

Chichester Local Plan 2021–2039

Representations to Proposed Submission Draft

On behalf of Beechcroft Developments Ltd

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1. Introduction

- 1.1. Beechcroft Developments Ltd have instructed Pegasus Group to prepare representations on the housing requirement and supply set out in the proposed submission draft of the Chichester Local Plan 2021-2039 and the accompanying Sustainability Appraisal.



2. Sustainability Appraisal

Paragraph 5.2.13

- 2.1. Section 19 of the Planning and Compulsory Purchase Act 2004 requires LPAs to carry out a Sustainability Appraisal (SA) of each policy in a plan during its preparation. Section 12 of the Environmental Assessment of Plans and Programmes Regulations 2004 requires that such an SA identifies, describes and evaluates the likely significant effects of reasonable alternatives. In this context, the PPG (11-017) confirms the necessity to consider all reasonable alternatives.
- 2.2. Paragraph 5.2.13 of the SA accompanying the proposed submission draft suggests that there is little or no argument for setting a housing requirement above the minimum local housing need of the standard method, notwithstanding the substantial unmet need for housing across the sub-region and the desperate need for affordable housing, the latter of which is addressed towards the top of page 38 of the SA. As such, the SA dismisses this as being considered as a reasonable alternative.
- 2.3. Providing sufficient housing to meet the housing needs of present and future generations is required to provide for sustainable development according to paragraphs 7 and 8b of the NPPF. Indeed, the starting point of the NPPF is that housing needs, including unmet housing needs, should be met in full as set out in paragraph 11b unless this is demonstrated to be unsustainable. This requirement of national policy must be a reasonable alternative that must be assessed within the SA. Without such an assessment, the SA disregards the possibility of providing for sustainable development at the outset and does not accord with the regulatory requirements.

Table 5.3

- 2.4. The SA recognises that there is a need for far more housing than the minimum provided for by the standard method owing to the desperate need for affordable housing in Chichester and the substantial unmet need for housing across the sub-region.
- 2.5. In this context, Table 5.3 identifies a range of scenarios providing between 527 and 566 homes per annum in the southern plan area, which in addition to the 40 homes per annum proposed in the northern plan area provides for a total of 567 to 606 homes per annum in response to the minimum local housing need of the standard method for 638 homes per annum.
- 2.6. In Table 6.1, the sustainability of these different growth options is evaluated. This concludes that the provision of 538 or 541 homes per annum (scenarios 2 and 3) which is far below the minimum need for housing performs 'negatively' in terms of housing; and that the provision of 552 to 566 homes per annum (scenarios 4 to 7) which is again far below the minimum need for housing performs 'neutrally'.
- 2.7. In the context of a national housing crisis, a particularly acute sub-regional housing crisis, and a desperate need for affordable housing in Chichester, this judgment would appear irrational, and demonstrates that the need for housing is not being paid due regard in the preparation of the emerging Local Plan. Any credible assessment would have highlighted that all of the scenarios perform 'significantly negatively' in terms of housing.



Modifications required

- 2.8. It will therefore be necessary to prepare a new iteration of the SA, which considers delivering a sufficient number of homes to meet housing needs as required by national policy and to provide for sustainable development, which will clearly be significantly greater than the minimum provided by the standard method. The SA will also need to be modified to pay due regard to the need for housing.



3. The duty to cooperate

- 3.1. Paragraph 27 of the NPPF requires that LPAs prepare and maintain statements of common ground to demonstrate effective and on-going joint working as required by the statutory duty to cooperate. It requires that these are made publicly available throughout the plan-making process to provide transparency.
- 3.2. The PPG (61-010) confirms that these statements of common ground are required to demonstrate that the LPA has complied with the duty to co-operate, and the PPG (61-020) requires that these are made available on the LPAs website by the time a draft plan is published for consultation in order to provide communities and stakeholders a transparent picture of how the prescribed bodies have collaborated.
- 3.3. Paragraph 1.25 of the emerging Local Plan however identifies that the statements of common ground which are required to be available in support of the consultation are currently in preparation. This is also evident from Appendix 2 of the Duty to Cooperate Statement of Compliance, January 2023.
- 3.4. Accordingly, the procedure set out in the NPPF and the PPG has not been followed and as a result consultees are lacking the necessary evidence to provide fully-informed representations on whether the duty to cooperate has been fulfilled. This issue is particularly important in Chichester, given the amongst other things the substantial unmet need for housing arising in related authorities as recognised in the Duty to Cooperate Statement of Compliance, January 2023. Indeed:
 - i. Arun may not be able to meet their own housing needs,
 - ii. East Hampshire is unable to meet its own housing needs by 346 homes according to the latest statement of common ground between the Planning for Urban South Hampshire authorities of November 2022,
 - iii. Havant is unable to meet its own housing needs by 1,469 homes according to the latest statement of common ground between the Planning for Urban South Hampshire authorities of November 2022,
 - iv. South Downs is unable to meet its own housing needs as recognised in paragraph 4.18 of the Chichester HEDNA 2022 Update,
 - v. Crawley is only able to meet between 44 and 48% of its housing needs according to the Duty to Cooperate Statement of Compliance, January 2023,
 - vi. Gosport is unable to meet its own housing needs by 1,806 homes according to the latest statement of common ground between the Planning for Urban South Hampshire authorities of November 2022,
 - vii. Lewes is unlikely to be able to meet its housing needs as recognised in the Duty to Cooperate Statement of Compliance, January 2023, and
 - viii. Portsmouth is unable to meet its own housing needs by 2,481 homes according to the latest statement of common ground between the Planning for Urban South Hampshire authorities of November 2022.



- 3.5. Across the sub-region, there is therefore demonstrably an overwhelming and unsustainable unmet need for housing, and yet the proposed submission draft has not been prepared with any evidence as to how this will be addressed.
- 3.6. Similarly, the Duty to Cooperate Statement of Compliance, January 2023, recognises the A27 Chichester By-Pass major improvement scheme is another strategic cross-boundary matter, which has significant implications for the emerging Local Plan which are responded to under Policy H1, and yet similarly there is no statement of common ground demonstrating how this issue has or will be resolved.

Modifications required

- 3.7. The statements of common ground will need to be prepared and published, in accordance with the procedural requirements. These will then need to be considered and reflected in the emerging Local Plan which need to be consulted upon again in light of this evidence.



4. The Vision

4.1. The Vision of the proposed submission draft suggests that people will be able to choose from a variety of homes to suit their incomes, needs, lifestyle and stage of life in accessible locations close to existing or new services, meeting the needs of young people, families and older people.

4.2. However, as set out in paragraph 5.2 of the proposed submission draft, the emerging Local Plan does not propose to meet housing needs and as a result there will be an insufficient supply to meet housing needs let alone provide choice. This will mean that households on a lower income will find it increasingly difficult to find suitable housing, that households generally will find it increasingly difficult to access suitable housing regardless of needs, lifestyle and the stage of life, and that the housing needs of young people, families and older people will not be met.

Modifications required

4.3. Accordingly, the proposed policies are directly at odds with the proposed Vision, and as such either the Vision will need to be amended to recognise that housing needs will not be met and choice will not be provided, or the policies will need to be amended to provide for housing needs and choice.



5. Cross Boundary Strategic Objectives

- 5.1. Paragraph 2.52 suggests that strategic objectives align with the objectives of LSS2, one of which is meeting strategic housing needs. However, paragraph 5.2 of the proposed submission draft explicitly identifies that not only will the housing needs of the plan-area not be met, but also that no contribution will be made to the unmet needs of the South Downs or the sub-area more widely.

Modifications required

- 5.2. Accordingly, the proposed policies directly undermine the objectives of LSS2, and as such either paragraph 2.52 will need to be amended to recognise that there is some conflict between the policies of the emerging Local Plan and the objectives of LSS2, or the policies will need to be amended to provide for strategic housing needs.



6. Objective 3: Housing

- 6.1. Objective 3 of the emerging Local Plan proposes that well-designed, energy efficient and affordable housing will be provided to meet local needs. However, paragraph 5.2 recognises that housing needs will not be met and as set out in response to Policy H1 it is also clear that the emerging Local Plan will not provide a sufficient supply of affordable housing to meet needs.

Modifications required

- 6.2. Accordingly, the proposed policies are directly at odds with proposed Objective 3, and as such either Objective 3 will need to be amended to recognise that housing and affordable housing needs will not be met, or the policies will need to be amended to provide for housing and affordable housing needs.



7. Policy H1 – Meeting Housing Needs

The minimum housing need

- 7.1. Paragraph 61 of the NPPF requires that the minimum number of homes needed should be determined using the standard method of the PPG, unless exceptional circumstances justify an alternative approach. No such exceptional circumstances exist in Chichester District and as such there is a minimum need for 763 homes per annum which arises from the standard method as set out in paragraph 18 of the Chichester HEDNA 2022 Update.
- 7.2. The plan area however excludes the part of the South Downs National Park within Chichester District. In this area there is a need for 125 homes per annum according to the South Downs National Park HEDNA, September 2017. Accordingly, within the plan area there is a minimum need for 638 homes per annum (=763-125).

The housing needs of particular groups

- 7.3. Paragraph 62 of the NPPF requires that the housing needs for different groups should be assessed and reflected in planning policies.
- 7.4. The PPG (67-001) sets out that LPAs need to consider the extent to which the identified needs of specific groups can be addressed and “whether the evidence suggests that a higher level of need ought to be considered” as a result.
- 7.5. National policy and guidance are therefore clear that it is necessary to assess the housing needs of particular groups and that having done so, if these needs will not be addressed through the delivery of the minimum number of homes required by the standard method, the housing needs will be greater than this minimum.

The housing needs of students

- 7.6. The standard method relies upon the 2014 based household projections, which assume that the trends in the number of students in the housing stock over the period 2009-14 will persist and that the number of students in communal establishments will remain constant.
- 7.7. HESA identify that in 2008/09 there were 3,495 full-time students at the University of Chichester and that this had increased to 4,660 by 2013/14. Therefore, over the five-year period, there was a net increase of 1,165 students which will be reflected in the 2014 based household projections.
- 7.8. Paragraph 59 of the Chichester HEDNA 2022 Update suggests that over the five-year period 2020-25, there will be an increase of 1,600 students at the University. As such, student numbers will increase by 435 more than assumed in the standard method over five-years, or 87 per annum.
- 7.9. These additional students will create an additional need for housing in excess of the minimum identified by the standard method. Using the rates identified in the PPG (68-034), an additional 87 students per annum would create a need for 28 homes per annum in addition to the minimum need for 638 arising from the standard method. There is therefore a need for at least 666 homes per annum in the plan area.



The housing needs of those who require affordable housing

- 7.10. Paragraph 20a of the NPPF requires that strategic policies make sufficient provision for affordable housing. This is confirmed in the PPG (2a-024) which identifies that an increase in the overall housing requirement will need to be considered where it could help deliver the required number of affordable homes.
- 7.11. The Chichester HEDNA 2022 Update identifies that there is a need for 208 social/affordable rented homes per annum in the plan area in Table 6.16 and an additional need for 225 affordable home ownership homes per annum in Table 6.23. Therefore, the evidence suggests that there is a need for 433 affordable homes per annum.
- 7.12. Policy H4: Affordable Housing proposes that 40% of homes will be provided as affordable housing on greenfield sites of 10 or more homes in the north of plan area, and 30% in the south. Therefore, even assuming that all homes were delivered on greenfield sites of 10 or more homes in the north of the plan area, it would be necessary to deliver 1,083 homes to meet affordable housing needs in full. In such circumstances national policy and guidance require that the provision of greater levels of homes to meet this need is considered.

Unmet housing needs

- 7.13. Paragraph 61 of the NPPF recognises that in addition to local housing needs the unmet needs of neighbouring areas should also be taken into account when identifying a housing requirement.
- 7.14. In the absence of the statements of common ground required by paragraph 27 of the NPPF, there is not even any evidence of the extent of the unmet housing needs that can have been used to inform the housing requirement.
- 7.15. However, it is clear based on the evidence which is in the public domain that there is a substantial unmet housing need across the sub-region, running to many thousands of homes. Indeed, based solely on the unmet needs which are identifiable including in East Hampshire (346), Havant (1,469), Crawley (between 6,219 and 6,698 homes depending upon whether 44% or 48% of the minimum needs can be met), Gosport (1,806) and Portsmouth (2,481), and the exceedance of the minimum in Fareham (2,072) and Testy Valley (108) there is an unmet need for somewhere of the order of between 10,141 and 10,620 homes. Once the position in the other relevant authorities is known it is likely that the unmet need will be even greater.

The full housing needs

- 7.16. As set out above, there is a minimum need for 666 homes per annum once the needs of students are taken into account as required by paragraph 62 of the NPPF. This would equate to a minimum need for 11,988 homes over the plan period.
- 7.17. There is also a need for at least 1,083 homes per annum if affordable housing needs are to be met in full as required by paragraph 20a of the NPPF. This would equate to a need for at least 19,485 homes.
- 7.18. In addition to either of the preceding figures, there is also an unmet need for in excess of 10,000 homes in related authorities over the plan period.



7.19. Therefore, the starting point is that given the particular housing needs in the plan area and the wider context of unmet housing needs, there is a need for many times more homes than suggested by the minimum of the standard method.

Planning for infrastructure

7.20. The NPPF is clear that plan-making provides the opportunity for addressing infrastructure concerns in paragraph 104. Paragraph 22 sets out that plans should respond to long-term infrastructure requirements. The PPG (61-059) requires that LPAs and policies should set out infrastructure deficiencies and how these will be addressed.

7.21. The capacity of the A27 is recognised as an infrastructure constraint throughout the emerging Local Plan and its evidence base. The emerging Local Plan doesn't however plan to address this infrastructure concern as required by the PPG.

7.22. This is especially surprising given that the emerging Local Plan recognises in paragraph 8.5 that the solution to this issue exists and is identified in the Road Investment Strategy Pipeline for 2025-30. Whilst it is true that funding for this project has yet to be secured and cannot be guaranteed the same is true of many infrastructure projects which will be necessary to support the emerging Local Plan as set out in Table 3 of the Infrastructure Delivery Plan, January 2023. The fact that the funding has not yet been secured towards for example healthcare has not and should not be used to constrain the level of housing proposed in the emerging Local Plan and the same is true of transport infrastructure.

7.23. The absence of a commitment to resolve this infrastructure constraint through the emerging Local Plan is not only inconsistent with the objectives of national policy, it will also jeopardise the prospects of securing funding necessary to resolve this issue, as for example, in order to qualify for HIF funding, the funding needs to be demonstrated to support the delivery of the plan and the Council need to demonstrate joint working to achieve higher levels of housing growth. As such, in the absence of a clear commitment to resolve this constraint and release higher levels of housing, the Council will be ineligible for HIF funding and as such this infrastructure constraint will not be resolved.

7.24. Rather than plan for the necessary infrastructure, which in turn will maximise the prospects of securing this infrastructure, the emerging Local Plan instead proposes to defer this which according to the emerging Local Plan also has the effect of constraining the level of housing delivered to significantly below the minimum level needed to meet the needs of communities. This is the antithesis of positive planning and does not accord with the PPG or the objectives of national policy.

7.25. In order to implement this approach, the emerging Local Plan propose a "monitor and manage" approach such that the funding for the necessary improvements to the A27 will be monitored, which itself will be jeopardise that funding, and if the funding is secured, then presumably the corresponding level of housing will be released to address some of the housing need. The proposed "monitor and manage" approach as opposed to the usual "plan, monitor and manage" approach inherently acknowledges that the Council is failing to plan to address infrastructure needs or housing needs. As set out previously, this approach is not consistent with national policy and will actively constrain the delivery of the infrastructure and housing needed.

7.26. In order to address this, the emerging Local Plan should adopt a "plan, monitor and manage" approach which plan to meet housing needs in full through committing to the delivery of the



infrastructure improvements and if necessary, phasing the housing requirement towards the end of the plan period, with progress towards infrastructure funding being monitored and the delivery of sites being managed such that they will only be brought forward providing appropriate infrastructure improvements to the A27 as is necessary to support each development is provided. This would place the Council in the best place to secure the necessary funding, set out a strategy to meet housing needs in full as required by paragraph 23 of the NPPF, and provide sufficient contingency to allow for the unfortunate eventuality that this infrastructure constraint serves to act as a moratorium on development at some point in the future.

The proposed housing requirement

- 7.27. Policy H1 proposes a housing requirement for at least 10,350 homes over the plan period in response to the minimum need for 11,484 homes according to the standard method, the minimum need for 11,988 homes to address the growth plans of the University as required by national policy, the need for at least 19,485 homes to address affordable housing needs as required by national policy, and a need for in excess of 10,000 more homes to address the unmet needs of the sub-region in accordance with national policy.
- 7.28. The emerging Local Plan is therefore being progressed on the basis that housing needs will not be met by a substantial margin. The title of Policy H1, namely Meeting Housing Needs, is clearly a misnomer as the policy does not seek to meet housing needs. It should therefore either be amended to something more appropriate or the policy should commit to meeting housing needs.
- 7.29. Furthermore, in order to justify such an approach in accordance with paragraph 11b of national policy, it would be necessary that either footnote 7 policies provided a strong reason to restrict the scale of development or that the adverse impacts of meeting housing needs would significantly and demonstrably outweigh the benefits of meeting housing needs. Indeed, as set out in paragraph 5.2.20 of the SA, the Planning Inspectorate and the Planning Advisory Service both recognise that there is a 'high bar' to setting a housing requirement below housing needs, and that 'no stone should be left unturned'. These stones must include committing to the delivery of A27 improvements to ensure the best prospect of securing this infrastructure and releasing the housing that communities desperately need.
- 7.30. The Council's justification for not meeting housing needs in full is set out in paragraph 5.2.11 of the Sustainability Appraisal which suggests that the capacity in the southern plan area is constrained by the capacity of the A27, and that the capacity in the northern plan area is constrained by the rurality of the area and water resources. None of these are footnote 7 policies, and so there would need to be evidence that these issues significantly and demonstrably outweigh the benefits of delivering the housing that is so desperately needed in Chichester and beyond.
- 7.31. This assessment does not appear to have been undertaken anywhere within the evidence base of the emerging Local Plan, and as such the proposed constrained housing requirement does not accord with national policy and is not justified.
- 7.32. Had such an assessment been undertaken, in order to progress such a strategy, this would have needed to demonstrate that the adverse impacts on the capacity of the A27 of delivering any homes in excess of 575 per annum significantly and demonstrably outweighs the benefits of preventing many thousands of households becoming homeless, or living in overcrowded or unsuitable accommodation, or remaining in the parental home, or having



their life-prospects limited by being unable to invest in the housing ladder, or finding they have no option but to move away, and undermining the prospects of securing infrastructure funding. This would be a very surprising conclusion and one which would be virtually impossible to justify.

Local Strategic Settlement 3 (LSS3)

- 7.33. In paragraph 5.13, it is identified that the strategy for addressing the substantial unmet need for housing within Chichester and across the sub-region “may” be provided in the Local Strategic Statement 3 (LSS3). It is important to note that LSS1 and LSS2 have failed to address this issue, notwithstanding consistent commitments to do so, and as such the suggestion that LSS3 may do so will doubtlessly provide no reassurance to the many thousands of households who will have their life prospects limited by the emerging Local Plan.
- 7.34. Furthermore, even if confidence could be placed on LSS3 to address this issue, the proposal to defer addressing needs rather than meeting infrastructure and housing needs would be explicitly unsound according to paragraph 35c of the NPPF.

Modifications required

- 7.35. As will be appreciated from the preceding representations, the strategy of the emerging Local Plan to not address infrastructure and housing needs is unjustified, inconsistent with national policy and is the antithesis of positive planning. As this strategy underlies the entire emerging Local Plan, significant modifications will be required to provide for a sound Local Plan. In particular:
- i. The Local Plan should seek to address infrastructure requirements including the capacity constraints on the A27 as required by paragraph 22 of the NPPF.
 - ii. The full need for housing will need to be assessed taking account of the needs of particular groups as required by paragraphs 61 and 62 of the NPPF.
 - iii. The Council will need to engage positively and collaboratively with prescribed bodies to investigate whether there is capacity to accommodate some of the sub-regional unmet need for in excess of 10,000 homes, and this will need to be demonstrated through the publication of statements of common ground.
 - iv. Having established the full need for housing, this should be met in full in accordance with paragraph 11b of the NPPF unless the Council is able to demonstrate that the adverse effects of additional traffic flows on the A27 significantly and demonstrably outweigh the benefits of preventing many thousands of households having their life prospects limited including those who will become homeless, find themselves in overcrowded or otherwise unsuitable accommodation, those who find themselves with no option but remaining in the parental home for even longer, those whose personal financial positions are severely compromised by being unable to invest in the housing market, those who find that they are unable to remain in the area in which they have established relationships, and the benefits of maximising the prospect of securing infrastructure funding.
 - v. Even in this very unlikely scenario, the resultant unmet need for housing should be dealt with through the duty to cooperate rather than deferred as required by paragraph 35c of the NPPF.



vi. In any event, it will be necessary to retitle Policy H1 to recognise that it will not meet housing needs or to amend the emerging Local Plan to meet housing needs.

7.36. Clearly, if as would be expected that following the necessary additional work it is demonstrated that the infrastructure and housing needs of present and future generations should be met and sustainable development provided for, then it will also be necessary to amend Policy H2 and H3 to respond and provide greater levels of housing.



8. Policy H4 – Affordable Housing

- 8.1. Paragraph 5.17 of the emerging Local Plan suggests that the HEDNA identifies a need for approximately 200 social and affordable rented homes per annum. Whilst it is true that the HEDNA identifies a need for 208 social and affordable rented homes per annum, it also identifies a need for 225 affordable ownership homes and yet this appears to have been entirely disregarded within the emerging Local Plan. This yet again is indicative of the fact that the emerging Local Plan appears to have been prepared without a real understanding of the extent of the need for housing and without due regard having been paid to this.
- 8.2. Policy H4 then also sets out the tenure mix, and yet it is unclear how this has been identified, and as such it may not be effective or justified.
- 8.3. The HEDNA suggests that there is a need for 225 affordable ownership homes per annum and 208 social or affordable rental homes per annum, meaning that 52% of affordable housing need is for affordable ownership. The PPG (70-014) identifies that a minimum 25% of all affordable homes should be provided as first homes which are a form of affordable ownership homes. Accordingly, the evidence suggests that somewhere between 25% and 52% of affordable homes should be provided as first homes or if not other forms of affordable ownership homes, with the remaining 48% being provided as social and affordable rental homes.
- 8.4. Policy H4 however sets a completely different tenure mix, with a disproportionately large share of social and affordable rental homes compared to that needed. This would benefit from explanation and clarification.
- Modification required**
- 8.5. As the tenure mix sought by Policy H4 does not align with the evidence, additional work will need to be undertaken to demonstrate that this is justified and that it will be effective.



9. Housing trajectory

- 9.1. Paragraph 74 of the NPPF requires that a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against the housing requirement (a 5YLS) and paragraph 23 requires that a sufficient supply of housing is identified across the plan period.
- 9.2. The emerging Local Plan provides a housing trajectory in Appendix E. This has not been considered in any detail given that the supply will change by the time of the examination and the existence of a 5YLS, and plan period supply will depend upon the housing requirement which is found to be necessary throughout the course of the examination. Beechcroft Developments Ltd therefore reserve the right to respond to any newly arising evidence on housing land supply issues.
- 9.3. It is also important to note that in order to be considered as part of a housing trajectory, sites do not need to be deliverable as defined by the NPPF, and as such the housing trajectory provides no indication of the deliverable supply. The Council has therefore prepared a Five Year Housing Land Supply 2022-2027 Updated Position Statement which assesses the deliverable supply. This identifies that at present a 4.74yrs is able to be demonstrated, although this will clearly need to be updated as the examination proceeds to take account of the potential effects on the supply from the emerging allocations and the housing requirement. Again, Beechcroft Developments Ltd reserve the right to respond to this.
- 9.4. Notwithstanding the above, there are a few overarching points that will need to be addressed as briefly summarised below.
- 9.5. The evidence provided in support of the supply in Appendix E is provided in the Five Year Housing Land Supply 2022-2027 Updated Position Statement. The trajectories for many individual sites within Appendix E do not however accord with those in the supporting evidence of the Position Statement and a number of new permitted sites have been introduced. Indeed, had the trajectories set out within the Position Statement been maintained in Appendix E the supply would be 308 homes less within the current five-year period 2022-27 such that even on the basis of the trajectory within Appendix E (which includes the proposed allocations) a 5YLS would not be able to be demonstrated even against the constrained housing requirement.
- 9.6. There is no evidence to explain why the trajectories in the Position Statement have been amended or new sites introduced within Appendix E, and as a result there is no clear evidence that completions will be achieved within five years for those sites with outline planning permission or which are allocated. In the absence of such evidence, these sites cannot be demonstrated to be deliverable in accordance with the NPPF.
- 9.7. Similarly, for the proposed allocations there is no clear evidence that completions will be achieved and as such these cannot be demonstrated to be deliverable in accordance with the NPPF.
- 9.8. Furthermore, the trajectory in Appendix E contains numerous unallocated sites which gained planning permission after the base-date of the assessment or which have yet to gain planning permission, which cannot be included in the deliverable supply according to literally every appeal decision of which Pegasus Group is aware of which there are very many.



Modifications required

- 9.9. At the appropriate juncture, the 5YLS position that is likely to exist at the point of adoption will need to be assessed in accordance with national policy. It is normal practice to undertake this assessment prior to adoption to ensure that there is a prospect that such a supply will be able to be demonstrated contingent upon the ever-changing deliverability of sites and the final conclusions on the housing requirement.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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