPG and SWDP.

| Area                 | Five year requirement | Supply | Year's supply |
|----------------------|-----------------------|--------|---------------|
| Malvern Hills        | 2,166                 | 1,154  | 2.66          |
| Wychavon             | 2,635                 | 2,309  | 4.38          |
| South Worcestershire | 6,736                 | 5,800  | 4.31          |

## 6. CONCLUSIONS

6.1 Once the supply is assessed against the minimum local housing need derived from the SM, as required by national policy, the Councils are unable to demonstrate a five year land supply for either Malvern Hills or Wychavon with the consequence that:

- the most important policies for determining residential planning applications are to be considered out-of-date and planning permission should be granted unless either of the conditions in paragraph 11d of the NPPF are met;
- the policies of the SWDP have not been effective in maintaining the minimum supply required by national policy such that the weight afforded to these should be determined in this context; and
- there is a need for additional housing sites to restore a five year land supply and the weight afforded to residential proposals should be viewed in this context.

