

Braintree District Monitoring Report 2018
Addendum to the Monitoring Report:

Subject:

Five Year Housing Supply 2018-2023



11 April 2019

1 The target

- 1.1 Braintree District Council now normally reviews housing land supply on an annual basis, in accordance with Government Practice Guidance.
- 1.2 However, the Government has made changes to the assessment of housing land supply, and this has led to the need to review the 5 year supply position. The review continues to examine forecast supply for the 5 year period 2018-2023.
- 1.3 In July 2018 the Government published the Revised National Planning Policy Framework (2018) which introduced the approach of the Standard Methodology for calculating the 5 year supply target for decision making in districts where there was no up to date Local Plan. This was the position for Braintree District, because the adopted Review Local Plan (2005) was more than 5 years old and the emerging new Local Plan is not yet adopted.
- 1.4 The NPPF was supported by revised Practice Guidance, published in September 2018.
- 1.5 According to the Standard Methodology (2018) the target was calculated using data from the latest household projections, and applying a ratio from the latest local housing affordability ratio published by the Office for National Statistics. A buffer should then be applied to the target. Whether the buffer should be the standard 5% buffer or increased to 20% was to be defined by the results of the Housing Delivery Test taking into account housing delivery over the past three years. The Housing Delivery Test was due to be published in November 2018, as stated by the Government in the NPPF, and this buffer requirement definition took effect from when the HDT results were published.
- 1.6 In September 2018 the Office for National Statistics (ONS) published 2016 based household projections. These then formed the basis of the calculation of the housing target for the 5 year supply for Braintree District.
- 1.7 The Government then published a consultation which proposed to change the Standard Methodology to revert, as a temporary measure, to using the (generally higher) 2014 based household projections.

- 1.8 The Government published a revised version of the NPPF in February 2019, together with revised Practice Guidance, and the results of the Housing Delivery Test 2018 (delayed from November). The use of the 2014 household projections produced a higher requirement for Braintree District in Step 1 of the calculation (632, being the annual average projected increase 2018-2028 in the 2014 based household projections). This is an increase compared to the Step 1 target from the 2016 based projections, which was 507.
- 1.9 On March 28 2019 the Office for National Statistics published the latest (2018) local housing affordability ratios. The local housing affordability ratio for Braintree District has increased from 9.5 in 2017 to 10.17. This results in a local affordability multiplier of 1.385625 for Step 2 of the calculation of the target (increased from 1.34375 in the 2017 results published by ONS in April 2018). When this ratio is applied the annual average target increases to **876**.
- 1.10 The local housing affordability data compares the median average house price of properties sold in the District over the year ending at September to the median average income of people working in the District according to earnings sample survey data. House prices in the District have risen, but in addition the data showed a reduction in the median average earnings of people who work in the District. A high proportion of the District commutes to work outside the District where average earnings are higher, and new housing developments in the District are generally marketed as attractive locations for commuters. Average earnings nationally have increased and the earnings of residents, including commuters, is likely to have increased (interim, quarterly, data indicated a rise above the national average). The results for the average earnings of people working in the District may to some extent reflect the employment structure, and may reflect the volatility of sample survey data at low geographic levels such as districts.
- 1.11 Step 3 of the calculation caps the level of any increase over the household projections to 40%. As the Braintree District increase in Step 2 was less than 40%, this is not currently relevant to Braintree District.

1.12 Step 4 applies the buffer (as defined in the Housing Delivery Test Results 2018) to the target. When the Housing Delivery Test Results were published in February this confirmed the buffer for Braintree District at 5%. When applied to the target, this increases the annual average target to 920 and the 5 year supply target to **4,598**.

1.13 These calculations are summarised in Table 1:

Table 1: Calculation of the target for 2018-2023	
Stage 1: Setting the baseline: the ONS 2014 based household projections	
Average annual increase in households 2018-2028 Braintree District	632
Stage 2: Adjustment to take account of ONS 2018 local housing affordability data	
Braintree District affordability ratio 2018	10.17
Adjustment factor: (Local ratio minus 4) divided by 4, and then multiplied by 0.25	0.385625
= local affordability ratio to apply:	1.385625
Five years' worth of target before buffer applied, based on 2014 household projections, 2017 affordability ratio published April 2018	4,379
= Baseline annual target after application of local affordability factor and before buffer applied	876
Stage 3: Capping the increase	
The effect of the local affordability ratio is capped at a maximum of 1.4. As Braintree is currently under 1.4, this makes no change	
Stage 4: Application of the buffer The 2018 Housing Delivery Test results (published February 2019) have confirmed the buffer is currently 5%	
Annual target (876 + 5%)	920
5 year supply target (4,379 + 5%)	4,598

2 The supply

- 2.1 The revisions to the NPPF Practice Guidance also changed the approach to the assessment of deliverable supply, and the Council has reviewed the evidence of deliverability on the sites identified by the Council in the 5 year supply assessment 2018-2023.
- 2.2 Further guidance on the sort of evidence needed according to categories of sites and the context has been promised by the Government but is still outstanding.
- 2.3 Sites with detailed permission and small sites with outline permission (i.e. less than 10 dwellings) can be taken as deliverable unless there is evidence to the contrary – and if there are formal phasing restrictions these should be taken into account (this does not apply to any of the sites in the Braintree District 5 year supply).
- 2.4 For larger sites with outline permission, or allocated in adopted plans, information and clear evidence is needed that delivery of completions will start within the 5 year period. Such evidence can include current planning status, timescales and progress towards detailed permission. Information from developers about their sites is important in assessing deliverability.
- 2.5 Table 2 summarises the deliverable supply in Braintree District by planning status.

Table 2: Summary of 5 year supply 2018-2023 by planning status as at 1 April 2018	
As shown in 2018 Monitoring Report, February 2019:	
Sites under construction	1,360
Sites with full permission, development not yet started	629
Small sites with outline permission	66
Windfall allowance	225
Lapse/expiry allowance	-75
Other sites identified as at 1 April 2018: As reviewed against supporting evidence April 2019	
Large sites with outline permission as at 1 April 2018	2,174
Sites with Resolution to Grant as at 1 April 2018	231
Adopted Allocation, North West Braintree	200
Total projected supply, excluding communal accommodation	4,810

- 2.6 For sites with full permission and small sites with outline permission the supply is as detailed in the site trajectory in the 2018 Monitoring Report published in February 2019. Sites developed via Prior Approval process (e.g. conversion of offices or farm buildings via Prior Approval) are included within this category.
- 2.7 For larger sites without detailed permission - including sites with outline permission; sites with a Resolution to Grant subject to the signing of a Section 106 Agreement as at 1 April 2018; and the adopted Growth Location allocation at North West Braintree which is the subject of a current hybrid planning application – were reviewed against information and evidence of deliverability. This included contacting site developers and agents responsible for the sites; reviewing progress including progress towards the submission of planning applications, and a sense check of reviewing the forecast delivery against recent progress on sites.
- 2.8 Appendix 1 to this addendum summarises information on the sites reviewed (large outline permissions; sites with a Resolution to Grant permission; and the adopted allocation at North West Braintree). Appendix 2 provides more detailed supporting information and evidence on these sites.
- 2.9 The results of the review demonstrated that such sites are coming forward. Although the total expected supply from large outline sites appears substantial at 2,174, Table 3 summarises the current status of these sites:

Table 3:	
Deliverable supply 2018-2023 from large sites with outline permission as at 1 April 2018: Updated status	
Under construction	351
With detailed permission, not yet started	532
Resolution to Grant on detailed permission (in addition to the outline)	218
Full or Reserved Matters application pending consideration	572
Full or Reserved Matters application in preparation	461
Deliverable supply 2018-2023 from large sites with Resolution to Grant as at 1 April 2018: Updated status	
With outline permission, Full or Reserved Matters application in preparation to be submitted over next few months, developer on board, deliverable supply forecast provided (<i>Braintree Road Crossing, Countryside Properties, outline consent for 225 homes, deliverable supply by 2023 3 years at 50-60 dpa; and Bury Farm Hatfield Peverel, 46 homes, Bellway Homes, deliverable supply by 2023 46 homes</i>)	209
With outline consent, not yet with deliverable supply forecast from identified developer (<i>Heddingham Road Gosfield – 35 - and Morleys Road Earls Colne – 20</i>)	55

- 2.10 These were sites identified as at 1 April 2018 as expected to produce completions in the 5 year supply period 2018-2023: although additional sites have been identified through the development management process since 1 April 2018 and these sites are expected to add to supply before 2023, the Council will take such sites into account in the roll forward of the supply review to the period 2019-2024. These additional sites reflect the action the Council continues to take to increase supply.
- 2.11 The supply assessment includes an allowance for windfall sites, at 75 dwellings per year from Year 3 of the 5 year supply period; and an allowance for expiry of permissions at 15 dwellings per year over Years 1-5. The evidence supporting these allowances is detailed in the Monitoring Report.
- 2.12 As part of the review of evidence, the Council carried out an analysis of the lead time in recent developments on larger sites from the date of detailed permission to the timing of first delivery of completions. This analysis also examined delivery rates year by year from the date of detailed permission. This evidence is set out in Appendix 3 to this addendum. This demonstrates that lead times vary depending on the site. The longest lead time, at 24 months, was at Portway Place Halstead where existing old employment buildings on this brownfield site needed to be cleared before development could commence. It is more usual however for the lead time to be approximately 1 year, and there were several examples where construction commenced very soon after granting of detailed consent and completions started to be delivered well within the year, for example at the Lodge Farm site in Witham.
- 2.13 The review also demonstrated how on the larger sites such as Lodge Farm, more than one outlet can be operating at one time, and phases of development can come forward before earlier phases are completed. At Lodge Farm (Redrow Homes) and Forest Road (Bellway Homes), land with outline permission at 1 April 2018 was part of larger sites which were under construction, and these subsequent phases come forward without the lead time expectations that might be expected in the case of an outline permission site where development has not started.

3 Review of 2017 trajectory

- 3.1 Government guidance suggests that the Council should review the previous (2017) Monitoring Report trajectory to examine progress on sites. Appendix 4 compares the information in the 2017 trajectory for sites of 10 or more dwellings that would be in the 5 year supply with information on progress and a review of forecasts.
- 3.2 This demonstrates that whilst some sites have not come forward as quickly as forecast, others are coming forward more rapidly.

4 Communal accommodation

- 4.1 To this assessed supply should be added projected supply from communal accommodation, in accordance with Government Guidance. The publication of the Housing Delivery Test data now provides the ratio to be applied to this supply. The Council has included sites with detailed permission in this category.
- 4.2 For student accommodation a ratio of 2.5 is applied. For other communal accommodation a ratio of 1.8 is applied. There are no student communal accommodation developments identified in Braintree District. The total number of net additional rooms identified 2018-2023 is 105. After dividing by 58, this results in a net contribution to supply of 58. These permissions are listed in the schedule in Appendix 5.

4 The 5 year supply position: comparison of reviewed 2018-2023 target against reviewed 2018-2023 supply

- 4.1 Table 4 compares the reviewed target, as amended to reflect the 2018 local housing affordability ratio (published 28 March 2019) with the 2018-2023 projected deliverable supply, taking into account the reviewed evidence of deliverability (Table 2 and paragraph 3.2, above). This results in a **5.29 year supply**.

Table 4: Summary of the 5 year supply position for the 5 year supply period 2018-2023	
Annual average target	920
5 year supply target 2018-2023	4,598
Projected deliverable 5 year supply before communal accommodation taken into account	4,810
Projected contribution to deliverable 5 year supply from communal accommodation after application of ratio of 1.8 as per Housing Delivery Test specification	58
Total projected supply	4,868
Years supply	5.29
Projected surplus against target	270

Appendix 1 - Five Year Supply Housing Trajectory April 2018-March 2023
Large outline and without permission sites: Planning Status as at 31 March 2018

Local Plan Site reference	Planning Application reference	Planning Status	Name and address of site	2018/19	2019/20	2020/21	2021/22	2022/23	Total Identified Supply 2018-33	Total supply 2018-2023	Total identified supply post 2023	Correspondence from Developer / Agent / Land owner	Deliverability evidence as of when AMR was published (January 2019)	Deliverability Evidence update
With Outline Planning Permission, 10 dwellings or more														
BOCS 140	BTE/15/1458/OUT BTE/17/1973/FUL	Outline	Site at Rayne Lodge Farm, north of Rayne Road Braintree	5	60	50	12	0	127	127	0	Yes. 21.12.2018. Trajectory from developer forecast 22 in 2018/19, 50 in 2019/20, 50 in 2020/21 and 5 in 2021/22. BDC has adjusted this to take into account site progress at start April 2019 site check.	Developer Redrow Homes; full application granted 06.04.18 covers details of materials, limiting need for later discharge of conditions. Developer expected to progress development fairly quickly. Includes 38 affordable homes. Sales launched June 2018. 38 plots under construction at Dec 2018.	As at start of April 2019, site check showed 5 plots completed and 60 plots under construction.
BCBG 144	BTE/15/1366 BTE/18/613/REM	Outline	Carier Business Park East Street Braintree	0	0	50	24	0	74	74	0	Yes completed form returned by developer Dec 2018, confirmed completions will begin on site within 5 year supply period, and completion of sale of site to developer due shortly	Brownfield site, being cleared and coming forward. Current applications for discharge of conditions and reserved matters.	Reserved Matters approved 30.11.18, Variation of plans approved with new S106 signed 19.11.18. Updated information from developer received 8 April 2019 confirmed developer has now completed purchase of site; is tendering for the works, and envisages works will commence c. Sept 2019 with completion by March 2021.
GGHR 307	BTE/14/1580/OUT BTE/17/1665/REM	Outline	Phase 2 Land south of Oak Road Halstead	11	56	33	0	0	100	100	0	Yes. 04.12.2018. Forecast completions 18/19: 17, 19/20: 56, 20/21:27. BDC has adjusted this to take into account completions 2018/2019 from site check.	Developer David Wilson Homes; current Reserved Matters application for 100 homes; can be developed concurrently with Phase 1. As at Nov 2018, 23 plots under construction	Site check April 2019 found 11 plots completed and 25 plots under construction.
HASA 286	BTE/16/0802/OUT	Outline	Land at Greenways Balls Chase	0	0	0	0	0	14	0	14	No		Insufficient evidence of deliverability within 5 year supply period
GOSF 251	BTE/17/0610/OUT BTE/18/2007/FUL	Outline	Land South of The Limes Gosfield	0	0	5	14	0	19	19	0	Yes. 4.12.2018 from agent Strutt and Parker confirming no significant constraints and site now owned by Chelsteen Homes and full application submitted.	Developer Chelsteen Homes Ltd. Full application for 22 homes now submitted,	Full planning application BTE/18/2007/FUL pending consideration
GGHR 283 HASA 293	BTE/17/0575/OUT BTE/18/1749/FUL	Outline	Land east of Sudbury Road Halstead	0	33	62	62	61	218	218	0	Yes. 18.12.2018 Trajectory from developer. Subsequent revised trajectory provided by developer 6.2.2019.	Developer Bellway Homes. Outline was for up to 205 homes plus a care home site. Full application now submitted for 218 homes.	The full application on this site that has an extant outline consent has now had a resolution to grant subject to completion of a Section 106 Agreement. The site access is going in and the site is currently being marketed to potential homebuyers. Follow up information received in meeting with developer dated 6.02.2019: Forecast development 33 completions 2019/20; and 62 completions 2020/21, with remaining 123 homes subsequently. Includes 65 affordable homes.
HATF 608	BTE/16/2096/OUT BTE/19/0494/REM	Outline	Former Aria Dairy Site Hatfield Peverel	0	16	82	47	0	145	145	0	Yes. 18.12.2018 Trajectory from developer. Subsequent revised trajectory provided by developer 6.2.2019.	Developer Bellway Homes. Site cleared. Current discharge of conditions application, reserved matters submission in preparation.	Reserved Matters now submitted, BTE/19/00494/REM pending consideration. The site is now being marketed to potential homebuyers (Hatfield Grove). Follow up information received in meeting with developer dated 6.02.2019: Forecast development 16 completions 2019/20; and 82 completions 2020/21, with remaining 47 homes subsequently. Proposed development includes 58 affordable homes.

Five Year Supply Housing Trajectory April 2018-March 2023
Large outline and without permission sites: Planning Status as at 31 March 2018

Local Plan Site reference	Planning Application reference	Planning Status	Name and address of site	2018/19	2019/20	2020/21	2021/22	2022/23	Total Identified Supply 2018-33	Total supply 2018-2023	Total identified supply post 2023	Correspondence from Developer / Agent / Land owner	Deliverability evidence as of when AMR was published (January 2019)	Deliverability Evidence update
	BTE/16/0569/OUT	Outline	Land NE of Inworth Rd Feering	0	0	50	50	50	165	150	15	Yes. 05.02.2019 Trajectory from agent Savills acting on behalf of developer.	Developer Bloor Homes is preparing reserved matters application for submission.	06.02.2019 Agent Savills advised infrastructure to commence late summer 2019; with an anticipated build rate of 50 per year agent from 2020/21, would expect to have 150 completions by April 2023. Reserved Matters in preparation following pre application discussions and expected to be submitted late April/early May2019.
KELV 335	BTE/17/0418/OUT	Outline	Station Field, Land west of Kelvedon Station Station Road (Monks Farm) Kelvedon	0	0	50	50	50	250	150	100	04.12.2018 Trajectory from agent Phase 2 Planning acting for developer advised 50 dpa from 2019/20.	Developer Cala Homes. As part of conditions of outline consent reserved matters will be submitted within 2 years of outline permission. Reserved matters application expected to be submitted shortly; current discharge of conditions application	Applications for Non material amendment and Variation of plans pending consideration; until determined, the Reserved Matters application is in abeyance. Council has adjusted the trajectory to reflect progress, deferring completions by 1 year.
RIV2H	BTE/15/0799 BTE/17/1092/FUL	Outline	Phase 2 NE Witham Growth Location, East of Forest Rd Rivenhall/Witham	0	21	87	55	0	163	163	0	Yes. 18.12.2018 and revised trajectory from developer 06.02.2019.	Full application 17/01092/FUL submitted for Phase 2 from developer Bellway Homes for 163 homes, granted 27.04.2018.	Follow up information received in meeting with developer dated 6.02.2019: Forecast development 21 completions 2019/20; 87 completions 2020/21, 55 completions post 2021. Includes 49 affordable homes. Planning application BTE/19/00138/FUL granted 4.4.2019 for temporary off site construction compound. Developer is constructing the Rivenhall Park site already with Phase 1 underway (222 total of which only 23 plots not yet started, 114 plots are completed and 85 plots are under construction, as at start April 2019).
SILV 389	BTE/15/0280/OUT BTE/18/1751/REM	Outline	Land off Western Road Silver End ("Meadow View")	0	25	51	51	51	350	178	172	Yes. 21.12.2018. Trajectory from developer	Reserved matters application expected 2018, developer Redrow Homes.	Reserved matters application for 350 homes BTE/18/1751/REM approved, Planning Committee. NHBC report for March 2019 shows the site as under construction, first 2 plots started 28 March 2019, and sales have launched. Construction of site access underway. Includes 40% of homes as affordable (140). Current construction by this developer at Lodge Farm showed 95 completions delivered within first year of which 15 were from Phase 1b which had outline.
SILV 386	BTE/16/1653 BTE/18/01172/VAR	Outline	Land east of Boars Tye Road Silver End	0	4	35	11	0	50	50	0	Yes. 28.02.2019 Trajectory from developer	Variation of plans agreed. Reserved matters application expected soon, developer Sanctuary Homes. Developer has confirmed forecast delivery.	Reserved matters application now submitted by developer, BTE/19/00634/REM. Includes 40% affordable homes, which are currently programmed to be delivered in the first phase.
RIDG 359	BTE/17/1325/OUT BTE/19/0635/FUL	Outline	SE side Ashen Rd, at junction with Tilbury Rd Ridgewell	0	0	0	8	8	16	16	0	Yes. 13.03.2019; agent forecast completion of the whole site in the first quarter of 2021.	Agent confirmed site sold to developer and full planning application was in preparation following pre app discussions (and approval of earlier outline application).	Full planning application now submitted; BTE/19/00635/FUL, Beacon Hill Homes, application for 18 dwellings.
GRBA 255A	BTE/15/1354/OUT BTE/18/0187/REM	Outline	Land off Braintree Road Great Bardfield (Bardfield Walk)	0	37	0	0	0	37	37	0	Yes. 3.12.2018, trajectory from developer.	Developer Croudace Homes; anticipated sales launch 2019. Reserved matters submitted and now approved post base date. Development forecast provided by developer Dec 2018.	As at beginning of April 2019, 28 of the 37 plots were under construction.

Five Year Supply Housing Trajectory April 2018-March 2023
Large outline and without permission sites: Planning Status as at 31 March 2018

Local Plan Site reference	Planning Application reference	Planning Status	Name and address of site	2018/19	2019/20	2020/21	2021/22	2022/23	Total Identified Supply 2018-33	Total supply 2018-2023	Total identified supply post 2023	Correspondence from Developer / Agent / Land owner	Deliverability evidence as of when AMR was published (January 2019)	Deliverability Evidence update
EAR 3	BTE/15/0934/OUT BTE/18/0371/REM	Outline	Land at Station Road Earls Colne	0	0	15	20	21	56	56	0	Yes. 4.12.2018 agent (Phase 2 Planning) forecast 40 in 2019/20 and 16 in 2020/21.	Reserved matters submitted, Cala Homes	Reserved matters application pending consideration. The Council has moderated the forecast supply from the agent. Nonetheless, given the average Cala Homes delivery rate nationally of 32, plus affordable housing (which in this location would be at 40%), with a capacity of 56 dwellings this site is fully deliverable within the 5 yr supply period.
EARC 225	BTE/15/1580/OUT	Outline	Land rear of Halstead Road Earls Colne	0	0	25	55	0	80	80	0	Yes. 17.12.2018. Agent Amec Foster Wheeler. BDC adjusted agent trajectory.	Reserved matters planned to be submitted 2019.	Council has put back completions by 1 year
WIS 10X	BTE/14/1528/OUT	Outline	Former Bowls Club And Land At Old Ivy Chimneys Hatfield Road Witham	0	0	0	12	0	12	12	0	No	BTE/16/1907 for 12 homes on land at New Ivy Chimneys part superseded this site by overlapping on 6 units on land NW of New Ivy Chimneys; capacity shown is remaining outline capacity.	Although the outline permission expired later in 2018, a full application for this site has been submitted and is pending consideration, developer St Giles Developments Ltd, application reference BTE/19/00109/FUL. The site is within the development boundary and is adjacent existing development. There are no known constraints. The developer is currently carrying out small developments on adjacent sites and it is anticipated that this site will come forward on completion of the adjacent work.
WIS 06	BTE/15/0430/OUT BTE/18/0884/REM BTE/18/1912/REM	Outline	Lodge Farm, South West Witham Growth Location, off Hatfield Road	15	90	90	90	90	659	375	284	Yes. 21.12.2018. BDC adjusted developer trajectory.	Developer Redrow Homes. Overall capacity 750 homes. Phase 1, 91 homes, under construction. Full plans being drawn up for Phase 1b (capacity 84) and Phase 2 (est capacity 49)	Twin outlet development. Council has now revised trajectory to take into account progress 2018/19. Phase 1a had full permission at 31.3.2018 and so is not included in this outline capacity. Currently Phase 1a (nearing completion, only 11 plots outstanding at April 2019) and Phase 1b (granted 4 Sept 2018) are both under construction. On the overall site, a total of 95 homes were completed in the year 2018/2019 of which 15 were from Phase 1b which had outline consent at April 2018. Phase 1B, 84 total as at April 2018 and with outline consent, had 67 plots under construction and 2 plots not started as at April 2019. Phase 2 now has detailed permission for 57 homes, granted 26 March 2019 - and sales have launched ("The Junipers"), and plans are being drawn up for submission of details for Phases 3 and 4 this year. Developer has advised sales strong, currently averaging 1.3 per week compared to more usual average of 1 per week. Affordable housing at 30% is in addition to sales.
WITN 426	BTE/15/1273 BTE/19/0026/FUL	Outline	Land north of Conrad Road Witham	0	0	21	67	36	150	124	26	Yes. 1.03.2019. Trajectory from developer.	Developer Sanctuary Homes.	Developer estimated trajectory as 21 in 2020/2021; 67 in 2021/2022; 36 in 2022/2023 and 26 in 2023/24 (after 5 year supply period) - and that the affordable homes are currently programmed to be delivered 2021/2022, hence the spike in completions. Full application pending consideration.

Five Year Supply Housing Trajectory April 2018-March 2023
Large outline and without permission sites: Planning Status as at 31 March 2018

Local Plan Site reference	Planning Application reference	Planning Status	Name and address of site	2018/19	2019/20	2020/21	2021/22	2022/23	Total Identified Supply 2018-33	Total supply 2018-2023	Total identified supply post 2023	Correspondence from Developer / Agent / Land owner	Deliverability evidence as of when AMR was published (January 2019)	Deliverability Evidence update
WIS 09	BTE/12/1071	Outline	Land south of Maltings Lane Witham	0	0	0	10	30	63	40	23	Churchmanor Estates replied 4.12.2018	Remainder of new neighbourhood site, as shown in approved master plan. Site promoter Churchmanor Estates has confirmed completions will start on site before April 2023.; current discussions with LPA on proposed mixed use development.	
GREY 275	BTE/14/1254	Outline	Hunnable Industrial Estate Great Yeldham	0	16	44	0	0	60	60	0	Yes 4.12.2018. Trajectory from developer.	Developer Linden Homes owns site. Reserved matters and discharge of conditions now submitted; to be considered by Planning Committee 12 March 2019, recommended for approval.	Reserved Matters approved 4.4.2019. Conditions being discharged. Construction is expected to start Spring/Summer 2019.
Estimated supply from Sites with outline planning permission, 10 dwellings or more				31	358	750	638	397	2808	2174	634			
Adopted Plan Growth Location Sites, Without Planning Permission														
BOS6H	BTE/15/1319	Without	Land West of Panfield Lane Braintree	0	0	30	70	100	600	200	400	Form returned 10.12.2018 forecasting 18/19: 0, 19/20: 0, 20/21: 25, 21/22: 100, 22/23: 100.	Hybrid planning application - Phase 1 full, 189; outline only for remaining 636.	The planning application is planned to be considered by Planning Committee Summer 2019. The Council has reduced forecast delivery by 25 to take into account Feb 2019 advice from agent Kevin Coleman agent as confirmed in meeting Feb 2019 with the two developers involved, Mersea Homes and Hill Residential.
Estimated supply from Adopted Growth Location site, without planning permission				0	0	30	70	100	600	200	400			
Sites with Resolution to Approve subject to signing of Section 106 Agreement														
GOSF 252 GOSF 253	BTE/17/1066/OUT	Without	Land West of Hedingham Road (Land to the north of Meadway) Gosfield	0	0	0	0	0	35	0	35	No. Original agent responded providig contact details for new agent but no response received to enquiry from new agent.		Resolution to grant subject to signing of S106, 28.11.2017. Subsequently decision granted 24.05.2018. Site has been marketed and is understood to have been sold or is "under offer" for development, but at present insufficient evidence of deliverability within the 5 year supply period.
HATF 630	BTE/17/0341/OUT	Without	Hatfield Bury Farm Bury Lane Hatfield Peverel	0	0	0	46	0	46	46	0	Yes. 18.12.2018 and 06.02.2019. Council has used the original trajectory provided by the developer (18.12.2018).	Approved in principle subject to signing of S106. Subsequently decision granted 18.04.2018. Developer Bellway Homes. Full application in preparation.	
CRESS 192 CRESS 193	BTE/16/2144/OUT	Without	Land adjacent to Braintree Road Cressing	0	0	55	55	55	225	165	60	Yes. 14.01.2019. Developer projects 50 – 60 units per year from the end of 2019	Developer Countryside Properties; outline application approved in principle 27.02.18 subject to signing of Section 106 Agreement; decision issued 18 Dec 2018	Reserved Matters expected to be submitted late April/early May 2019.
	BTE/17/1769/OUT	Without	Land East of Morleys Road Earls Colne	0	0	0	20	0	20	20	0	Yes. 17.12.2018. From the Hunt Property Trust. In line with agent trajectory.	Outline application approved in principle 13.02.18 subject to signing of S106 Agreement; decision issued 28.11.2018.	
Estimated supply from Sites subject of Resolution to Approve subject to signing of Section 106 Agreement				0	0	55	121	55	326	231	95			

Appendix 2 – Correspondence with Developers, Agents and Land Owners

Site	Name of Developer, Agent or Land Owner	Correspondence type	Date
Site at Rayne Lodge Farm, north of Rayne Road, Braintree	Redrow Homes	Form	21.12.2108
Former Carrier site, East Street, Braintree	Myriad Housing Ltd /CHP	Form	December 2018
Phase 2 Land south of Oak Road Halstead	David Wilson Homes	Form	04.12.2018
Land South of The Limes Gosfield	Strutt and Parker on behalf of Chelsteen Homes	Email	04.12.2018
Land east of Sudbury Road Halstead	Bellway Homes	Forms received 18.12.2018 Further Information received in meeting with developer 06.02.2019 (table)	18.12.2018 & 06.02.2019
Arla Dairy Site, Hatfield Peverel			
Forest Road, Witham			
Hatfield Bury Farm Bury Lane, Hatfield Peverel			
Land north East of Inworth Road	Savills acting on behalf of Bloor Homes	Email	05.02.2019
Station Field, Kelvedon	Phase 2 Planning acting for Cala Homes	Form	04.12.2018
Land off Western Road Silver End (Meadow View)	Redrow Homes	Form	21.12.2018
Land east of Boars Tye Road, Silver End	Sanctuary Homes	Email	28.02.2019
Ashen Road, Ridgewell	Arcady Architects (agent)	Email	13.03.2019
Land off Braintree Road, Great Bardfield	Croudace Homes	Form	03.12.2018
Land at Station Road, Earls Colne	Phase 2 Planning acting for Cala Homes	Form	04.12.0218

Site	Name of Developer, Agent or Land Owner	Correspondence type	Date
Land rear of Halstead Road, Earls Colne	Amec Foster Wheeler (agent)	Form	17.12.2018
Lodge Farm, South West Witham Growth Location, off Hatfield Road	Redrow Homes	Forms	21.12.2018
Land north of Conrad Road, Witham	Sanctuary Homes	Email	01.03.2019
Land south of Maltings Lane, Witham	Churchmanor Estates	Form	04.12.2018
Hunnable Industrial Estate, Great Yeldham	Linden Homes	Form	04.12.2018
Land West of Panfield Lane, Braintree	Phase 2 Planning & Development Ltd (agent) on behalf of Mersea Homes Ltd And Hills Residential Ltd	Form	10.12.2018
Land adjacent to Braintree Road, Cressing	Countryside Properties	Email	14.01.2019
Land East of Morleys Road, Earls Colne	The Hunt Property Trust	Email	17.12.2018

Please return forms by Friday 7th December 2018



Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

As you represent one or more of these sites, we would appreciate you taking the time to fill out the below form. Please complete a separate form for each site.

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Chris Gatland
Position:	
Organisation:	
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 032 Rayne Gardens, Site at Rayne Lodge Farm, north of Rayne Road
Planning application reference(s):	BTE/15/1458/OUT BTE/17/1973/FUL

Is the site:

Owned by Developer ☒

Site Actively being marketed ☐

Sale to developer under negotiation ☐

Site not actively being marketed ☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	
Planning Status at 31 March 2018:	Outline planning permission
Update on Planning Status:	Now with full permission and under construction

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	Submitted and approved
Details of Discharge of conditions status: submitted	Conditions discharged
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	OFF RAYNE ROAD
Ground conditions/ contamination:	NO CONTAMINATION
Drainage (SUDS, flood prevention etc):	SUDS AND SWALES
Land ownership:	REDROW HOMES
Other constraints (describe), including market:	

Total/estimated total site capacity	127
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	127
Forecast completions Year 1: April 2018/March 2019	22
Forecast completions Year 2: April 2019/March 2020	50
Forecast completions Year 3: April 2020/March 2021	50
Forecast completions Year 4: April 2021/March 2022	5
Forecast completions Year 5: April 2022/March 2023	0

Other developer/site promoter/landowner comments	
(Internal use)	

Return by Friday 7th December 2018 to:

PlanningPolicy@braintree.gov.uk

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Debbie Blacow
Position:	Development Officer - new Business
Organisation:	Myriad Housing Ltd /CHP
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 034 Former Carrier Business Park East Street Braintree
Planning application reference(s):	BTE/15/1366 BTE/18/613/REM

Is the site:

Owned by Developer ☐

Site Actively being marketed ☐

Sale to developer under negotiation ☒

Site not actively being marketed ☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Reserved matters approved

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	18/00613/REM
Details of Discharge of conditions status: submitted	Discharge of conditions submitted
Information on Constraints: Actions needed before completions can be achieved	Land completion from land owner, knotweed removal
Access/transport:	
Ground conditions/ contamination:	
Drainage (SUDS, flood prevention etc):	
Land ownership:	Exchanged, completion of land due shortly
Other constraints (describe), including market:	

Total/estimated total site capacity	74
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	74
Forecast completions Year 1: April 2018/March 2019	
Forecast completions Year 2: April 2019/March 2020	
Forecast completions Year 3: April 2020/March 2021	
Forecast completions Year 4: April 2021/March 2022	
Forecast completions Year 5: April 2022/March 2023	

Other developer/site promoter/landowner comments	
(Internal use)	

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Ray Houghton
Position:	HEAD OF PLANNING
Organisation:	David Wilson Homes Eastern Counties/Barratt Homes
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 035 St Andrews Gate Phase 2 Land south of Oak Road Halstead
Planning application reference(s):	BTE/14/1580 BTE/17/1665

Is the site:

Owned by Developer ☒

Site Actively being marketed ☐

Sale to developer under negotiation ☐

Site not actively being marketed ☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	YES
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Now with full permission and under construction

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	
Details of Discharge of conditions status: submitted	Conditions now discharged
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	
Ground conditions/ contamination:	
Drainage (SUDS, flood prevention etc):	
Land ownership:	
Other constraints (describe), including market:	

Total/estimated total site capacity	100
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	100
Forecast completions Year 1: April 2018/March 2019	17
Forecast completions Year 2: April 2019/March 2020	56
Forecast completions Year 3: April 2020/March 2021	29
Forecast completions Year 4: April 2021/March 2022	
Forecast completions Year 5: April 2022/March 2023	

Other developer/site promoter/landowner comments	
(Internal use)	

Return by Friday 7th December 2018 to:

PlanningPolicy@braintree.gov.uk

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From: [Carpenter, Kathy](#)
To: [Laura Dudley-Smith](#)
Subject: RE: Request for information forecast development Land south of The Limes Gosfield
Date: 04 December 2018 10:02:00

Many thanks for your help, I think I can take it from here.

Best wishes,

Kathy

From: Laura Dudley-Smith
Sent: 03 December 2018 17:35
To: Carpenter, Kathy <kathy.carpenter@braintree.gov.uk>
Cc: James Firth
Subject: RE: Request for information forecast development Land south of The Limes Gosfield

Dear Kathryn,

The land at Gosfield is no longer owned by Marden Homes Ltd. We are now acting on the site on behalf of it's new owner, Chelsteen Homes. The contact there is Bill Poulton.

A revised planning application has been submitted to BDC for consideration. There are no significant issues that have been identified however that should present delay to delivery should the revised application be determined favourably.

Please let me know if you would like us to complete a revised form in this regard.

Laura

Laura Dudley-Smith
Strutt & Parker

From: Carpenter, Kathy [<mailto:kathy.carpenter@braintree.gov.uk>]
Sent: 30 November 2018 17:38
To: Laura Dudley-Smith
Subject: Request for information forecast development Land south of The Limes Gosfield
Importance: High

Dear Laura,

Please see the attached file. Braintree District Council needs to check information the anticipated timing of completions on the above site, as part of work on checking the deliverable housing land supply in the District. Our records show that you were the contact for the development; could you please advise on the site or provide contact details for someone who can confirm?

Kind regards,

Kathryn Carpenter
Senior Planning Officer

Please return forms by Friday 7th December 2018



Review of Housing Sites Identified in the 5 Year Supply 2018-2023

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:

Steve Read

Position:

Divisional Development & Planning Manager

Organisation:

Bellway Homes Ltd

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 38 Land east of Sudbury Road Halstead

Planning application reference(s):

BTE/17/0705

Is the site:

Owned by Developer

☒

Site Actively
being marketed

☐

Sale to developer
under negotiation

☐

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before
April 2023?

Yes

Planning Status at 31 March 2018:

Outline planning permission

Update on Planning Status:


Full application submitted for 218 homes BTE/18/01749,
agent jennifer.carroll@struttandparker.com

Site Progress cont.. HALSTEAD

Full/reserved matters status: approved, applied for, when planned to be submitted	Submitted <i>FULL APPLICATION SUBMITTED</i>
Details of Discharge of conditions status: submitted	Submitted November 2018; Building Regs Initial Notice (NHBC) submitted
Information on Constraints: Actions needed before completions can be achieved	<i>PLANNING APPROVAL AND COMMENCEMENT OF BUILD.</i>
Access/transport:	<i>ACCESS POINTS AGREED AT OUTLINE APPROVAL</i>
Ground conditions/ contamination:	<i>FARM LAND NO CONTAMINATION EXPECTED</i>
Drainage (SUDS, flood prevention etc):	<i>APPLICATION WITH FULL PLANNING SUBMISSION</i>
Land ownership:	<i>BELLWAY HOMES.</i>
Other constraints (describe), including market:	<i>N/A.</i>

Total/estimated total site capacity	205 <i>OUTLINE</i>
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	205
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	20
Forecast completions Year 3: April 2020/March 2021	70
Forecast completions Year 4: April 2021/March 2022	70
Forecast completions Year 5: April 2022/March 2023	58

218 FULL APPLICATION

Other developer/site promoter/landowner comments	
(Internal use)	Outline permission for 205 also included site for a care home; whereas this is omitted from the full application for 218 - i.e. supply may exceed the 205 indicated as at March 2018

Return by Friday 7th December 2018 to:

PlanningPolicy@braintree.gov.uk

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:

Steve Read

Position:

Divisional Development and Planning Manager

Organisation:

Bellway Homes

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 039 Former Arla Dairy Site Bury Lane/Station Road Hatfield Peverel

Planning application reference(s):

BTE/16/2096

Is the site:

Owned by Developer

☐

Site Actively
being marketed

☐

Sale to developer
under negotiation

☒

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?

YES

Planning Status at 31 March 2018:

Outline permission

Update on Planning Status:

SUBJECT TO R.M. APPLICATION DISCUSSIONS U/WAY.

Site Progress cont.. ARLA FOODS



Braintree
District Council

Full/reserved matters status: approved, applied for, when planned to be submitted	OUTLINE APPROVAL./SECTION 73 R.M. APPLICATION BEING DISCUSSED.
Details of Discharge of conditions status: submitted	PRE RM CONDITIONS BEING SUBMITTED.
Information on Constraints: Actions needed before completions can be achieved	R.M. APPROVAL.
Access/transport:	VIA STATION ROAD - SUBJECT TO CURRENT SECTION 73.
Ground conditions/ contamination:	COVERED HARD/CONC
Drainage (SUDS, flood prevention etc):	APPLICATION WITH RM.
Land ownership:	T.B.C.
Other constraints (describe), including market:	N/A.

Total/estimated total site capacity	145	OUTLINE
Dwellings built as at 31 March 2018	0	
Outstanding capacity as at 31 March 2018	145	✓
Forecast completions Year 1: April 2018/March 2019	0	
Forecast completions Year 2: April 2019/March 2020	0	
Forecast completions Year 3: April 2020/March 2021	80	
Forecast completions Year 4: April 2021/March 2022	65	
Forecast completions Year 5: April 2022/March 2023	—	

Other developer/site promoter/landowner comments	
(Internal use)	

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:

Bellway Homes - Steve Read.

Position:

Divisional Development and Planning Manager

Organisation:

Bellway Homes

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Phase 2 Rivenhall Park Forest Road Witham

Planning application reference(s):

BTE/15/0799 BTE/17/1092

Is the site:

Owned by Developer



Site Actively
being marketed



Sale to developer
under negotiation



Site not actively
being marketed



PART C Site Progress

Will Housing completions begin on site before
April 2023?

YES

Planning Status at 31 March 2018:

Outline planning permission

Update on Planning Status:

Now with full planning permission for 163 homes, Building
Regs Initial Notice submitted

Site Progress cont.. FOREST ROAD - PH 2



Full/reserved matters status: approved, applied for, when planned to be submitted	Approved R.M.
Details of Discharge of conditions status: submitted	CONDITIONS TO BE RELEASED.
Information on Constraints: Actions needed before completions can be achieved	CLEAR CONDITIONS.
Access/transport:	APPROVED VIA PHASE 1
Ground conditions/ contamination:	FARM LAND / GOLF COURSE
Drainage (SUDS, flood prevention etc):	YES
Land ownership:	T. B. C
Other constraints (describe), including market:	N/A.

Total/estimated total site capacity	163 R.M.
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	163
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	0
Forecast completions Year 3: April 2020/March 2021	80
Forecast completions Year 4: April 2021/March 2022	83
Forecast completions Year 5: April 2022/March 2023	—

Other developer/site promoter/landowner comments	
(Internal use)	

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:

Steve Read

Position:

Divisional Development and Planning Manager

Organisation:

Bellway Homes

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 054 Hatfield Bury Farm Bury Lane Hatfield Peverel

Planning application reference(s):

BTE/17/00341/OUT

Is the site:

Owned by Developer

☐

Site Actively
being marketed

☐

Sale to developer
under negotiation

☒

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before
April 2023?

YES - SUBJECT TO LAND DEAL
AND FULL APPLICATION.

Planning Status at 31 March 2018:

Outline application approved in principle 29.08.17 subject to
signing of S106 Agreement

Update on Planning Status:

Outline planning permission granted 18.04.2018

Site Progress cont.. BURY FARM

Full/reserved matters status: approved, applied for, when planned to be submitted	CURRENT OUTLINE 46 UNITS.
Details of Discharge of conditions status: submitted	NONE
Information on Constraints: Actions needed before completions can be achieved	FULL APPLICATION OR RM.
Access/transport:	VIA EXISTING ENTRANCE
Ground conditions/ contamination:	T.B.A.
Drainage (SUDS, flood prevention etc):	T.B.A.
Land ownership:	T.B.C.
Other constraints (describe), including market:	N/A.

Total/estimated total site capacity	46 OUTLINE.
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	46
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	0
Forecast completions Year 3: April 2020/March 2021	0
Forecast completions Year 4: April 2021/March 2022	46 (50)
Forecast completions Year 5: April 2022/March 2023	-

Other developer/site promoter/landowner comments	
(Internal use)	

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Braintree District Council - Bellway sites

Site	Number of units	Number of HA units	Yearly breakdown					
			2017/2018	2018/2019	2019/2020	2020/2021	forward	
Approved Planning								
Central Piling	103	31	57	46				
Forest Road, Phase 1	222	67	71	93	58			
Forest Road, Phase 2	163	49			21	87	55	
Mill Lane, Cressing	118	35		19	65	34		
Current	606	182	128	158	144	121	55	
4 in Construction		30.03%						

Current applications							
Sudbury Road, Halstead	218	65			33	62	123
Riverview (Gimsons)	78	23			33	45	
Rickstones Road	58	17			15	43	
3 Current Application							

Future applications							
Arla Food, Hatfield Peveral	145	58			16	82	47
Bury Farm, Hatfield Peveral	50	18				16	34
Earls Colne	90	36				54	36
Bakers Lane	300	90				TBC	TBC
N E Witham - Phase 4	350	105				TBC	TBC
Current + Future applications	1289	412					

From: [Wilde, Mathew](#)
To: [Carpenter, Kathy](#)
Subject: FW: 18/60196/PREAPP Land north East of Inworth Road
Date: 05 February 2019 14:23:41
Attachments: [image001.gif](#)

FYI

Kind Regards,

Mathew Wilde

Senior Planner – Development Management

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

☎ 01376 552525 Ext. 2512 | www.braintree.gov.uk | ✉ mawil@braintree.gov.uk

From: Catherine Williams **Sent:** 05 February 2019 2:21 PM

To: Wilde, Mathew <Mathew.Wilde@braintree.gov.uk>

Subject: RE: 18/60196/PREAPP Land north East of Inworth Road

Mathew,

In terms of start on site:

- Infrastructure to commence late summer 2019
- With an anticipated build rate of 50 per year we would expect to have 150 completions by April 2023.

Regards,

Catherine Williams BA(Hons) MA MRTPI
Associate Director
Planning

Savills, 33 Margaret Street, London, W1G 0JD
Tel

Email

Website : www.savills.co.uk



Before printing, think about the environment

From: Wilde, Mathew [<mailto:Mathew.Wilde@braintree.gov.uk>]

Sent: 28 January 2019 9:59 AM

To: Catherine Williams

Subject: 18/60196/PREAPP Land north East of Inworth Road

Hi Catherine,

Thank you for our meeting on Friday. I have asked Lee to go through the boundary treatment plan with me this week so I will provide comments on this shortly.

In terms of the coloured block plan, please may I have an electronic copy of this?

I have also been asked if I could get some confirmation in writing from you in respect to timescales for the REM submission? And when roughly will works commence?

Could you also please give an indication if possible please?:

- If the site will start to produce completions before April 2023
- View of expected development rates - how many of the 165 are expected to be completed by April 2023?

Many thanks in advance for your help.

Kind Regards,

Mathew Wilde

Senior Planner – Development Management

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

☎ 01376 552525 Ext. 2512 | www.braintree.gov.uk | ✉ mawil@braintree.gov.uk

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Matthew Wood, agent Phase 2 Planning and Development
Position:	Principal Planner
Organisation:	CALA Homes (North Home Counties) Ltd
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Station Field, Land W of Kelvedon Station Station Rd (Monks Farm) Kelvedon
Planning application reference(s):	Site 041 BTE/17/0418

Is the site:

Owned by Developer

☒

Site Actively
being marketed

☐

Sale to developer
under negotiation

☐

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes, subject to RM approval
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	RM to be submitted early 2019

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	RM to be submitted early 2019
Details of Discharge of conditions status: submitted	Condition submissions to be made early 2019
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	Access approved at outline stage.
Ground conditions/ contamination:	Agricultural land.
Drainage (SUDS, flood prevention etc):	SUDS system to be included within Reserved Matters application.
Land ownership:	CALA Group
Other constraints (describe), including market:	

Total/estimated total site capacity	250
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	250
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	50
Forecast completions Year 3: April 2020/March 2021	50
Forecast completions Year 4: April 2021/March 2022	50
Forecast completions Year 5: April 2022/March 2023	50

Other developer/site promoter/landowner comments	
(Internal use)	As condition of the outline permission dated October 2017, reserved matters application for first phase must be submitted by October 2019 (i.e. within 2 years)

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Chris Gatland
Position:	
Organisation:	Redrow Homes
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 043 Meadow View, Land off Western Road Silver End
Planning application reference(s):	BTE/15/0280

Is the site:

Owned by Developer ☒

Site Actively being marketed ☐

Sale to developer under negotiation ☐

Site not actively being marketed ☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Reserved matters and discharge of conditions submitted, Building Regs Initial Notice submitted; access approved

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	Submitted
Details of Discharge of conditions status: submitted	
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	OFF WESTERN ROAD
Ground conditions/ contamination:	NO CONTAMINATION
Drainage (SUDS, flood prevention etc):	SUDS AND SWALES
Land ownership:	REDROW HOMES
Other constraints (describe), including market:	

Total/estimated total site capacity	350
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	350
Forecast completions Year 1: April 2018/March 2019	25
Forecast completions Year 2: April 2019/March 2020	51
Forecast completions Year 3: April 2020/March 2021	51
Forecast completions Year 4: April 2021/March 2022	51
Forecast completions Year 5: April 2022/March 2023	51

Other developer/site promoter/landowner comments	
(Internal use)	

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From: [Conan Farningham](#)
To: [Havers, Timothy](#)
Cc: [Carpenter, Kathy](#); [Alice Patchett](#)
Subject: RE: Silver End
Date: 28 February 2019 15:07:23
Attachments: [image001.png](#)

Afternoon Tim,

Thanks for your email, I would comment as follows:

- We are ready to submit – we are just waiting for the decision notice to ensure it is not lost in the system.
- We would hope to be complete and off site by April 2023
- Completions are assumed as follows but these will likely change following appointment of a contractor and also the decision date:

April 2019/March 2020: 4
April 2020/March 2021: 35
April 2021/March 2022: 11
April 2022/March 2023 0

Please be advised that we are currently programming the S106 units to be delivered in the first Phase.

Regards,

Conan

Conan Farningham
Head of Land and Planning

Sanctuary Group

Office: 02088261598



From: Havers, Timothy [mailto:timothy.havers@braintree.gov.uk]
Sent: 28 February 2019 14:54
To: Conan Farningham
Cc: Carpenter, Kathy
Subject: Silver End

Conan,

I'm aware that you are chasing Chris for the DN for the above. I have also chased – he is interviewing all day today so may not be able to respond today.

I would be grateful if you could provide a short email setting out the answers to the below. This is to assist with our Planning Policy Team's assessment of the deliverability timescales for your Silver End site.

- When do you plan to submit the full planning application?
- Will the site start to produce completions before April 2023?
- How many completions are they planning for in the years:

April 2019/March 2020:
April 2020/March 2021:
April 2021/March 2022:
April 2022/March 2023

Many Thanks

Tim

Tim Havers MRTPI

Principal Planner

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB
☎ 01376 552525 Ext. 2526 | www.braintree.gov.uk | ✉ timha@braintree.gov.uk

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From: [Heather Organ](#)
To: [Carpenter, Kathy](#)
Subject: RE: Development site at land at Ashen Road Ridgewell
Date: 13 March 2019 15:13:14
Attachments: [~WRD000.jpg](#)
[image001.png](#)

Dear Kathryn,

We intend to be in a position to submit an application for planning shortly - in late March or early April 2019. Assuming we are successful I would anticipate completion of the whole site in the first quarter of 2021 based on our clients current aspirations.

I am unable to provide the name of the developer at this time but I trust the above information answers your main queries.

Kind Regards,
Heather.

Heather Organ BSc Architecture

Heather



From: Carpenter, Kathy <kathy.carpenter@braintree.gov.uk>
Sent: 13 March 2019 11:51
To: Heather Organ <[REDACTED]>
Subject: Development site at land at Ashen Road Ridgewell
Importance: High

Dear Heather Organ,

We spoke on the telephone recently, when I was enquiring about whether this above site is coming forward for development in the next few years, as you acted as agent for a Mr J Williams in a 2018 pre application, following the sale of the site by the landowner to a developer. The site currently has the benefit of an extant outline permission and is shown as a draft allocation in the emerging Draft Braintree District Local Plan. You kindly provided me with a verbal response, confirming that the site is now owned by a developer, and that a detailed planning application is being drawn up for submission (in 2019?) following on from the pre-application consideration.

Could I please ask if you could provide this confirmation in writing for us – by e-mail response would be fine? If possible, as well as confirming whether the site is expected to start to produce completions by April 2023, any information would be helpful if available on expected estimated timescales for submission of the planning application, start on site, and expected number of dwellings by year –

April 2019/March 2020 (I assume that will be 0)

April 2020/March 2021
April 2021/March 2022, and
April 2022/March 2023.

If you are able to confirm the name of the developer that would also be helpful.

Kind regards,

Kathryn Carpenter

Senior Planning Officer

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Christopher Evans
Position:	Architect
Organisation:	Croudace Homes Ltd.
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 045 Land off Braintree Road Great Bardfield
Planning application reference(s):	BTE/15/1354/OUT BTE/18/0187/REM

Is the site:

Owned by Developer

☒

Site Actively
being marketed

☐

Sale to developer
under negotiation

☐

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes - site under construction
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Site now under construction, conditions discharged.

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	Approved
Details of Discharge of conditions status: submitted	Discharged
Information on Constraints: Actions needed before completions can be achieved	N/A
Access/transport:	
Ground conditions/ contamination:	
Drainage (SUDS, flood prevention etc):	
Land ownership:	
Other constraints (describe), including market:	

Total/estimated total site capacity	37
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	37
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	37
Forecast completions Year 3: April 2020/March 2021	
Forecast completions Year 4: April 2021/March 2022	
Forecast completions Year 5: April 2022/March 2023	

Other developer/site promoter/landowner comments	
(Internal use)	

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Matthew Wood agent Phase 2 Planning and Development
Position:	Principal Planner
Organisation:	CALA Homes (North Home Counties) Ltd
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 046 Land at Station Road Earls Colne
Planning application reference(s):	BTE/15/0934 18/02004/REM

Is the site:

Owned by Developer

☒

Site Actively
being marketed

☐

Sale to developer
under negotiation

☐

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes, construction due to begin early 2019 subject to RM approval
Planning Status at 31 March 2018:	RM submitted
Update on Planning Status:	RM due to be heard at Planning Committee in Jan/Feb 2019

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	RM submitted Feb 2018
Details of Discharge of conditions status: submitted	All relevant condition submissions made and small number yet to be approved
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	Access approved as part of outline consent and S278 works underway.
Ground conditions/ contamination:	No contamination present.
Drainage (SUDS, flood prevention etc):	Attenuation basin incorporated into RM submission.
Land ownership:	Developer owned
Other constraints (describe), including market:	

Total/estimated total site capacity	56
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	56
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	40
Forecast completions Year 3: April 2020/March 2021	16
Forecast completions Year 4: April 2021/March 2022	0
Forecast completions Year 5: April 2022/March 2023	0

Other developer/site promoter/landowner comments	
(Internal use)	

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PART A Developer/Promoter Details

Contact Name:	Stuart Williamson agent Amec Foster Wheeler
Position:	
Organisation:	The Hunt Property Trust
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Land rear of Halstead Road Earls Colne
Planning application reference(s):	BTE/15/1580

Is the site:

Owned by Developer ☐

Site Actively
being marketed ☐

Sale to developer
under negotiation ☒

Site not actively
being marketed ☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	YES
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	JULY 2019
Details of Discharge of conditions status: submitted	NONE TO DATE
Information on Constraints: Actions needed before completions can be achieved	NONE BEYOND USUAL
Access/transport:	(Access Reserved i.e approved)
Ground conditions/ contamination:	Further investigations per outline
Drainage (SUDS, flood prevention etc):	" " "
Land ownership:	-
Other constraints (describe), including market:	-

Total/estimated total site capacity	80
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	80
Forecast completions Year 1: April 2018/March 2019	
Forecast completions Year 2: April 2019/March 2020	25
Forecast completions Year 3: April 2020/March 2021	55
Forecast completions Year 4: April 2021/March 2022	
Forecast completions Year 5: April 2022/March 2023	

Other developer/site promoter/landowner comments	
(Internal use)	

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PART A Developer/Promoter Details

Contact Name: Chris Gatland

Position:

Organisation: Redrow Homes Ltd

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 018 Phase 1B Lodge Farm Hatfield Road

Planning application reference(s):

BTE/15/0430/OUT BTE/18/00884/REM

Is the site:

Owned by Developer

☒

Site Actively being marketed

☐

Sale to developer under negotiation

☐

Site not actively being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes
Planning Status at 31 March 2018:	Outline planning permission
Update on Planning Status:	Reserved matters application submitted 16 May 2018
Full/reserved matters status: approved, applied for, when planned to be submitted	

Site Progress cont..

Details of Discharge of conditions status: submitted	Conditions discharged post March 2018, site now under co	
Information on Constraints: Actions needed before completions can be achieved		
Access/transport:	Access off the B1389	
Ground conditions/ contamination:	No remediation required Predominantly cohesive	
Drainage (SUDS, flood prevention etc):	SUDS and Swales - 1 in 100 year events and 30% for climate change	
Land ownership:	Redrow Homes	
Other constraints (describe), including market:		
Total/estimated total site capacity	84	
Dwellings built as at 31 March 2018	0	
Outstanding capacity as at 31 March 2018	84	
Forecast completions Year 1: April 2018/March 2019	0	
Forecast completions Year 2: April 2019/March 2020	30	
Forecast completions Year 3: April 2020/March 2021	54	
Forecast completions Year 4: April 2021/March 2022	0	
Forecast completions Year 5: April 2022/March 2023	0	
Other developer/site promoter/landowner comments		
(Internal use)		

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name: Chris Gatland

Position:

Organisation: Redrow Homes Ltd

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 019 Phase 2 Lodge Farm Witham

Planning application reference(s):

BTE/15/0430/OUT BTE/18/01912/REM

Is the site:

Owned by Developer

☒

Site Actively being marketed

☐

Sale to developer under negotiation

☐

Site not actively being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Reserved matters application submitted 24 Oct 2018
Full/reserved matters status: approved, applied for, when planned to be submitted	

Site Progress cont..

Details of Discharge of conditions status: submitted		
Information on Constraints: Actions needed before completions can be achieved		
Access/transport:	Access off the B1389	
Ground conditions/ contamination:	No remediation required Predominantly cohesive	
Drainage (SUDS, flood prevention etc):	SUDS and Swales - 1 in 100 year event and 30% for climate change	
Land ownership:	Redrow Homes	
Other constraints (describe), including market:		
Total/estimated total site capacity	57	
Dwellings built as at 31 March 2018	0	
Outstanding capacity as at 31 March 2018	57	
Forecast completions Year 1: April 2018/March 2019	11	
Forecast completions Year 2: April 2019/March 2020	46	
Forecast completions Year 3: April 2020/March 2021	0	
Forecast completions Year 4: April 2021/March 2022	0	
Forecast completions Year 5: April 2022/March 2023	0	
Other developer/site promoter/landowner comments		
(Internal use)		

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

As you represent one or more of these sites, we would appreciate you taking the time to fill out the below form. Please complete a separate form for each site.

This form can be returned electronically to planningpolicy@braintree.gov.uk or in hard copy if necessary to: Planning Policy, Braintree District Council, Causeway House, Bocking End, Braintree, CM7 9HB.

This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name: Chris Gatland

Position:

Organisation: Redrow Homes

E-mail Address:

Telephone Number:

PART B Site Details (please use separate form for each site)

Site Address/Location:

Site 020 Phases 3, 4 and 5 Lodge Farm Hatfield Road

Planning application reference(s):

BTE/15/0430/OUT

Is the site:

Owned by Developer

☒

Site Actively being marketed

☐

Sale to developer under negotiation

☐

Site not actively being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?

Planning Status at 31 March 2018:

Outline permission

Update on Planning Status:

Full/reserved matters status: approved, applied for, when planned to be submitted

Site Progress cont..

Details of Discharge of conditions status: submitted		
Information on Constraints: Actions needed before completions can be achieved		
Access/transport:	Access of the B1384	
Ground conditions/ contamination:	No remediation required Predominantly cohesive	
Drainage (SUDS, flood prevention etc):	SUDS and Swales - 1 in 100 year event and 30% after climate change	
Land ownership:	Redrow Homes	
Other constraints (describe), including market:		
Total/estimated total site capacity	518	
Dwellings built as at 31 March 2018	0	
Outstanding capacity as at 31 March 2018	518	
Forecast completions Year 1: April 2018/March 2019	0	
Forecast completions Year 2: April 2019/March 2020	45	
Forecast completions Year 3: April 2020/March 2021	80	
Forecast completions Year 4: April 2021/March 2022	90	
Forecast completions Year 5: April 2022/March 2023	90	
Other developer/site promoter/landowner comments		
(Internal use)	Potential capacity based on outline of up to 750, minus Phases 1a(91) 1b (84) and 2 (57), would be a residual 518, but is this still a realistic estimate of residual site capacity?	

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From: [Conan Farningham](#)
To: [Carpenter, Kathy](#)
Cc: [Havers, Timothy](#); [Banks, Natalie](#); [Alice Patchett](#)
Subject: Silver End/Conrad Rd
Date: 01 March 2019 11:00:51
Attachments: [image001.png](#)
[image002.jpg](#)

Morning,

I would advise the following for Conrad Road, Witham (Southfields):

- . We have submitted the application and awaiting for further timescales etc
- . Yes, this scheme along with Silver End are key to delivering our Homes England Programme and overall targets
- . Completions are assumed as follows but these will likely change following appointment of a contractor and also the decision date:

April 2019/March 2020: 0
April 2020/March 2021: 21
April 2021/March 2022: 67
April 2022/March 2023: 36
April 2023/March 2024: 26

Please be advised that we are currently programming the S106 units to be delivered April 21/22 hence the spike in completions.

Regards,

Conan

Conan Farningham
Head of Land and Planning

Sanctuary Group

Office: 02088261598

Email:



From: Carpenter, Kathy [mailto:kathy.carpenter@braintree.gov.uk]
Sent: 28 February 2019 15:44
To: Conan Farningham
Subject: RE: Silver End
Importance: High

Dear Conan – thank you very much for your prompt response. Could I please ask, are you able to provide me with the equivalent information in respect of Conrad Road Witham, which I believe you know as Southfields?

Kind regards,
Kathy Carpenter

Kathryn Carpenter
Senior Planning Officer
Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB
☎ 01376 552525 Ext. 2564 | www.braintree.gov.uk | ✉ kathy.carpenter@braintree.gov.uk

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

As you represent one or more of these sites, we would appreciate you taking the time to fill out the below form. Please complete a separate form for each site.

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Stephen M Clark
Position:	Chief Executive
Organisation:	Churchmanor Estates plc
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 050 Land south of Maltings Lane Witham
Planning application reference(s):	BTE/12/1071

Is the site:

Owned by Developer ☐

Site Actively being marketed ☐

Sale to developer under negotiation ☐

Site not actively being marketed ☒

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes
Planning Status at 31 March 2018:	Outline planning permission
Update on Planning Status:	See below

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	
Details of Discharge of conditions status: submitted	
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	
Ground conditions/ contamination:	
Drainage (SUDS, flood prevention etc):	
Land ownership:	
Other constraints (describe), including market:	Need a mini Masterplan to deal with housing/neighbourhood shops and public open space

Total/estimated total site capacity	268
Dwellings built as at 31 March 2018	205
Outstanding capacity as at 31 March 2018	63
Forecast completions Year 1: April 2018/March 2019	
Forecast completions Year 2: April 2019/March 2020	
Forecast completions Year 3: April 2020/March 2021	
Forecast completions Year 4: April 2021/March 2022	
Forecast completions Year 5: April 2022/March 2023	

Other developer/site promoter/landowner comments	Current discussions with LPA case officer Neil Jones to combine this application with the provision of Neighbourhood Shops
(Internal use)	Discussions with LPA taking place on proposed mixed use development on remaining, final phase of largely completed strategic site (Land south of Maltings Lane)

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

As you represent one or more of these sites, we would appreciate you taking the time to fill out the below form. Please complete a separate form for each site.

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Hannah Short
Position:	Planning and Design Co-ordinator
Organisation:	Linden Homes
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 051 Former Hunnable site Toppesfield Road Great Yeldham
Planning application reference(s):	BTE/14/1254 18/01475/REM

Is the site:

Owned by Developer

☒

Site Actively
being marketed

☐

Sale to developer
under negotiation

☐

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes
Planning Status at 31 March 2018:	Outline permission
Update on Planning Status:	Reserved matters application submitted, and discharge of conditions

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	Submitted
Details of Discharge of conditions status: submitted	Submitted
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	Access via Market Grove to be constructed, technical approval required from Essex County Council before works can commence on access.
Ground conditions/ contamination:	Contamination present in ground, remediation to be carried out and validation report to be approved by Braintree DC.
Drainage (SUDS, flood prevention etc):	Surface Water drainage strategy (outline condition 5) to be discharged by Braintree DC.
Land ownership:	None
Other constraints (describe), including market:	None

Total/estimated total site capacity	60
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	60
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	16
Forecast completions Year 3: April 2020/March 2021	44
Forecast completions Year 4: April 2021/March 2022	0
Forecast completions Year 5: April 2022/March 2023	0

Other developer/site promoter/landowner comments	n/a
(Internal use)	

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Review of Housing Sites Identified in the 5 Year Supply 2018-2023

The National Planning Policy Framework (July 2018) requires local planning authorities to identify and update annually a supply of specific deliverable sites to be measured against their housing requirements (paragraph 73). As part of this process, local planning authorities are required to engage with developers and others who have an impact on delivery (see paragraph 74).

As you represent one or more of these sites, we would appreciate you taking the time to fill out the below form. Please complete a separate form for each site.

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This form has three parts: Part A – Developer/Company/promoter Details, Part B - Site details and Part C – Site Progress

PART A Developer/Promoter Details

Contact Name:	Kevin Coleman, agent Phase 2 Planning & Development Ltd
Position:	Mersea Homes Ltd And Hills Residential Ltd
Organisation:	
E-mail Address:	
Telephone Number:	

PART B Site Details (please use separate form for each site)

Site Address/Location:	Site 52 Land West of Panfield Lane Braintree
Planning application reference(s):	BTE/15/1319

Is the site:

Owned by Developer

☐

Site Actively
being marketed

☐

Sale to developer
under negotiation

☒

Site not actively
being marketed

☐

PART C Site Progress

Will Housing completions begin on site before April 2023?	Yes
Planning Status at 31 March 2018:	Without permission; adopted Local Plan Allocation, hybrid application for: 411 homes outline; plus 189 homes full
Update on Planning Status:	Planning application planned to be put before Planning Committee Spring 2019

Site Progress cont..

Full/reserved matters status: approved, applied for, when planned to be submitted	Hybrid application submitted
Details of Discharge of conditions status: submitted	
Information on Constraints: Actions needed before completions can be achieved	
Access/transport:	
Ground conditions/ contamination:	
Drainage (SUDS, flood prevention etc):	
Land ownership:	
Other constraints (describe), including market:	

Total/estimated total site capacity	600
Dwellings built as at 31 March 2018	0
Outstanding capacity as at 31 March 2018	600
Forecast completions Year 1: April 2018/March 2019	0
Forecast completions Year 2: April 2019/March 2020	0
Forecast completions Year 3: April 2020/March 2021	25
Forecast completions Year 4: April 2021/March 2022	100
Forecast completions Year 5: April 2022/March 2023	100

Other developer/site promoter/landowner comments	Assumed programme is for infrastructure start on site before the end of 2019, residential development starting in 2020 on the hybrid/detailed element, with 25 completions second half of 2020, followed by approx. 100 per annum thereafter. Assuming of course that we actually get planning permission 1st half of 2019.
(Internal use)	

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From: [Emma Woods](#)
To: [Carpenter, Kathy](#)
Cc: [Jones, Neil](#); [Massow, Alan](#); [Goodings, Emma](#)
Subject: RE: Request for confirmation of expected housebuilding on Countryside sites within 5 year supply
Date: 14 January 2019 11:14:38
Attachments: [image002.jpg](#)
[119011411143200611.png](#)

Good morning Kathy,

For Meadow Rise, the previous figures should still stand, although you may wish to roll the 6 from 2018/19 into the following period if this is an end of March cut off (ie – 45 in 2019/20; 70 in 2020/21; 90 in 2021/22 and 10 in 2022/23).

For Braintree Road we are hoping to start on site at the end of 2019 – subject to planning; and would therefore anticipate delivery of 50 – 60 units per year once on site, so the previous figures look about right.

Does that help?

Kind regards

Emma

Emma Woods MSc MRTPI
Senior Planning Manager
Housebuilding (East)
Countryside Properties

cid:image001.png@01D42276.B64D46B0



From: Carpenter, Kathy <kathy.carpenter@braintree.gov.uk>
Sent: 14 January 2019 09:25
To: Emma Woods
Cc: Jones, Neil <neil.jones@braintree.gov.uk>; Massow, Alan <alan.massow@braintree.gov.uk>; Goodings, Emma <emma.goodings@braintree.gov.uk>
Subject: [EXTERNAL] Request for confirmation of expected housebuilding on Countryside sites within 5 year supply
Importance: High

This message originated from outside Countryside Properties

Dear Emma –

I am seeking confirmation from Countryside Properties on the forecast supply from two sites that Countryside have, that are included in the March 2018 5 year supply assessment 2018-

2023. I e-mailed Countryside in December but have not had a reply, and Neil suggested that you could help me on this.

The two sites are Meadow Rise London Road Braintree, and Braintree Road Cressing.

Meadow Rise Braintree is of course under construction with new homes actively being marketed. I assume it is safe to take it that there will be completions before 2023. I had used forecasts previously supplied by Countryside, 6 dwellings 2018/19; 39 in 2019/20; 70 in 2020/21; 90 in 2021/22 and 10 in 2022/23.

Braintree Road Cressing is a site that in the context of the revised Planning Practice Guidance etc I really need confirmation on as this is a site subject of an outline planning application which was approved subject to a Section 106 signing as at March 2018. I understand from Neil that the Section 106 has recently been signed. Can you please confirm for me:

- a. if you believe that that completions will begin on site before 2023
- b. the expected rate of completions.

Based on information previously supplied by Countryside, I have forecast 166 completions on this site by March 2023; 39 in 2020/21; 55 in 2021/22 and 72 in 2022/23.

Many thanks for your assistance on this,

Kathryn Carpenter

Senior Planning Officer

Braintree District Council | Causeway House, Bocking End, Braintree, CM7 9HB

☎ 01376 552525 Ext. 2564 | www.braintree.gov.uk | ✉ kathy.carpenter@braintree.gov.uk

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From: [William Lee](#)
To: [Carpenter, Kathy](#)
Subject: Request for information on forecast development
Date: 17 December 2018 14:35:14
Attachments: [CCF_000039.pdf](#)
Importance: High

Dear Kathy

Apologies for not coming back to you sooner, but please find the attached.

I am also handling the adjoining Morleys Rd site that has just obtained s106 sign off.

The replies would be exactly the same, except I would target 20 units in the year from April 2020.

Yours sincerely

William Lee MA FRICS

Principal
GREENHUNT

St James's
London SW1Y 6LX

Appendix 3 - Lead time and delivery rates in recent large sites in Braintree District As at end March/Start April 2019

Site	Developer	Brownfield or Greenfield	Date of detailed permission	Site capacity	Date of first plot commencement	Date of first plot completions	Lead time (months) from date of detailed permission to completions starting	No. of completions within 1 year of detailed permission	No. of completions between 1 and 2 years of detailed permission	No. of completions between 2 and 3 years of detailed permission	Notes
Bakers Lane London Road Black Notley	Crest Strategic	Greenfield	17-Jan-17	96	Jan-17	Oct-17	10	28	45	11	83 plots completed as at March 2019; 11 under construction; Year 3 = 2.5 months only
Portway Place Halstead	Bellway Homes	Greenfield	25-Apr-16	103	Oct-16	Apr-18	24	0	57	28	Former employment site had to first be demolished and cleared, following permission
Monks Road Earls Colne	Crest Nicholson	Greenfield	22-May-17	50	Sep-18	Mar-19	22	0	1		As at March 2019 1 completed and 45 under construction; Year 2 = 10 months only
Phase 1 Oak Road Halstead	Bloor Homes	Greenfield	25-Jan-18	183	Apr-18	Oct-18	9	21	18		39 plots now completed and 60 under construction; Year 2 = 2 months only
Phase 2 Oak Road Halstead	David Wilson Homes	Greenfield	11-May-18	100	May-18	Feb-19	9	11			41 plots under construction. Year 1 = 11 months only
Meadow Rise Pods Brook Braintree	Countryside Properties	Greenfield	10-Oct-17	215	Jun-18			0	0		45 plots under construction. Year 2 = 6 months only
Phase 1 Forest Road NE Witham	Bellway Homes	Greenfield	14-Jul-16	222	Sep-16	Oct-17	15	0	78	36	Currently 114 completed and 85 under construction. Year 3 = 9.5 months.
Avondale Mill Lane Cressing	Bellway Homes	Greenfield	10-Jan-18	118	Apr-18	Jan-19	12	11	8		Currently 19 completed and 37 plots under construction, within 15 months of permission. Year 2 = 2.5 months only.
Phase 1a Lodge Farm Witham	Redrow Homes	Greenfield	18-Sep-17	91	Sep-17	Jun-18	9	23	57		Overall site total, of which this is 1 phase, is 750, of which 95 were completed in the monitoring year April 2018/2019. On Phase 1A currently 80 completed and 6 under construction. Year 2 = 6 months only
Phase 1b Lodge Farm Witham	Redrow Homes	Greenfield	04-Sep-18	84	Sep-18	Mar-19	7	15			Currently 67 plots under construction. Year 1 = 7 months only.
Land West of Boars Tye Road Silver End	Keepmoat Homes	Greenfield	28-Dec-17	59	Mar-18	Dec-18	12	17	23		Currently 40 plots completed and 19 under construction. Year 2 = 3 months only.
Rayne Gardens Braintree	Redrow Homes	Greenfield	06-Apr-18	127	May-18	Feb-19	11	5			Currently 60 plots under construction, by end of Year 1.
Land off Braintree Road Great Bardfield	Croudace Homes	Greenfield	08-Jun-18	37	Nov-18						Currently 28 plots under construction. Year 1 = 10 months only.
Constance Close Witham	Bloor Homes	Greenfield	Mar-13	94	Jun-13	Apr-14	13	0	62	32	
Land south of Mill Hill Braintree	Bellway Homes	Greenfield	11-Jun-14	74	Jan-15	Aug-15	14	0	47	27	
WJC Hospital site Braintree	Croudace Homes	Brownfield	Aug-13	29	Feb-14	Nov-14	15	0	29		Buuildings had first to be demolished and site cleared.

Appendix 4: Review of March 2017 housing trajectory schedule against progress/change, taking into account current (April 2019) evidence

Planning application reference	Planning Status	Name and address of site	2017 Monitoring Report position	2018 Review and Update
BTE/16/0315	Full	157 Coggeshall Road and land to rear (Ushers Meadow) Braintree	Full permission for 12 dwellings and was under construction at 1 April 2017, all 12 forecast to be completed 2017/2018. Developer Chelsteen Homes.	12 dwellings completed 2017/2018 as forecast
BTE/15/1530	Full	The Old Police Station Fairfield Road Braintree	Full permission for 14 dwellings and was under construction, part completed at 1 April 2017. Remaining 7 dwellings of total of 14, 7 completed 2016/17; outstanding 7 forecast to be completed 2017/18. Developer Chignal Properties Limited.	7 dwellings completed 2017/2018 as forecast
BTE/15/1596	Full	Crossman House Station Approach Braintree	Development of 21 flats, under construction at 1 April 2017 and forecast to be completed 2017/2018. Developer Colne Housing Society Ltd.	21 dwellings completed as forecast.
BTE/15/0872	Full	Garage block off Mersea Way, Chelmer Road Braintree	Revelopment of garage court to provide 12 houses, under construction at 1 April 2017 and forecast to be completed 2017/2018. Developer Greenfields Community Housing.	12 dwellings completed as forecast.
BTE/12/1344	Full	Blandford House site 7 London Road Braintree	Development of 14 dwellings from conversion of Blandford House to 10 apartments and erection of 4 houses. 4 houses completed and conversion forecast to be completed 2017/2018.	Development has temporarily stalled; it is understood that the owner has recently died.
BTE/16/0605	Full	Land at Bakers Lane and London Road Black Notley	Development of 96 dwellings, under construction, forecast first completions 2017/18 (40) and 56 forecast 2018/19. Developer Crest Nicholson Eastern	Detailed permission granted January 2017 and construction commenced January 2017. 35 dwellings completed at 1 April 2018. Site check April 2019 identified 83 completed, 11 under construction, 2 plots not yet started. So only 13 plots outstanding at April 2019 of which 11 were under construction.
BTE/14/0171 BTE/15/0328 BTE/16/1577	Full	Balls Chase/Tidings Hill, Ozier Field and Stanstead Road Halstead	Large development being developed incrementally over long period by local developer. 34 plots outstanding; site under construction. 4 completions forecast 2017/18 and further 4 in 2018/19.	1 plot completed 2017/2018, but then 12 plots completed 2018/2019; development now ahead of 2017 tra.
BTE/15/1312	Full	Portway Place, Central Park site Colchester Road Halstead	Redevelopment of employment site to provide 103 homes. 34 completions forecast 2017/18 followed by 69 the following year. Developer Bellway Homes.	57 plots completed 2017/18, more than forecast. Site check April 2019 identified 85 completed (i.e.28 completed 2018/19), 15 under construction, no plots not started. Development is expected to be completed by April 2020.
BTE/15/0962	Full	Land at St Andrews Road Hatfield Peverel	Redevelopment of homes with net gain, demolitions took place earlier, site under construction, 25 new build completions forecast 2017/2018. Developer Greenfields Community Housing.	25 dwellings completed as forecast.
BTE/13/00416	Full	Earl's Garden (Premdor site) Station Road Sible Hedingham	Redevelopment of factory site to 193 dwellings; site under construction and part completed. Completion of remaining 51 dwellings forecast 2017/2018. Developer Bloor Homes.	51 dwellings completed as forecast.
BTE/13/0005/COUPA BTE/16/0418	Full	Units 1 and 2 Tey Grove Gt Domseys Farm Domsey Chase Feering	Conversion of former offices to 11 homes via Prior Approval process, under construction. 11 completions forecast 2017/2018. Local developer Kingsland Property Co Ltd.	Site remains under construction; completion forecast 2017/2018. Completion certificate issued 4 Dec 2018.
BTE/14/1559	Full	Land at 31-45 Church Road Kelvedon	Redevelopment of homes with net gain, demolitions took place earlier, site under construction, 18 new build completions forecast 2017/2018. Developer Greenfields Community Housing.	18 dwellings completed as forecast.
BTE/14/1558	Full	Land at 14-18 Thorne Road and 1-15 Croft Road Kelvedon	Redevelopment of homes with net gain, demolitions took place earlier, site under construction, 15 new build completions forecast 2017/2018. Developer Greenfields Community Housing.	3 completions 2017/2018 and remaining 12 completed 2018/2019.

Appendix 4: Review of March 2017 housing trajectory schedule against progress/change, taking into account current (April 2019) evidence

Planning application reference	Planning Status	Name and address of site	2017 Monitoring Report position	2018 Review and Update
BTE/14/1556	Full	Land at 29-43 Thorne Road Kelvedon	Redevelopment of homes with net gain, demolitions took place earlier, site under construction, 13 new build in total of which 2 completed 2016/17. 11 new build completions forecast 2017/2018. Developer Greenfields Community Housing.	11 dwellings completed as forecast.
BTE/14/1557	Full	Land at 20-42 Church Road Kelvedon	Redevelopment of homes with net gain, demolitions took place earlier, site under construction, 18 new build completions forecast 2017/2018. Developer Greenfields Community Housing.	The 18 dwellings were completed April 2018.
BTE/15/0799	Full	Phase 1 NE Witham Growth Location, East of Forest Road	Development of 222 homes under a hybrid permission for 370 in total, of which Phase 1 (the 222) had detailed consent. 50 completions forecast 2017/2018, and 50 for following year. Developer Bellway Homes.	71 plots completed 2017/18, more than forecast. Site check April 2019 identified 114 completed (i.e. 43 completed 2018/2019), 85 under construction, 23 plots not yet started. As at April 2019, development remains ahead of forecast in 2017 trajectory, 114 having been completed over the 2 years compared to forecast 100.
BTE/15/0237	Full	Land adj Coach House Way Witham	Development of 11 homes on brownfield town centre site, site under construction. 11 completions forecast 2018/2019. Developer Aedis Homes.	11 dwellings completed 2017/2018, ahead of forecast.
BTE/14/1644	Full	Plots 12-31, Phase 2, The Spinney, Former Forest Road Community Hall site Witham	Redevelopment of former community hall site to 31 dwellings, site under construction and Phase 1 (11 dwellings) completed, 20 completions forecast 2017/2018. Developer Greenfields Community Housing.	20 dwellings completed as forecast.
BTE/16/0982/COUPA	Full	Cullen Mill 49 Braintree Road. Block D Witham	Conversion of former offices to 16 homes via Prior Approval process, under construction. 16 completions forecast 2017/2018. Developer Eden Homes	16 dwellings completed as forecast.
BTE/15/0903	Full	Former Health Clinic site Coggeshall Road Braintree	Redevelopment of former health clinic site to 14 dwellings, site with full permission, not yet under construction at April 2017. 14 completions forecast 2018/2019. Developer APC London.	14 dwellings completed as forecast.
BTE/15/1584	Full	Polly's Field, Land at Church Lane Bocking (sheltered housing)	Development of 100 sheltered apartments, site with full permission, not yet under construction at April 2017. 100 completions forecast 2019/2020. Developer Abbeyfield Braintree & Bocking Society Ltd	Development put back 1 year to 2020/2021. Developer advised that the contractor is in place and has done preliminary work, and the site is "oven ready"
BTE/16/0271	Full	Land rear of 49-57 Church Lane Braintree	Reserved Matters permission for net supply of 15 dwellings, forecast supply 6 dwellings 2019/2020 and 9 in 2020/2021.	The consent expired in May 2018 and the site was not included in the 2018 5 year deliverable supply as there was insufficient evidence of deliverability. Following pre-application discussions in Summer 2018, a new full planning application, for a net supply of 15 dwellings, was submitted in October 2018 and is the subject of a Resolution to Grant subject to signing of a Section 106 Agreement, BTE/18/1917/FUL, Planning Committee 26 February 2019. As such the site is not included in the Council's 5 year supply 2018-2023, base date 1 April 2018, but is expected to be considered for possible inclusion in a future review on the basis of the new permission.
BTE/16/0211	Full	Cox's Yard, Land north of Rayne Road, south of Bunyan Road Braintree	Full permission not yet started. Development of 11 dwellings, net supply 10. Forecast supply 10 completions in 2018/2019. Developer George Cox (Braintree) Ltd	The site has not come forward as quickly as anticipated because revised plans were submitted by the developer in July 2018 and permitted 5.3.2019, increasing the net capacity to 12 (BTE/18/01273/FUL). 2018 Review projects completions in 2020/2021

Appendix 4: Review of March 2017 housing trajectory schedule against progress/change, taking into account current (April 2019) evidence

Planning application reference	Planning Status	Name and address of site	2017 Monitoring Report position	2018 Review and Update
BTE/14/0676	Full	Oak View Lodge, Land at Leywood Close Braintree	14 sheltered apartments, full permission, not yet started. Forecast supply 14 completions 2018/2019. Developer Cassek Limited.	The site has not come forward as quickly as anticipated although the Approved Building Inspector has advised that development has started. 2018 Review projects 14 completions in 2021/2022.
BTE/16/1452	Full	81-83 High Street Braintree	Conversion of PH to form 10 flats, full permission not yet under construction. Forecast 10 completions in 2019/2020. Developer Litten Tree Development Ltd	Construction commenced 1.2.2018. Revised plans BTE/18/00986/FUL 10 units, granted 20.12.2018, regularising amendments. Delivery forecast unchanged.
BTE/14/1115	Full	The Rose and Crown PH site Masefield Road Braintree	14 dwellings, not yet started, completions forecast for 2018/2019. Developer Whitewood Rose And Crown Development Limited.	Permission expired 15.12.2017. Agent and developer unaware, sought to discharge conditions. LPA advised agent of position, new application submitted for 14 dwellings, BTE/18/00195/FUL, pending consideration (problems include inadequate provision of information on SUDS), and a revised application BTE/19/00265/FUL which is currently invalid as form incomplete. The site is not currently included in the 5 year supply.
BTE/15/1321	Full	Riverside site St John's Avenue Braintree	48 flats, full permission not yet under construction, forecast 48 completions 2019/2020. Developer Parkland Developments Riverside Ltd.	Development is under construction; delivery forecast unchanged.
BTE/15/1372	Full	Land between A120 and Tey Road Coggeshall	Full permission not yet started. Development of 11 dwellings. Forecast supply 11 completions in 2018/2019. Developer	Revised plans submitted for 9 bungalows, BTE/18/01673/FUL, pending consideration, revised version of this application submitted March 2019. Development forecast revised to 9 completions in 2020/2021.
BTE/15/1457	Full	Land East of Cherry Tree Rise Halstead	Full permission for 20 dwellings granted to local developer George Tanner (Shalford) Ltd, not started. Forecast development 20 dwellings over 2019/2020-2021/22 starting with 5 completions in 2019/2020.	Site sold to Greenfields Community Housing who have submitted two planning applications seeking approval of revised plans, both refused. Development forecast put back, revised to 10 completions 2021/2022, and 10 in 2022/2023.
BTE/15/1498	Full	Grangewood Centre 10-12 High Street Kelvedon	Redevelopment of centre to 25 dwellings. Full permission, not started. Forecast 25 completions in 2019/2020. Developer Sanzen Investments Limited.	Site under construction. Development forecast unchanged.
BTE/15/1392	Full	Car park at Sheepcotes Lane Silver End	Development of 15 dwellings, forecast 15 completion 2018/2019; full permission, not started.	Site sold to new developer and currently under construction, developer now Stermar Group Ltd, completions put back to 2019/2020.
BTE/16/2198/COUPA	Full	East of England Strategic Health Authority Offices 8 Collingwood Road Witham (Lime Tree Place)	Was full, not started; conversion of offices to 61 dwellings via Prior Approval process; forecast 61 completions 2020/2021. Applicant NHS Property Services.	February 2018 revised Prior Approval BTE/17/02315/COUPA for conversion to 98 dwellings; now under construction, completion of 98 dwellings planned for Spring 2019, on which basis completions brought forward and increased to 98 in 2019/2020. Developer Inspired Asset Management.
BTE/14/1116 BTE/17/0528	Outline	Former Garage site at Falkland Court/Land north of Edinburgh Gardens Braintree	Outline permission for 14 dwellings, forecast completion 2018/2019.	Reserved Matters approved 26.04.2017, 14 completion 2017/2018, ahead of 2017 forecast. Local developer Dimora Homes.
BTE/15/1458	Outline	Site at Rayne Lodge Farm, north of Rayne Road Braintree	Outline permission for up to 136 dwellings, forecast completion 15 in 2018/2019 then 30 dpa.	Full application for 127 homes approved 6.4.2018. Site now under construction, 5 completions 2018/2019 and 59 plots under construction. Developer Redrow Homes. Site completion forecast by 2021/2022 at higher delivery rate than in 2017 trajectory, 127 dwellings within the 5 year supply period.
BTE/14/1580	Outline	Land south of Oak Road Halstead	Outline permission for 292 dwellings. Forecast dwelling completions start with 25 in 2018/2019 and then continue at 50 dpa, 175 completions forecast over 5 years.	Site now under construction: Phase 1 developer Bloor Homes 183 dwellings , completions started 2008/19 with 39 completions and 60 plots under construction; Phase 2 David Wilson Homes 100 homes, completions started 2018/19 with 11 completions and 41 under construction. Overall, Phases 1 and 2 50 completions 2018/2019 compared with 25 in 2017 forecast, and 101 plots under construction April 2019; development accelerated from 2017 trajectory forecast. Now forecast for overall site (2 developers) 283 completions by 2022; 50 achieved in first year 2018/2019; then 70 in 2019/2020; 90 in 2020/2021 and 73 in 2021/2022

Appendix 4: Review of March 2017 housing trajectory schedule against progress/change, taking into account current (April 2019) evidence

Planning application reference	Planning Status	Name and address of site	2017 Monitoring Report position	2018 Review and Update
BTE/14/0688	Outline	Rockways site Station Road Sible Hedingham	Brownfield site; former industrial site. Outline permission for 38 dwellings, forecast delivery 10 in 2018/2019 and 28 in 2019/2028. Developer was originally St Giles Developments Ltd.	Site sold to affordable housing developer and now under construction, all 38 plots under construction and forecast to be completed 2019/2020. Developer Myriad Housing Limited.
BTE/15/1004	Outline	Land West of Boars Tye Road Silver End	Outline permission for 55 dwellings, forecast delivery 55 in 2019/2020.	Delivery brought forward. Site under construction, 40 completions 2018/2019, remaining 19 plots under construction and forecast to be completed 2019/2020. Developer Keepmoat Homes.
BTE/15/0280	Outline	Land off Western Road Silver End	Outline permission for up to 350 dwellings, forecast delivery starting 2019/2020 with 50 completions followed by 60 dpa, site completing 2025.	Site acquired by Redrow Homes, Reserved Matters approved, construction started 2019, Forecast delivery now starts with 25 in 2019/2020, followed by 51 dpa, following updated delivery forecast from developer.
BTE/15/1354	Outline	Land off Braintree Road Great Bardfield	Outline permission for 37 dwellings, forecast delivery 10 in 2019/2020 and 27 in 2020/2021.	Now under construction, 28 plots under construction at April 2019, 37 completions forecast 2019/2020. Delivery forecast accelerated in light of progress on site. Developer Croudace Homes.
BTE/15/0934	Outline	Land at Station Road Earls Colne	Outline permission for 56 dwellings, forecast delivery 15 in 2019/2020; 20 in 2020/2021, and 21 in 2021/2022.	Site acquired by Cala Homes, Reserved Matters for 56 dwellings submitted and to be considered at Planning Committee 23.04.2019, recommended for approval, Forecast delivery now set back 1 year, starts with 15 in 2020/2021.
BTE/14/1528	Outline	Former Bowls Club And Land At Old Ivy Chimneys Hatfield Road Witham	Outline permission for 18 dwellings, forecast delivery 11 dwellings in 2019/20 and 7 in 2020/2021. Developer St Giles Developments Ltd.	4 dwellings being developed on part of site under separate permission for part of site (BTE/BTE/14/1529 conversion of Old Ivy Chimneys under construction and forecast delivery 2019/2020); full application for 19 dwellings refused and appeal dismissed, no affordable housing provision. New full application now submitted for 13 dwellings on remaining part of site (former bowling green) and pending consideration, BTE/19/00109/FUL, forecast completions in 2021/2022.
BTE/15/0430	Outline	South West Witham Growth Location, off Hatfield Road	Outline permission for 750 homes. Reserved Matters for first Phase, 1B, 91 dwellings, submitted. Forecast delivery at 50 dpa starting 2018/2019. Developer Redrow Homes.	Twin outlet development. Council has now revised trajectory to take into account progress 2018/19. Phases 1A (91) and 1B (84) are under construction. Phase 1A is now nearing completion, only 11 plots outstanding at April 2019. Phase 1B (Reserved Matters granted 4 Sept 2018) delivered 15 completions 2018/2019 and 67 plots were under construction at April 2019.. On the overall site, a total of 95 homes were completed in the year 2018/2019. Phase 2 now has detailed permission for 57 homes, granted 26 March 2019 - and sales have launched ("The Junipers"). The developer has advised that he is keen to start work on Phase 2 and bring forward Phases 3 and 4 to maintain supply to meet demand as demand is strong. Plans are being drawn up for submission of details for Phases 3 and 4 by Summer 2019 -capacity expected to be c. 300+ dwellings on Phases 3 and 4. Developer has advised sales strong, currently averaging 1.3 per week compared to more usual average of 1 per week. Affordable housing at 30% is in addition to sales. Delivery is much higher than in 2017 forecast and is forecast to continue at 90 dpa.

Appendix 4: Review of March 2017 housing trajectory schedule against progress/change, taking into account current (April 2019) evidence

Planning application reference	Planning Status	Name and address of site	2017 Monitoring Report position	2018 Review and Update
BTE/12/1071	Outline	Land south of Maltings Lane Witham	Developer/Site promoter Churchmanor Estates. This is the remaining residential phase from the overall Maltings Lane site (1,027 dwellings completed). Forecast delivery 63 dwellings starting with 30 in 2020/2021	Reserved Matters for this final phase not yet submitted; revised forecast 10 dwellings in 2020/21 and 30 in 2021/22.
BTE/14/1254	Outline	Hunnable Industrial Estate Great Yeldham	Brownfield site with outline permission for up to 60 homes. Forecast supply 8 dwellings 2020/2021 followed by 15 dpa.	Reserved Matters approved 4.4.2019. Conditions being discharged. Construction is expected to start Spring/Summer 2019. Revised forecast with information from developer now 16 in 2019/2020 and 44 in 2020/2021. Developer Linden Homes.
BOS6 BOS8 BTE/15/1319	Without	Land West of Panfield Lane Braintree (NW Braintree Growth Location)	Greenfield adopted allocation for mixed use Growth Location. Two developers - Mersea Homes and Hills Residential. Hybrid application for 600 dwellings in total of which 208 was full application. Forecast delivery 50 in 2019/2020 followed by 90 dpa.	Following extensive negotiations, the dwelling capacity has increased from 600 to 825 of which 189 is a full application. Application expected to be considered by Planning Committee Summer 2019. Delivery forecast set back 1 year, now starting at 30 in 2020/2021 followed by 70 in 2021/2022 and 100 in 2022/2023.
BTE/15/1366	Without	Carier Business Park East Street Braintree	Brownfield site, subject of outline planning application, 74 homes. Without permission. Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 2019/2020, 14; 2020/2021 40; 2021/2022 20.	Reserved Matters approved 30.11.18. Variation of plans approved with new S106 signed 19.11.18. Updated information from developer received 8 April 2019 confirmed developer has now completed purchase of site; is tendering for the works, and envisages works will commence c. Sept 2019 with completion of site by March 2021, earlier than previous forecast. Developer Myriad Housing Ltd.
GNNB 264 BTE/15/1193	Without	Land between London Road, Pods Brook and A120 Braintree	Developer Countryside Properties. Outline planning application for 215 homes subject of Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 2021/2022, 25 homes, as advised in appraisal by Peter Brett Associates Dec 2016 (LPA considered this forecast was pessimistic).	Site now under construction, 45 plots under construction at April 2019. Forecast delivery now brought forward to 45 in 2019/2020, 70 in 2020/2021, 90 in 2021/22 and 10 in 2022/2023.
BTE/16/0397	Without	Land east of Mill Lane Cressing	Outline planning application for 118 homes subject of Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 2019/2020, 18 homes, and then 50 dpa.	Reserved Matters granted January 2019 and site now under construction. 19 dwellings completed 2018/19 and 37 plots under construction at April 2019. Delivery accelerated from 2017 forecast; 65 completions now forecast 2019/20 and remaining 34 in 2020/2021. Developer Bellway Homes.
BTE/15/1580	Without	Land rear of Halstead Road Earls Colne	Outline planning application for 56 homes subject of Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 2018/2019, 15 homes, and then 30 dpa.	Reserved Matters plans in preparation, expected to be submitted 2019. Forecast completions put back to 25 in 2020/21 followed by 55 in 2021/22.
BTE/16/1475	Without	Land off Monks Road Earls Colne	Full planning application for 50 homes subject of Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 2018/2019, 20 homes, and then 30 in 2019/20.	Site now under construction, 37 plots under construction at April 2019. Forecast delivery now set back to start in 2019/2020. Developer Crest Nicholson Eastern
BTE/15/1273/OUT	Without	Land north of Conrad Road Witham	Outline planning application for 150 homes subject of Resolution to Approve subject to signing of Section 106 Agreement. Forecast delivery starting 20 in 2020/2021, and then 40 dpa.	Site now purchased by Sanctuary Housing and full planning application pending consideration. Developer has estimated trajectory as 21 in 2020/2021; 67 in 2021/2022; 36 in 2022/2023 and 26 in 2023/24 (after 5 year supply period) - and that the affordable homes are currently programmed to be delivered 2021/2022, hence the spike in completions.

Appendix 5: Communal residential accommodation

Planning Application reference	Planning Status	Name and address of site	2018/19	2019/20	2020/21	2021/22	2022/23	Total Identified Supply 2018-2023	contribution to Housing Delivery after application of ratio of 1.8	Notes
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Elderly persons

BTE/15/1186	Full permission, not yet started	Willowmead Nursing Home Wickham Bishops Road Hatfield Peverel			25			25	14	Demolition of existing 62 bed care home and erection of new 87 bed care home, net increase of 25 rooms, granted May 2016. Building Regulations Initial Notice submitted. Current discharge of Conditions application.
BTE/11/0532	Now Completed, 2018/2019	Riverdale Care Home Land adjacent 63 Duggers Lane Braintree	32					32	18	Specialist dementia care, by condition; opened Summer 2018.
BTE/14/1626	Now Completed, 2018/2019	37 Cross Road Witham	1					1	1	Completed April 2018; additional room in care home
BTE/14/1013	Under construction	Former Dairy Crest Depot Site 195 Coggeshall Road Braintree					45	45	25	Permission was for demolition of buildings and erection of care home. Demolition now taken place, site cleared pre-development and conditions discharged 2018
Subtotal, elderly persons care			33	0	25	0	45	103	57	

Learning disabilities

BTE/16/1804	Now Completed, 2018/2019	Rascasse Sheepcotes Lane Silver End	1					1	1	Completed April 2018. 1 additional room for people with learning disabilities.
BTE/16/1644	Full permission, not yet started	Massenet Wickham Bishops Road Hatfield Peverel		1				1	1	Change of use from C3b (supported housing) to C2 care home & self contained 1 bed annexe; no. of rooms/ occupants increases by 1 to 7 & so needs to be reclassified. Original PA was ELD, BTE/15/093 for use as community home by 6 adults with learning disability, change took place 2015/16 from 1 dwg C3 to C3b.
Subtotal, learning disabilities			1	1	0	0	0	2	1	
Total change in C2 rooms			34	1	25	0	45	105	58	

IN THE MATTER OF:

**5 YEAR HOUSING LAND SUPPLY
TORBAY COUNCIL**

ADVICE

Introduction

- 1 I have been asked to advise Torbay Council (“the Council”) in relation to the, as yet unpublished, final version of their Five Year Housing Land Supply Statement (“the Statement”). The Statement sets out an assessment of the housing supply position from April 2019 to March 2024, concluding that the Council can demonstrate 2.5 years’ of deliverable housing supply.
- 2 The Council has sought a review of the Statement following representations from Neighbourhood Forums asserting that the Council had taken an overly restrictive approach to the concept of deliverability. The Council is concerned to ensure that its assessment of the housing supply position is sufficiently robust to withstand a challenge at a planning appeal, whilst also confirming that it has not excluded sites which could properly be categorised as deliverable and thereby suppressing the overall calculation of housing land supply.
- 3 In particular, I am asked to advise on the following specific questions:
 - (1) Whether the list of factors to be taken into account when determining the deliverability of sites which do not have permission/detailed planning permission contained in Annex 2 of the NPPF and the PPG is exclusive, or whether other factors and categories of site may be taken into account when assessing deliverability. If other factors may be taken into account, what might these factors reasonably be?
 - (2) Whether some or all of the CSM Land and/or the PDR Sites and/or the VC Land may reasonably be included in the Statement. Whether sites identified in Appendix C of the Local Plan may be considered to be site allocations.
 - (3) Whether the sites identified in Appendix C of the Local Plan may be considered to be site allocations.
 - (4) Whether the Local Planning Authority could produce separate five-year housing land supply figures for each of its three Neighbourhood Plan areas, and whether this would afford that area resilience to a district-wide housing supply shortfall.
 - (5) Generally on the implications of a shortfall against five year supply in the context of paragraph 11 of the (2019) NPPF.

- 4 The background to this matter, and in particular the history of the production of the Statement, has been helpfully set out in my instructions which I do not repeat.
- 5 My advice is structured as follows. First, I consider the general principles applicable to the concept of 'deliverability' in light of the relevant policy, guidance and case-law. Second, I address the specific questions raised in my instructions. Third, I make a number of observations in relation to the Statement.
- 6 At the outset of this advice I emphasise that, as the Court of Appeal¹ has recently affirmed in the strongest of terms, the assessment of housing land supply, and in particular the question of whether sites are "deliverable", is ultimately a matter of planning judgment. Further the Court clarified that in the exercise of that planning judgment decision-makers are free to determine how circumspect or otherwise they wish to be in their approach to deliverability, so long as they properly understand the policy that they are applying and their judgment falls within the generous scope that public law permits.
- 7 It follows that whilst I can - and do - provide advice as to the proper approach to the issue deliverability, as well as making observations on the robustness or otherwise of the evidence supporting the inclusion or non-inclusion of sites in the five year supply, ultimately the question of whether a particular site is considered to be deliverable is a matter of judgement, not law, and one to be made by the Council in the first instance (and in planning appeals/examinations by the Secretary of State and his inspectors).

Deliverability – General Principles

Policy and Guidance

- 8 Paragraph 73 of the NPPF requires local planning authorities to "*identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old*". The supply of deliverable sites is to include a buffer, moved forward from later in the plan period, of either 5%, 10% or 20% depending on the circumstances.

- 9 'Deliverable' is defined in the NPPF as follows:

¹ In *R(oao East Bergholt Parish Council) v Babergh District Council* [2019] EWCA Civ 220

“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.

10 Further guidance on the concept of “deliverability” is given in the PPG under the heading “What constitutes a ‘deliverable’ housing site in the context of plan-making and decision-taking?”²

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

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

Such evidence, to demonstrate deliverability, may include:

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
- firm progress with site assessment work; or*

² Paragraph: 007 Reference ID: 68-007-20190722. Revision date: 22 July 2019

- *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.*

11 Guidance on assessing availability, the suitability of a site for development and achievability are set out in the ‘Housing and economic land availability assessment’ section of the PPG.³

Case-law

12 As far as I am aware there are no judgments of the higher courts which directly grapple with the definition of deliverable under the NPPF 2019.⁴ However, there are two judgments which addressed the definition of deliverable under the NPPF 2012 and, in my view, they remain of relevance to the proper interpretation under the NPPF 2019.

13 This is because, although the definition in the 2019 NPPF has been expanded to include the evidential presumptions set out in a) and b), the core of the definition – i.e, that the site be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on site within five years – is consistent with the earlier definition.

14 The first of those cases was *St Modwen Developments v SSCLG* [2017] EWCA Civ 1643. The following propositions, still relevant to the 2019 NPPF definition, can be drawn from the judgement of the Court of Appeal:

(1) Each of the three elements of the definition – i) available now; ii) offer a suitable location for development now; and iii) be achievable with a realistic prospect that housing will be delivered on site within five years – is relevant to the site’s capability of being delivered within five years: at §38⁵

(2) A site can be considered “deliverable” without there being certainty, or even a probability, that it will actually be delivered within five years: at §38. I consider that

³ See in particular, “What factors can be considered when assessing the suitability of sites / broad locations for development?” (Paragraph: 018 Reference ID: 3-018-20190722); “What factors can be considered when assessing availability?” (Paragraph: 019 Reference ID: 3-019-20190722); What factors should be considered when assessing achievability including whether the development of the site is viable? (Paragraph: 020 Reference ID: 3-020-20190722)

⁴ I appreciate that there are a large number of inspector and Secretary of State decisions which have considered, and applied the 2019 NPPF definition. However, these are not binding as to the proper interpretation of the policy. Moreover, they do not espouse a consistent approach.

⁵ The Court identified the 2012 NPPF definition containing four elements, as that definition included, as a separate element, that “development of the site is viable”. The 2019 NPPF has removed that element from the definition, although it is clear from the PPG’s guidance that viability will be a central factor in assessing on ‘achievability’.

this proposition holds true for the definition in the 2019 NPPF. The requirement that there is “clear evidence” for certain categories of site goes to the standard or quality of evidence required. It does not change the threshold that is to be applied when judging whether a site is deliverable, namely that there is a “realistic prospect”.

(3) There is a distinction between the concept of “deliverability” – which is to be judged when calculating a five-year supply of housing - and the “expected rate of delivery” – which is employed when calculating housing trajectories: at §35

(4) The evaluation of housing land supply involves the exercise of planning judgment: at §43

15 As *St Modwen* demonstrates, it is possible for a local planning authority to conclude that a site is deliverable – and include it in its five year supply – even if it is not shown as being expected to deliver within the first five years in its housing trajectory. This is because the question of deliverability is judged *inter alia* on whether a site has a *realistic prospect* of being delivered in the first five years; whereas the housing trajectory assessed the *expected rate* of delivery.⁶

16 In the more recent case of *R(oao East Bergholt Parish Council) v Babergh District Council* [2019] EWCA Civ 220 the Court of Appeal was again considering the 2012 NPPF, albeit by the time of the judgment the 2019 NPPF had been published, and the court made passing reference to its expanded definition of ‘deliverable’.

17 The following propositions can be derived from *East Bergholt*:

(1) The whole exercise of assessing “deliverability” of sites “*is replete with planning judgment and must always be sensitive to the facts....this may be said, in particular of the question of “achievability” – whether there is a “realistic prospect” of housing being delivered on the site within five years*” at §49.

(2) The Court held that “realistic prospect” is not a legal concept. Instead it is “*a broad concept of policy, which gives ample scope for a decision-maker’s reasonable planning judgment on the likelihood of development proceeding on site within five years*” at §49

⁶ That said, if there are distinctions between the LPA’s housing trajectory and its 5 year housing land supply calculations, it would be good practice for those distinctions to be explained.

(3) It is a matter for the decision-maker, exercising his or her planning judgment, to determine what level of circumspection or otherwise to apply when assessing whether a site is deliverable: at §48-§51; §53 & §60. As the Court concluded, “[p]ut simply, the degree of confidence required in the “deliverability” of sites is for the decision-maker to decide within the bounds of reasonable planning judgment”: at [51]

(4) The Court noted that in neither the original NPPF, nor the two revisions since, nor in the PPF, has the Government defined exactly what it meant by a “realistic prospect”: at §53.

18 The upshot of *East Bergholt* is that different decision-makers may apply different levels of circumspection or optimism when assessing whether there is a “realistic prospect” of sites delivering within five years. So long as the approach adopted does not fall “outside the generous scope that public law permits” – that is, so long as it is not irrational – it will not be unlawful.

Response to Questions

(1) Whether the list of factors to be taken into account when determining the deliverability of sites which do not have permission/detailed planning permission contained in Annex 2 of the NPPF and the PPG is exclusive, or whether other factors and categories of site may be taken into account when assessing deliverability. If other factors may be taken into account, what might these factors reasonably be?

19 As I understand it, this question raises two principal issues.

20 First, whether categories of sites listed in a) and b) of the definition of ‘deliverable’ constitute a ‘closed-list’. That is, whether they are exhaustive of the types of site which are capable of being considered ‘deliverable’.

21 Second, whether the factors/types of evidence identified in the PPG⁷ as being relevant to the issue of whether a site is deliverable are exhaustive.

22 The first issue turns on a proper interpretation of the NPPF, which is ultimately a matter of law. Unfortunately the position is far from clear.

⁷ As set out at paragraph 10 above.

23 On the one hand, there are a number of factors which suggest that the categories are a 'closed-list'. In particular:

- a) The PPG appears to treat the definition as applying a closed-list, distinguishing between sites which are "*considered to be deliverable in principle*" – namely those which fall within (a) – and sites "*which would require further evidence to be considered deliverable*" – namely those which fall within (b). The PPG is capable of being an aid to understanding the policy or policies to which it corresponds in the NPPF: *Braintree DC v SSCLG* [2018] EWCA Civ 610 at [36]
- b) It is unclear what standard of evidence would be apply to a site which falls neither in a) or b). It would appear unlikely that it would benefit from the evidential presumption (ie be considered deliverable in principle) which is afforded to the sites in (a). But does that mean "clear evidence" of its deliverability is needed, even though it is not mentioned in (b)? Or does some other standard of evidence apply?

24 On the other hand, there are a number of factors which suggest that the categories are not a 'closed-list'. In particular:

- a) The language of the definition is ambiguous at best. Had the Government intended that only certain categories of site were capable of being considered deliverable, then they could have easily said as much.
- b) A closed-list approach would undercut the operation of the core definition of deliverable. If the list was closed, it is possible that there could be a site which was undoubtedly available, suitable and achievable with a realistic prospect of housing being delivered within five years, but which could not be considered deliverable if it did not come within the pre-defined list in (a) or (b).
- c) There are obvious anomalies. For example, a site which benefits from a resolution to grant does not come within (a) or (b). Nor does an allocation in emerging local plan. Notwithstanding that, in certain cases, such sites could be far more likely to meet the core definition of deliverable, than a site which has merely been identified on a brownfield register.

- 25 Given this uncertainty it is unsurprising that inspectors' decisions on this issue have not been consistent.⁸ The same ambiguity is found in a recent decision of the Secretary of State⁹. In that case the inspector had concluded the definition was not exhaustive and, on the facts, the sites not falling within (a) or (b) could be considered deliverable. The Secretary of State disagreed, stating that: *"since they do not fall within category a or b of the Framework's definition of deliverable, and he does not consider that there is clear evidence of deliverability within five years as required by the Framework, given the outstanding issues of the need for legal agreements and agreements on reserved matters."*¹⁰ The Secretary of State's statement is ambiguous because it is not clear whether he discounted the sites on the basis that they did not fall within either category a or b (ie treated it as a closed-list) or treated them as capable of being deliverable (ie not treating it as a closed list), but finding on the specific evidence that they were not, in fact, deliverable. Either way, the Secretary of State's view on the matter is not determinative.
- 26 My view, albeit very much on balance, is that on a proper interpretation of the NPPF the list is not closed. Given the anomalies such an approach would throw up, and how it would undercut the operation of the core definition, in my view if the Government had wanted to restrict the category of deliverable sites to an exhaustive category this would have been made clear in the language of the definition.
- 27 Thankfully, the second issue raised by this question is far more straightforward. The factors/types of evidence identified in the PPG¹¹ as being relevant to the issue of whether a site is deliverable are plainly not exhaustive. This much is clear from the wording of the PPG itself, which states that the list of evidence to demonstrate deliverability *"may include..."*.
- 28 In my view, any evidence which is relevant to the question of whether a site is available, suitable and achievable with a realistic prospect of housing being delivered within five years can be taken into account. Whether a factor is relevant to the deliverability of a particular site, and what weight to give to that factor in assessing deliverability, is

⁸ For instance, in Woolmer Green (APP/C1950/W/17/3190821) the Inspector found the list was closed; whereas in Grange Road, Lawford (APP/P1560/W/18/3201067) this was rejected.

⁹ LAND OFF DARNHALL SCHOOL LANE, WINSFORD, CHESHIRE (APP/A0665/W/14/22126)

¹⁰ *Ibid* at [18]

¹¹ As set out at paragraph 10 above.

particularly fact-sensitive. In light of *East Bergholt* it is likely that a court would consider this to be primarily a question of planning judgment for the decision-maker.

(2) Whether some or all of the CSM Land¹² and/or the PDR Sites¹³ and/or the VC Land¹⁴ may reasonably be included in the Statement.

29 I reiterate that, whether or not a particular site is deliverable is a matter of planning judgement, not a matter of law. Therefore, in many ways, the planning officers who drew up the Statement – and who will have a better knowledge of the sites in question and their context – are in a better position than me to come to a judgment on that issue. I trust that the advice I set out above as to the proper approach to assessing deliverability will assist in making that judgement.

30 Nevertheless, for what it is worth, I provide my views on the likelihood of the Council being able to defend the inclusion of each of these three sites in its Statement – that is, a conclusion that these sites are deliverable – before an inspector on a section 78 appeal.

CSM Land

31 The site in question is, as I understand it, Collation St Mary (Little Blagdon). It was originally included in the draft Statement as being deliverable, and in particular having a realistic prospect of delivering 65 units with the five years.

32 The site is owned by the Council. It forms part of the Future Growth Area at Collation St Mary, an area which is the subject of a masterplan adopted in 2016. Policy SS1 of the Torbay Local Plan explains that there “*will be some initial delivery of development in the Future Growth Areas, within the first 10 years, if required to meet demand for new employment space and homes. Development in these areas will be set out in detail via masterplanning, concept plans and/or in neighbourhood plans*”. Delivery of some housing from this source in the 2019-2024 period would be consistent with the estimates identified in Policy SDP1 (Table 12) and SDP3 (Table 16).

33 I am instructed that the Council is in receipt of grant funding for the CSM (I assume for the entirety of the masterplanned area, rather than the particular site itself). Furthermore permission has been granted for the construction of a spur road to service

¹² Land owned by the Council in the Collaton St Mary area of Paignton

¹³ Two sites owned by the Council at Preston Down Road in Paignton

¹⁴ Land at Victoria Square in Paignton

future development on the CSM land, albeit that decision is the subject of a judicial review challenge (I am unsure whether the spur road is necessary to access the site in question).

- 34 No application for planning permission has yet been submitted, although one is expected in 2020.
- 35 The site was removed from the Statement following representations from Alder King and PBA that (a) the site did not fall within any of the categories required by the NPPF and (b) in the absence of a planning application, there was no clear evidence of delivery.
- 36 In my view, for the reasons I set out above, even if it is correct to conclude that the site is not allocated, this is not an insuperable barrier to it being considered deliverable. Moreover, given the policy context, and in particular, the expectation of Policy SS1 that development in these areas will be set out in detail via *inter alia* masterplanning, it is clear that the planning status of the site is, at the very least, akin to an allocated site.
- 37 The real issue is whether there is clear evidence that housing completions will begin on the site within five years.
- 38 This is a classic example where different decision makers may quite reasonably (and lawfully) take a different view of the deliverability of a site. However, in my view, it is likely that more evidence would need to be provided in order to defend any judgment that it was deliverable before a planning inspector. The existence of grant funding, and the permission for the spur road, are both relevant factors, as is the fact that the Council owns the site. They all point towards its deliverability. However, these factors alone are unlikely to persuade an inspector that "*there is clear evidence that housing completions will begin on site within five years.*"
- 39 It is highly relevant that a planning application is expected in 2020. However, in order to persuade an inspector of the site's deliverability, more evidence is likely to be needed. When is that permission expected to be received? What pre-application discussions have there been? Is it likely that the application will be in conformity with the adopted masterplan? Will the application be in outline or full? Is there a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rate? And what evidence does the developer have to support their position?

- 40 If these factors are addressed, and if they support the conclusion that housing completions will begin on site within five years, then it may be possible to persuade an inspector that the Council has provided the requisite clear evidence, and the site is deliverable. Without such evidence, the Council faces an uphill task.

PDR Sites

- 41 There are two sites owned by the Council at Preston Down Road. Each has been assessed as having a capacity for 50 homes. The PDR sites were identified in the Local Plan within a pool of sites identified as “Possible Neighbourhood Plan housing sites” in Appendix C, Table 26. The plan explains that these were sites which, based on the SHLAA, have potential for development. Policy SS1 explains that *“The pool of developable housing sites is included in Appendix C (Table 26) to this Plan. If Neighbourhood plans do not identify sufficient sites to provide the housing requirements of the Local Plan, the Council will bring forward sites through site allocations development plan documents”*
- 42 The PDR sites also benefit from grant funding (although, again, I am not sure whether this funding only applies to the two sites or a wider area).
- 43 The PDR sites were not allocated in the Paignton Neighbourhood Plan, which unlike Torquay and Brixham Peninsula NPs, did not allocate any housing land. I am instructed that the Council intends to allocate the PDR sites in the next Local Plan update.
- 44 They were not included in the draft Statement.
- 45 Without any further evidence, it is very unlikely that including a contribution from the PDR sites in a five year housing would be defensible. Even if they are available now and offer a suitable location for development now, there appears to be little evidence – let alone clear evidence - that housing completions will begin on site within five years.

VC Site

- 46 Land at Victoria Square is on the brownfield register. Like the PDR Sites, it forms part of the pool of sites identified in Appendix C of the Local Plan. It is the subject of grant funding to help deliver the site. No planning application has been made, although a design brief is under preparation.

- 47 It was included within the draft Statement with an indication that “Developer intends to deliver on site within 5 years”, although it is not clear what evidence had been obtained from the developer. It was removed in the Statement following objections on the basis that there was no clear evidence that housing completions will begin on site within five years (see representations of Alder King and PBA).
- 48 On the basis of the evidence before me I consider it unlikely that an inspector would find that there was clear evidence of a realistic prospect of housing development taking place on the site within five years. However, if further evidence were available, including from the developer, of the type that I outline above in respect of the CSM Land, and that evidence pointed towards the possibility of housing development taking place within five years, it might be possible to persuade an inspector of its deliverability.
- 49 Finally, it is sometimes said by developers – often based on the inspector’s decision in the Woolpit case¹⁵ - that evidence of a site’s deliverability must (a) have been available at the base date of the five years in question (ie here as at April 2019) and/or (b) included in its Annual Monitoring Statement. In my view this is wrong. It conflicts with the fundamental principle of public law that decision-makers are entitled to take into account all relevant considerations at the date of their decision. Therefore, if new evidence has become available which is relevant to a site’s deliverability within the five year period in question, this should be taken into account.

(3) Whether the sites identified in Appendix C of the Local Plan may be considered to be site allocations?

- 50 In short, no.
- 51 Whatever the arguments for considering the CSM Land – and other Future Growth Areas subject to masterplanning – as allocations, in my view the mere identification of a site in Appendix C of the Local Plan cannot be considered to be an allocation.
- 52 Policy SS1 explains that:

“In years 6-10 of the Plan (2017/18-2021/22), development will come from completion of committed and developable sites identified in Neighbourhood Plans. The pool of developable housing sites is included in Appendix C (Table 26) to this Plan. If

¹⁵ APP/W3520/W/18/3194926

Neighbourhood Plans do not identify sufficient sites to provide the housing requirements of the Local Plan, the Council will bring forward sites through site allocations development plan documents"

- 53 The introductory text to Table 26 confirms that the sites identified in the table have been identified, principally through the SHLAA, as having the "potential for development", however that they "are subject to consideration in Neighbourhood Development Plans".
- 54 It is clear that Appendix C merely identifies sites as having potential for development. It does not, of itself, allocate them for development. This is to be achieved through further development documents, whether neighbourhood plans or a site allocation DPD brought forward by the Council.
- 55 Moreover, when a development plan document allocates a site for development it, almost invariably, provides a framework establishing how that site should be developed, e.g the type of development for which it is allocated; indicative requirements for houses/floorspace; site-specific criteria against which a planning application can be judged. This is absent from Table 26, which identifies no more than its location, name and SHLAA reference.
- 56 Following my advice above regarding the issue of closed lists, the fact that the inclusion of a site in Appendix C does not of itself constitute an allocation does not necessarily prevent such sites from being considered deliverable. However, in order to demonstrate its deliverability, clear evidence would be needed that the site was available now, suitable now, and had a realistic prospect of delivering housing within 5 years.

(4) Whether the Local Planning Authority could produce separate five-year housing land supply figures for each of its three Neighbourhood Plan areas, and whether this would afford that area resilience to a district-wide housing supply shortfall.

- 57 Although there is no rule of law or policy which would preclude such an assessment being undertaken, I doubt that an inspector on a planning appeal would give significant weight to such an assessment. I say that for the following reasons:
- (1) National Policy establishes the concept of a 5-year supply of deliverable housing, as well as providing the ramifications if such a supply cannot be demonstrated. It

is not a free-standing concept. As the requirement for, and calculation of, a five years supply derives solely from policy, it is at least arguable that it cannot be applied, or calculated, otherwise than in accordance with that policy.

- (2) The NPPF places the obligation on Local Planning Authorities to *“identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement” (emphasis added)*. When the NPPF 2019 was drafted neighbourhood planning was well-established. The Government could have chosen to require Local Planning Authorities to determine the housing supply with respect to neighbourhood plan areas. It did not.
- (3) The ramifications of not being able to demonstrate a 5-year supply (on which see Q5 below) would apply regardless of the performance of the individual areas with neighbourhood plans.
- (4) There may be some difficulties in calculating a “5 year supply” for neighbourhood area, eg in relation to which buffer to apply; how to assign shortfall; what windfall figure should be included etc

58 This is not to say that the performance of particular neighbourhood area in delivering housing – or the amount of housing identified as deliverable in a particular area - is irrelevant to the question of weight which should be afforded to the District’s overall shortfall in deliverable housing.

59 Plainly if an area with a neighbourhood plan has (a) a good track record of delivering housing and/or (b) sufficient deliverable/developable sites to meet the housing requirement identified in the Neighbourhood Plan, then these are relevant – and potentially highly relevant – factors, in assessing what weight to give to a District-wide shortfall. However, they can be taken into account without having to undertake a quasi-five year housing supply exercise for each area. Indeed, in my view, it may be preferable not to undertake such an analysis, as an inspector may well chose to dismiss evidence presented in such a way as being of limited relevance. In contrast if the Council or Neighbourhood Forum can point to the track record of housing delivery in the particular area and/or the amount of deliverable/developable sites in the area, such evidence may well have more resonance.

(5) Generally on the implications of a shortfall against five year supply in the context of paragraph 11 of the (2019) NPPF

60 The implications of a shortfall against a five-year supply are likely to be as follows:

- (1) The presumption in favour of sustainable development as set out in paragraphs 11(c) and (d) of the NPPF will apply;
- (2) For decision taking, the presumption in favour of sustainable development means that:
 - a) permission should be granted for housing proposals that accord with the development plan (Para 11(c))
 - b) permission should be granted for housing proposals that do not accord with the development plan, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (ie, the application of policies identified in footnote 6) or
 - ii. 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 – the so-called ‘tilted balance’ (Para 11(d))
- (3) Where the ‘tilted balance’ applies, paragraph 14 of the NPPF provides some ‘protection’ for areas which have neighbourhood plans, where four criteria are met.¹⁶ One of those criteria is that the local planning authority has at least a three

¹⁶ Paragraph 14 provides:

“In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply [subject to transitional arrangements]:

a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;

b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;

c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 73); and

d) the local planning authority’s housing delivery was at least 45% of that required over the previous three years.

year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer). Where this cannot be shown, the 'protection' potentially provided by paragraph 14 will not apply.

- (4) As a matter of generality (although not a rule of law), if a Local Planning Authority is unable to demonstrate a 5-year supply of housing, a planning inspector or Secretary of State on appeal, is likely to give greater weight to proposals for housing, particularly those that can start delivering within in five years. Ordinarily, the greater the shortfall, the greater weight that will be attached to the delivery of housing.

Observations on the Statement

61 For the purposes of this advice I have concentrated on the specific questions asked of me, rather than undertaking a comprehensive review of the deliverability of each of the sites included in, or excluded from, the Statement. In order to have undertaken such a review, it would have been necessary to have further information on each of sites in question. Moreover, as I explain above, ultimately whether or not a site is deliverable is a matter of judgment and is not a question of law.

62 That said, I make the following observations in respect of the Statement:

- (1) It would be helpful to expressly identify which sites/category of sites are considered "deliverable in principle" – ie fall into (a) within the NPPF definition – and which sites/category of sites require clear evidence of deliverability – ie fall into (b) within the NPPF definition.
- (2) For those falling into (b), I would suggest that each of the elements of deliverability is addressed – ie available now, suitable now, and achievable with a realistic prospect of delivering within five years. I appreciate that most of the debate is likely to surround the final element;

- (3) For those falling into (b), it is important that the “clear evidence” on which the Council relies to support its judgements of deliverability is identified (particularly in relation to the realistic prospect of delivering within five years)
- (4) I note that a significant number of sites were deleted from the draft Statement on the basis that there was “not sufficient evidence of progression/delivery within 5 years”. I do not know the details of these sites, but it may be worth officers checking whether this judgement still stands, having regard to my advice above about the meaning of “realistic prospect” – see §14(2). I note that a number of representations argued that sites should not be included within the Statement because there was no ‘certainty’ of delivery within 5 years – but as *St Modwen* demonstrates this is a too exacting standard to apply. Obviously, if the deleted sites fall within category (b) – which I believe most, if not all of them do, then it would be necessary to identify “clear evidence” of their being a realistic prospect of delivery within 5 years (eg site specific evidence from developers/promoters).

Conclusion

- 63 I hope my advice will assist the Council in assessing its five-year housing land supply for the purposes of the Statement, and fully addresses the questions I have been asked. Should you require any further advice please do not hesitate to contact me.

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13 January 2020