

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

APPEAL BY HALLAM LAND LTD

**An Appeal Against the refusal of
Outline Planning Permission 17/04673/OUT for up to 85 residential dwellings including
open space (Amended Description) at Land at Junction with Carr Road and Hollin Busk
Lane, Sheffield S36 1GH**

**PINS REFERENCE APP/J4423/W/21/3267168
PLANNING APPLICATION REF: 17/04673/OUT**

ROLAND BOLTON PROOF OF EVIDENCE:

HOUSING AND FIVE YEAR LAND SUPPLY

**Prepared by
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March 2021

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1.0 EXPERIENCE

- 1.1 My name is Roland George Bolton. I have an Honours Degree in Town and Regional Planning and I am a Member of the Royal Town Planning Institute (MRTPI). I am currently a Senior Director of DLP Planning Ltd (DLP) and Head of the Strategic Planning Research Unit (SPRU) which specialises in undertaking bespoke planning research projects, including Objective Assessments of Housing Need and Five-Year Housing Land Supply assessments. DLP Planning Ltd is a national planning consultancy, and I am based in the Sheffield office, working across the whole of England. I have worked in public sector, private practice, and academic roles for over 35 years.
- 1.2 I have a wide range of experience and have held senior positions in both Development management and development plans in local government. I have also represented Councils at both Public Inquiries and Plan Examinations.
- 1.3 As Senior Lecturer in Town Planning at Sheffield Hallam University I provided training for practicing planning professionals including training for Sheffield Staff for the UDP examination. During this time I also acted as a consultant to the current DLP/SPRU practice, providing advice to clients in both the public and private sector on a range of issues including the promotion and delivery of housing at various development plan examinations.
- 1.4 I have been a Director of DLP for over 20 years, setting up the Sheffield office in 1996. During this time, I have advised clients on a wide range of residential developments from the planned expansions of Northampton, Milton Keynes, Luton and York, through to urban projects like Sheffield University Student Village (3,500 student bed spaces) and Commercial projects such as Midway park (40-hectare Strategic Employment Allocation at Junction 16 of the M1).
- 1.5 In 2012, I formed the Strategic Planning Research Unit (SPRU) within DLP to bring together the company's expertise to deliver the strategic planning work for a wide range of clients including local authorities, other public sector bodies, landowners, and strategic land promoters as well as national, regional and local housebuilders.
- 1.6 I have had considerable experience of giving evidence as an expert witness at Public Inquiries and attending Local Plan Examinations including inquiries in the City as well as in neighbouring North East Derbyshire and in Chesterfield
- 1.7 I gave evidence at the Sheffield Core Strategy Examination, made submission to the various consultations on plan making since, I also assisted the Council by participating in the Housing Working Group which looked at sites as part of the Strategic Housing Land Availability Assessment which included the assessment of potential Green Belt release.

1.8 The scope of this Proof of Evidence is as follows:

- a) National Policy Planning for Housing
- b) The Local Policy Position: Planning for Housing.
- c) Calculating the Housing Requirement for Five Year land Supply
- d) Housing Supply
- e) The inclusion of student accommodation in the future housing land supply
- f) The Supply as at 1st April 2021
- g) Conclusion

1.9 The evidence I have prepared and provided for this appeal (APP/J4423/W/21/3267168) against the refusal of Outline Planning Permission 17/04673/OUT for up to 85 residential dwellings including open space (Amended Description) on Land at Junction with Carr Road and Hollin Busk Lane, Sheffield is true and has been prepared and is given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

2.0 NATIONAL POLICY: PLANNING FOR HOUSING

a) Introduction

- 2.1 There are widespread housing affordability issues facing Britain at present with more than three million households in the UK now spending more than a third of their household income on housing. The unresponsive nature of the planning system and failure of house building to keep up has led to a widening gap between supply and demand.
- 2.2 The consequences of this under provision are well documented in terms of increased issues of affordability that have occurred over the last decade. In the period between 1997 and 2019 the affordability ratio increased on average in the UK from just 3.54 times annual income to 7.83 times annual income despite the impact of recent recessions.
- 2.3 Such housing affordability issues manifest in many ways, such as: increased levels of overcrowding, more young people living with parents for longer, impaired labour mobility meaning it is difficult for businesses to recruit and retain staff, and increased levels of homelessness.
- 2.4 As such, the Conservative Government elected in 2017, pledged to meet the 2015 commitment of delivering 1 million homes by the end of 2020 and the Autumn Budget 2017 set out an ambition to “to put England on track to deliver 300,000 new homes a year” with the aim of addressing these issues of affordability. The ambition of 300,000 a year is most recently restated in the consultation on the Changes to the current planning system” (paragraph 6).
- 2.5 In the forward to the 2020 White Paper “Planning for the future” the Prime Minister sums up the failures of the present situation as follows:
- “Thanks to our planning system, we have nowhere near enough homes in the right places. People cannot afford to move to where their talents can be matched with opportunity. Businesses cannot afford to grow and create jobs. The whole thing is beginning to crumble and the time has come to do what too many have for too long lacked the courage to do – tear it down and start again.”*
- 2.6 While the “Planning for the Future” sets out plans to undertake a fundamental reform of the planning system, the government considers the situation to be so important that they are also proposing the shorter terms measures in the “Changes to the current planning system”. Within this is the now enacted proposal to amend the Standard Method to be utilised prior to the more fundamental changes being brought forward (paragraph 5).
- 2.7 Highlighting the problem with the current system the consultation states that against the

government's aspirations to create a system that will deliver 300,000 dpa existing adopted Local Plans have only allocated enough land to provide for 187,000 homes a year, which is lower than the actual rate of delivery 241,000. (Paragraph 6). The consultation states that:

"However, identifying sufficient land so that the market is not prevented from delivering the homes that are needed is vitally important to prevent the underdelivery of the past from continuing to happen"

2.8 I note that in the Government response to the local housing need proposals in "Changes to the current planning system" on the 16th December 2020, which introduces the New Standard Method, the Government in the paragraph titled "Rationale for cities and urban centres uplift" state:

"The Government is also keen to ensure that all areas plan for the right, size, type and tenure of homes, and in particular to ensure that appropriate numbers of family homes come forward, and would encourage these all places, but particular the urban centres, to consider carefully how they deliver the right mix for their communities. Getting this mix right will maximise the beneficial impact that the delivery of more homes can bring."

2.9 These changes highlight the urgency and importance the Government is placing on increasing the delivery of homes to react to the housing crisis. It also emphasise the need for the right type of homes and for family homes in the right places.

2.10 Shelter's recent Briefing Note (Social Housing & England's Housebuilding Recovery) states that this emergency has not developed overnight but is the result of four decades of failure to invest properly in the required number of social homes. It highlights the consequences of this failure are clear in that even before the COVID-19 pandemic, the reality of the situation was that:

- a) Just over 280,000 people in England were homeless on any given night in 2019,
- b) Over 236,000 people living in temporary accommodation – a statistic that includes more than 125,000 children.

2.11 Home ownership is in decline, with the English Housing Survey showing that 64% of households owned their own homes in 2018/19, down from 68% a decade ago. At the same time, the average cost of a home in England has increased to eight times the annual pay packet and the average share of income that a young family spends on housing has trebled over the past 50 years.

2.12 Private renters now spend an average of 40% of their household income on rent, with such

high costs making the chance to save and move into homeownership a pipe dream for many. In fact, almost two-thirds (63%) of private renters have no savings at all.

2.13 The note goes on to report that social housing, unlike private market housebuilding, is counter cyclical and the demand for the product does not decrease when times are rough in the economy and that the demand for affordable housing and social housing is extremely high.

2.14 In respect of meeting this demand Shelter's Briefing Note (Social Housing & England's Housebuilding Recovery) refers to Savills's projection that the supply of new social rented homes in the 2020s will increase to 64,300 but that this is against a need of at least 90,000 social homes per year (page 4).

2.15 The note also refers to the loss of 17,000 social homes (net figures) in England last year.

2.16 To address these issues Shelter are recommending accelerating the £12.2 billion Affordable Homes Programme and spending the bulk of this on building new social rented homes, so as to use the recovery as a launchpad towards delivering at least 90,000 social rented homes a year to meet need, through a long-term programme.

2.17 The Prime Minister summed up the "New Deal" he was proposing in his speech in the West Midlands on the 30th June 2020 in which he stated:

"To that end we will build. Build back better, build back greener, build back faster and to do that at the pace that this moment requires."

Source: Prime Minister's Office Press release 30th June 2020

2.18 Furthermore, the Framework (paragraph 59) states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. This is a separate issue from the consideration of the five year land supply and is capable of attracting significant weight in itself notwithstanding whether or not there is a five year land supply. Further evidence and justification for this issues is set out in the planning proof. That proof considers affordable housing as well as whether the supply of housing is of the right type and in the right place.

2.19 In conclusion, the Housing crisis continues and the direction of travel of Government policy is to continue to seek ways to increase the supply of housing land and the delivery of housing to address this crisis. It also seeks to increase the amount of affordable housing and places emphasis on meeting housing needs with the right type of housing, in the right places,

particularly for families.

b) National Planning Policy Framework and Guidance

2.20 The 2019 National Planning Policy Framework (the Framework) was published on 20th February 2019 and came into force with immediate effect. The Planning Practice Guidance was also updated and has been subsequently updated most recently on the 16th December 2020 which set out the new step 4 in the calculation of the Standard Method for calculating the Local Housing Need (LHN).

i) Housing Need

2.21 Paragraph 8 of the Framework sets out in paragraph b) the Government's social objective is to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations. It is noted that paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework, but they are not criteria against which every decision can or should be judged.

2.22 Chapter 5 of the Framework covers the delivery of a sufficient supply of homes.

2.23 Paragraph 59 states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed.

2.24 Paragraph 73 specifies that. Local Planning Authorities should identify, and update annually, a supply of specific deliverable sites sufficient to provide for a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies; or as here against their LHN where the strategic policies are more than five years old, unless these strategic policies have been reviewed and found not to require updating (as specified in footnote 37 to paragraph 73). The process for calculating this is referred to as the Standard Method and is set out in the NPPG and consists of 4 steps. In the case of SCC it is agreed that the strategic policies are more than five years old and the assessment should be against the LHN. There is however disagreement on three of the steps:

- a) Step 1 whether to include the most up to date evidence with regard to household growth.
- b) Step 2 whether to include the most up to date evidence with regard to affordability ratio's.
- c) Step 4 whether the "Urban Uplift" of 35% should be applied.

2.25 The Guidance (Paragraph 004, ID: 2A-004-20201216) sets out the 4 step process for calculating Local Housing Need, using the Standard Method. In summary these are:

- i) **Step 1** is setting the baseline. This should be done using the 2014-based household projections for England. Guidance is clear in how this should be calculated:
“Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period).”
It should be noted that guidance requires the current year to be used. As at now, this is 2021 to 2031 and results in a 10 year average of 1,947 households a year as set out in table 1. This is higher than the figure being used by the Council of 1,923 households based on the years 2019 to 2024 (see also table 1).
- ii) **Step 2** is to make an adjustment to take account of affordability, which requires the most recent median workplace-based affordability ratios, produced by ONS, to be used. The most recent is currently the 2020 dataset, published in March 2021. No adjustment is applied where the ratio is 4 or below. For each 1% the ratio is above 4, the average household growth baseline should be increased by a quarter of a percent. An authority with a ratio of 8 will have a 25% increase on its annual average household growth baseline. The equation for this is set out in guidance. In the case of Sheffield, the affordability ratio has risen from the 5.65 in 2019 to 5.79. This increases the requirement to 2,165 rather than the lower figure of 2,131 used by the Council (see Table 1)
- iii) **Step 3** is to cap the level of any increase from the application of the affordability adjustment. The guidance sets out how it should be calculated, depending on the status of strategic policies for housing. For Sheffield there is no requirement to cap the uplift.
- iv) **Step 4** is a new step, recently introduced, which requires a 35% uplift to be applied for urban local authorities in the top 20 cities and urban centres list. This urban uplift applies to Sheffield for the purposes of decision making from 16th June 2021 onwards. Applied to the uptodate calculation of the requirement, under the standard method, this results in a requirement of 3,069 dpa (a five year requirement including the 5% buffer of 15,345 dwellings). If the uplift was applied to the Council's earlier calculation of need, this would result in a requirement of 2,877 and a five year requirement of 14,385. The Council argue that it is incorrect to take step 4 into account until it has updated its supply base to the 1st April 2021.

- 2.26 The introduction of Step 4 “the Cities and Urban Uplift” on the 16 December 2020 included specific guidance on how and when this should be applied through transitional arrangements (Reference ID: 2a-036-20201216). For Councils close to publishing Regulation 19 plan these arrangements allowed 3 months from the date of the revision to the NPPG for these plans to be published and then a further 6 months for the submission of the plan to the SoS. Failure to meet these transition arrangements results in the future plan having to accommodate the LHN as calculated using the “Cities and Urban uplift”. This means that for plans published after 16th March 2021 the uplift would be applied. This will apply to Sheffield's emerging plan.
- 2.27 In respect of decision making the Transitional Arrangements explain that the old LHN, without the cities and urban centres uplift, can be used for determining the housing requirement for the 5 year housing land supply until the 16th June 2021 and that after this date, the new standard method (i.e. with cities and urban centres uplift) will apply.
- 2.28 A clearer indication of the transition period for decision making was set out in the Government response to the local housing need proposals in “Changes to the current planning system” (issued on 16th December 2020 and Updated 1 April 2021) which confirms the new standard method is to be used in planning decisions to determine whether an area has identified a 5 year land supply for homes (where strategic policies are more than five years old). This again confirms that the revised standard method (inclusive of the cities and urban areas uplift) will not apply for a period of six months from the publication of the amended Planning Practice Guidance but that after 6 months, the new standard method will apply.
- ii) **The Buffer**
- 2.29 The buffer in paragraph 73 is determined by the latest Housing Delivery Test (HDT), as explained in paragraph 215 of the Framework. This was published in January 2021 and is used to determine the appropriate buffer. In the case of SCC it is agreed that the buffer is 5% (CD6.14 Table 9).
- iii) **The Definition of ‘Deliverable’**
- 2.30 It is important to note, that in the context of assessing what constitutes a “deliverable” site, the 2019 Framework defines “deliverable” in the Glossary as follows (page 66) (emphasis added):
- “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.***”

2.31 Planning Practice Guidance Paragraph 007 (Ref ID: 68-007-20190722) states that:

*“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.**”* (emphasis added).

2.32 The onus is therefore placed on the Council to provide clear evidence for those sites which fall within part b), rather than for interested parties to establish whether clear evidence exists.

2.33 Paragraph 007 (Ref ID: 68-007-20190722) states that clear evidence needed to demonstrate that housing completions will begin on site within five years includes:

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

iv) The base date for assessment of 5 year land supply.

2.34 The approach to be adopted is that although both Appellant and the Council seek to rely on evidence collected after 1st April 2020, it is argued in both cases that this evidence was “knowable” as at 1st April 2020 and that this further evidence justifies either the inclusion (in

the case of the Council) or the exclusion (in the case of the Appellant) of the dwellings in question from the supply.

- 2.35 Paragraph 73 of the Framework specifies that Local Planning authorities should identify, and update annually, a supply of specific deliverable sites sufficient to provide for a minimum of five years' worth of housing against their housing requirements set out in adopted strategic policies.
- 2.36 The NPPG (001 Reference ID: 68-001-20190722) requires the calculation of deliverable supply of homes to meet the planned housing requirement over the next 5 years.
- 2.37 The NPPG states that the purpose of the 5 year housing land supply is to provide an indication of whether there are sufficient sites available to meet the housing requirement set out in adopted strategic policies for the next 5 years (003 Reference ID: 68-003-20190722).
- 2.38 Paragraph 68-004 requires that for decision-taking purposes, an authority will need to be able to demonstrate a 5 year housing land supply when dealing with applications and appeals and that they can do this in one of two ways either by confirming the position as per paragraph 74 of the Framework or by using the latest available evidence such as a Strategic Housing Land Availability Assessment (SHLAA), Housing and Economic Land Availability Assessment (HELAA), or an Authority Monitoring Report (AMR).
- 2.39 PPG Paragraph 68-007 advises the use of up to date evidence.

v) *The use of the Standard Method from 16th June 2021 onwards*

- 2.40 The Standard Method was first introduced in the NPPF 2018 (paragraph 60) the use of the Local Housing Need for the calculation of the five year land supply in situations where the development plan was over 5 years old was introduced in paragraph 73 at the same time. Unlike the December 2019 revision there was originally (in 2018) no transition period set for the use of the standard method in decision making.
- 2.41 The Council's case at this appeal is that the Standard Method, including the uplift introduced in December 2020 and to be used for decision making from 16th June 2021, cannot in fact be used until the Council have updated the supply to the 1st April 2021 base date on the grounds that one would be comparing a 2021 based housing requirement with a 2020 based supply. I do not accept this can be right. The Urban Uplift applies to this appeal decision as the transition period has passed. If the Council has not updated its supply then it cannot in all reasonableness use that as an excuse to avoid the effect of applying the current requirement. I note that the Council agreed to the delay of the Inquiry to a date after 16 June 2021, in the full knowledge that the basis for that being put forward was to avoid having to

reopen the Inquiry to update all the 5 year supply material once the Uplift took effect.

- 2.42 Such a situation is not unknown to the Secretary of State, who has had previously to consider similar situations when the Standard Method was introduced on 24th July 2018 with no lead in time whatsoever. The announcement of the most recent change in December 2020 and a lead in time of 6 months, including over two months from the 1st April base date until his appeal Inquiry has provided sufficient time for Council to update the supply figures. If the Council has not updated their supply (as is the case in this appeal), then as has occurred above the up to date requirement is applied to the last available information on supply. The lack of a supply side update does not change the up to date assessment of actual need as determined by the NPPG. It is of course for the Council to demonstrate the existence of a 5 year supply under the terms of NPPF footnote 7 when one is assessing whether development plan policies are up to date.
- 2.43 Turning to how the Secretary of State previously dealt with the issue that arose from the introduction of the Standard Method on the 24th July 2018, the approach was simply one of applying the then new 2018 housing requirement derived from the standard method to the latest land supply at the time of the decision. In the three cases below this was as at 1st April 2017 (1 year older than the Standard Method) and as at the 31st March 2016 (2 years older than the Standard Method). Briefly these cases are:
- a) APP/U4230/W/13/2209607 and APP/U4230/W/17/318072626 (CD5.23) Decision 12 November 2018) Land to the north and south of Worsley Road and land at Aviary Field, Broadoak, Worsley, Salford, Greater Manchester - application ref: 13/63157/OUTEIA (as amended); and (ii) land to the south of Worsley Road, Worsley - application ref: 17/69773/OUTEIA. The SoS DL paragraph 20 (CD5.23) confirmed that he was calculating the Housing Land Supply in accordance with paragraph 73 for the NPPF and in paragraph 21 he confirmed that he was calculating the requirement as per the Standard Method set out in the Guidance. In paragraph 22 the SoS undertook his own recalculation of the requirement using the Guidance and applied this to the supply of 17,788 to conclude that there is over 13 years supply (SoS DL paragraph 23). The supply was based on 'Salford's five-year housing land supply position' (November 2017) (CD5,23 IR paragraph 67) and the appropriate base date was 1st April 2017 (CD5.23 IR paragraph 66). In that case the SoS applied the new requirement to a supply that was 1 year 8 months old.
 - b) Appeal APP/A2280/W/17/3175461 (CD5.25) decision dated 8 November 2018 Land at Town Road, Cliffe Woods, Kent. The SoS decision letter paragraph 15 applied the

standard method set out in Guidance and concluded that local housing need for Medway was 1,310. The Standard Method had come into existence in the summer of 2018, after the Inquiry (November 2017). This was then compared to the supply in paragraph 16 which was based on the most up to date evidence before the inquiry (The Monitoring Report December 2016 - IR paragraph 23) and concluded that there was a housing land supply of 3.9-4.3 years. The Monitoring Report (December 2016) provided evidence of land supply as at the 31st March 2016. In this case the SoS applied the new 2018 Standard Method requirement to a supply that was 2 years and 7 months old.

- c) APP/F4410/W/17/3169288 Decision dated 05 February 2019 Land to the East of Mere Lane, Edenthorpe, Doncaster (CD5.26). This was for a large residential scheme and the public local inquiry was held on the on 5 to 7 September, 12 – 13 September 2017 and 9 – 12 January 2018. Decision February 2019. In paragraph 14 the Secretary of State noted that there was some dispute between the main parties as to whether the Council can demonstrate a five year housing land supply (IR318). The Standard Method had come into existence in the summer after the close of the Inquiry. The Secretary of State considered that the standard methodology should be used, in line with the Framework. Using this, the Secretary of State considered that Doncaster Council's annual requirement was circa 600 homes per year, and that based on forecast levels of supply, it could demonstrate over ten years supply of housing land. The SoS went on to grant planning permission anyway, as the most important policies were out of date for other reasons. The evidence base in that case was the HELAA which was updated to 1st April 2017. In that case the SoS applied the new 2018 Standard Method requirement to a supply that was 1 years and 10 months old.

2.44 It is noted that the Secretary of State took the same approach (SoS DL paragraph 16) in the APP/Y0435/W/17/3169314 land to the east of Newport Road and to the east and west of Cranfield Road at Woburn Sands, Buckingham, MK17 8UH (5 December 2018) but in this case the land supply had been updated by the Council to 2018 and the appellants (Myself) had updated the land supply position to reflect the new definition of deliverable that also was introduced alongside the standard method.

2.45 It is noted that in many cases after the publication of the NPPF in early July 2018, the Standard Method was applied to the supply that had already been assessed prior to that date but unlike Sheffield, these authorities had managed to update their supply to 1st April 2018 for example:

- a) Land on East Side of Green Road, Woolpit, Suffolk (CD5.14 Appeal Ref: APP/W3520/W/18/3194926 para 63). The Inquiry took place from 31 July 2018 and the decision date was the 28th September 2018. Both the appellant and Council accepted the use of the Standard Method being applied to the supply, which had been prepared to an April 2018 base, in readiness to be included in the evidence for the Inquiry (presumably submitted at the start of July 2018). The Council produced a supply update in a short time after the base date.
- b) Entech House, London Road, Woolmer Green (CD5.13 APP/C1950/W/17/3190821 paragraphs 22, 25, 26 and 31). The Inquiry was 18 September 2018. The decision was 26th October 2018. The inspector applied the SM figure (2018) to the “Updated Five Year Land Supply 2017/18” (31st May 2018) which had a start date of 1st April 2018. The Council had produced its supply within 2 months after the base date.
- c) Land at Stanbury House, Basingstoke Road, Spencers Wood (CD5.15 APP/X0360/W/15/3097721 paragraphs 9, 28 and 29). The Inquiry was 27 February 2018 and the decision was issued on 18 September 2018. In this decision the inspector relied upon the SM (2018) figure. The supply was to a base date of November 2017. This is in fact a decision that follows the same line as the SoS decisions above, where an older base date supply was compared to the newer Standard Method at that time.

2.46 A final appeal that deals both with the issue of the “current” year and the up to date affordability ratio is an appeal at Poplar Hill, Stowmarket (CD5.37 APP/W3520/W/18/3214324) This was for up to 160 dwellings and was dismissed on 13 August 2019 but in doing so the Inspector reached the following conclusions:

- a) The current year for the requirement was clearly an area of dispute (CD5.37 paragraph 54). The current year in that case was 2019 and the Inspector endorsed that, despite an argument that 2018 should be used on the basis that was the housing supply date CD5.37 Paragraph 59). This aligns completely with my case at this appeal.

“National Guidance is quite clear housing need should be calculated with the current year as the starting point, not some previous year”

- b) In respect of the use of the most recent affordability ratio (paragraph 55), again a point that aligns with my case in this appeal, the inspector states that the most up to date figures be used stating (CD5.37 Paragraph 59).

“National Guidance is quite clear housing need should be calculated.... applying the most recent figures for affordability, not those of some previous year”

- c) At paragraph 58 (CD5.37) the Inspector identifies 3 areas of dispute. The first is that the supply was 10 months old and couldn't be applied to the most recent requirement. He deals with this at paragraph 59 to 60. He notes that the supply needs to be calculated annually and concludes (CD5.37 paragraph 60) that this will inevitably be out of kilter with the most recent calculation of housing need. In that case the requirement was determined as at 2019 (using the current year and the up to date affordability ratio) and the inspector endorsed the use of this 2019 requirement on the 2018 supply.
- d) The second area of dispute is dealt with at paragraph 61 (CD5.37) where the inspector endorses the approach of Woolpit and accepts that information can be taken into account after the cut-off date. At paragraph 63 he applies this to each of the parties positions, siding with the Council on 4 of the 5 disputed sites and with the appellant on one.

2.47 The introduction of the SM in the NPPF of July 2018 did not have any transitional period for decision makers but was adopted immediately in the determination of appeals substituting the OAN calculations when development plans were over 5 years old. In these cases, the higher or lower SM figure was applied to the land supply as it was assessed prior to the publication of the 2018 NPPF, whether it was a 2018 supply, a 2017 supply or even a 2016 supply in one case.

2.48 In conclusion, in respect of the application of the Standard Method (including the Urban Uplift), it would seem clear as per the Secretary of State cases above, that this is simply applied to the available supply evidence irrespective of its base date, although in the examples of the cases determined by inspectors above, the Council's had managed to update their supply to 2018 anyway.

2.49 Taking account the above the effect of the Council's argument in this case, that their 1st April 2020 land supply cannot be measured against the up to date calculation of housing requirement using the Standard Method (including the Urban Uplift), because it is “misaligned” (CD6.14 paragraph 2.3) is not to default to an earlier calculation of the housing requirement. The only other conclusion would be to recognise that the Council's evidence on Five Year Land Supply is misaligned with the most up to date requirement and is consequently simply out of date. In such circumstances an up to date supply cannot be demonstrated in the context of footnote 7 of the NPPF.

c) Summary

- 2.50 In summary, in assessing whether Sheffield Council is able to demonstrate a five-year supply of housing land, the key principles are:
- 2.51 For the purposes of calculating a five-year land supply, the housing requirement is that set out by the Standard Method.
- 2.52 The Standard Method should use the 2014-based household projections as required by the Guidance (2a-004) and the ten year period for calculating the requirement should be from the current year.
- 2.53 For decision making purposes, including the calculation of the 5 year housing land supply, as the Inquiry is after the 16th June 2021, the Standard Method should include step 4; the Cities and Urban Uplift (Reference NPPG ID: 2a-036-20201216).
- 2.54 The buffer is 5% as determined by the HDT (Paragraph 73 of the Framework). This is to be added to the requirement.
- 2.55 Sites that can go in the supply are sites with detailed planning permission, sites with outline planning permission, allocations in a development plan, sites with permission in principle or identified on a brownfield register. Of these, the Framework requires sites with outline planning permission, permission in principle and brownfield register sites to have clear evidence provided by the Council that completions will begin in five years in order to be included in the five-year land supply. The sites have to be available "now" and offer a suitable location for development "now".

3.0 THE LOCAL POLICY POSITION: PLANNING FOR HOUSING.

- 3.1 My Policy proof expands on the lack of a plan making response by the Council to the housing crisis and the bullet points set out in paragraph 47 of the 2012 Framework (repeated thereafter in subsequent revisions most recently NPPF 2019 paragraph 59). National policy requires the Council to significantly boost the supply of housing. The last development plan was the Core Strategy which was adopted in 2009. This Plan made no allocations for housing or other development but relied on the subsequent “Sites and Policies” plan to identified the sites required to deliver the policy objectives.
- 3.2 Progress on a “Sites and Policies Plan”, to implement the Core Strategy, was abandoned.
- 3.3 The absence of allocations in a development plan since 1998 has meant that the Council’s response to the housing crisis has been through the exercise of Development Management decisions, the outcome of which is set out in Appendix 1 of my Policy Proof. This highlights that delivery has been concentrated both within a very limited location around the City Centre and within two specific housing types these being 1 and 2 bed apartments and Student cluster flats. In conclusion my policy proof highlights that the local policies regarding housing and in particular housing allocations are based upon a dated approach, dated guidance and dated evidence, which is only now beginning to be reviewed and revised. The present situation is summarised below:
- a) 1998 UDP and proposals map are based on a housing requirement of 1,070 dpa over the period 1991 to 2001. This is just 37% of the level now required to be accommodated to meet the Standard Method.
 - b) 2009 Core Strategy policies are based upon:
 - i) Regional Spatial Strategy
 - ii) Stepped requirement Policy CS 22 of 1,025 dpa 2004/05 to 2007/08 (4 years) then 1,425 dpa 2008/09 to 2025/26 (18 years) and an average of 1,353 dpa. This is under half (42%) of the requirement under the new Standard Method.
 - iii) The adoption of a City Sites and Policy plan which was to contain allocations to meet the housing requirement and never materialised.
 - c) The Council have not produced a plan that designates new housing allocations since 1998, over 2 decades ago.
 - d) It is over a decade since the Council adopted any development plan.
 - e) There have been a number of stalled attempts to produce a development plan with the required allocations, but none have gained political support
 - f) The 2020 (December) 5 Year housing land supply monitoring report 2020- 2025 was

based on the old standard method requirement, without the Urban Areas uplift of 35%, but including a 5% buffer. It relies on 2,238 dpa

- g) In September 2020, the Sheffield Plan Issues and Options document presented all three options as requiring the reuse of previously developed sites and in addition options 2 and 3 suggest green belt release. This was to accommodate only 2,200 dpa.
- h) The 16th December 2020 NPPG Standard Method Update introduced “Step 4” Urban Area Uplift which increases the housing requirement in Sheffield for decision making by 35% to 2,923 dpa (prior to adding the required Buffer) this is to be calculated using the average annual household increase over a 10 year period starting with the current year (2021) using the 2014 HHP (NPPG Paragraph: 004 Reference ID: 2a-004-20201216)

3.4 It is also within this context, as explained in my Policy Proof, that the detailed policy boundaries were drawn. As a consequence, I argue in that proof that these boundaries are out of date. They have been drawn up against the background of a much lower housing requirement and as is also demonstrated in that Proof, the delivery of housing within in the city is occurring in spite of the policy designations on the UDP proposals map, rather than because of them. As I also highlight the negative impact of this approach is the wrong type of housing being developed in the wrong place when considered against a significant element of the housing needs.

4.0 Calculating the Housing Requirement for Five Year Land Supply using the Standard Method

a) Introduction

4.1 There are 4 steps to the calculation of the Housing Requirement to be used in the calculation of the 5 year land supply, when the requirement in the development plan is out of date as is the case here.

4.2 The Council and the appellants disagree with regard to 3 of these 4 steps as follows:

a) The Housing Requirement

- i) Step 1: Should the calculation be based upon a ten year average household growth starting the “current year” 2021 as stated in the NPPG or should, as the Council argue, the base year of the supply be used i.e. 2020?
- ii) Step 2: Should the calculation use the most up to date affordability ratio as required by the NPPG i.e, 2020 (published March 2021) or the earlier 2019 ratio published in March 2020 as argued by the Council?
- iii) Step 4: Should the 35% Cities and Urban Uplift be applied as stated in the NPPG or should this only be applied once the Council has updated its supply to 2021?

4.3 Each of these are separate issues and need to be determined as such although I would argue the most straight forward reading of the PPG is to use the current year, adopt the most up to date evidence on affordability and apply the policy as written. That said I appreciate it would be possible to reach a different conclusion on each of the steps so a conclusion in one side's favour on Step 1 does not predetermine the outcomes for Steps 2 and 4.

4.4 This section explains these 3 areas of disagreement. Central to the Council's position is that the housing requirement as calculated by the standard method must reflect the both the policy and evidential position at the “base date” of their supply evidence 1st April 2020 and that changes to the evidential base (like the increase in the affordability ratio) and changes to policy cannot be taken into account until the Council has reviewed and updated the supply evidence to 1st April 2021. I do not consider this to be the correct interpretation of the NPPF and PPG for the reasons set out below. It would also be inconsistent with the several Secretary of State appeal decisions I have explored above.

b) The Standard Method

4.5 It is agreed that the Standard Method should be used to determine the housing requirement in the calculation of the five year housing land supply in this case.

- 4.6 There are three areas of disagreement as to how the standard method should be calculated. This is explained below. First is the definition of the “current year”, second the use of the up to date affordability ratio and thirdly the application of the 35% “Cities and Urban Uplift”.
- 4.7 The differences in approach are set out in summary in the table below. It should be noted that the Council approach effectively stops at step 2 of the standard method as there is no cap to be applied (Step 3) in Sheffield and they argue that the Urban Uplift (Step 4) should not be applied for this appeal.

Table 1. The Comparison of the Appellants and the Councils calculation of the Standard Method

Row	Step 1 Setting the baseline - Annual household growth over 10 years (2021-2031) (source 2014 HHP table 406)			
		SPRU	SCC	
A	2021 households	249,478	247,611	2020 households
B	2031 households	268,950	266,931	2030 households
C	10 year average household growth	1,947	1,932	10 year average household growth
Step 2 An adjustment to take account of affordability				
		SPRU	SCC	
D	Affordability ratio (2020) ONS Table 5c	5.79	5.65	Affordability Ratio 2019
E	Adjustment factor $((5.79-4)/4)*0.25+1$	1.111875	1.103125	Adjustment factor $(5.65-4)/4$
F	Application of adjustment factor $(1,947 * 1.11)$	2,165	2,131	Application $1,932 * 1.03$
Step 3 - Capping the level of any increase				
		SPRU	SCC	
G	Cap $(10 \text{ year average} \times 1.40)$	3,031	2,984	Cap $10 \text{ year average} \times 1.40$
Step 4 - cities and urban centres uplift				
		SPRU	SCC	
H	35% Uplift $(2,165 * 1.35)$	2,923	2,877	35% Uplift
Housing Requirement				
I	Housing Requirement	2,923	2,877	Housing requirement
J	Annual Requirement including Buffer 5%	3,069	2,238	Annual Requirement including 5% Buffer but Excluding Step 4
K	5 year Requirement including step 4	15,345	11,189	5 year Requirement including 5% Buffer but Excluding Step 4

- 4.8 The yellow highlighted outputs are the ones which the appellant and the Council respectively consider present the housing requirement for the purposes of deterring this appeal.

c) The Appellant's position on the Housing Requirement

i) Step 1 – Setting the base line (The Current Year)

4.9 The NPPG Paragraph: 004 Reference ID: 2a-004-20201216) requires the use of the national household growth projections (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority to calculate the projected average annual household growth over a 10 year period. This should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period.

4.10 I consider the “**current year**” for this purpose to be **2021**.

4.11 The implications of this as set out in table 1 above is that at the end of step 1 the appellants consider the housing requirement to be 1,947 dpa (table 1 line C) while the Council consider it to be 1,932 dpa (table 1 line C).

4.12 This issue of which year is the “current year” and therefore should be used to set the baseline calculation has been considered at earlier inquires (see section 2 including CD5.37 paragraph 54 and 59) which confirms the approach to the use of the current year in the calculation of an up to date housing requirement and in the Secretary of State's decision on appeal (land off Station Road Long Melford Babergh DC CD5.17) in which the inspector report states:

“427. The interpretation of which figures to use derives from the words in the Planning Practice Guidance (PPG) and the relationship with the base date year to ensure consistency of assessment periods against the supply. The PPG advises the use of the current year from which to calculate the ten-year period. The Council contend that on a plain reading the current year is 2019 and that that should be the starting point. The Appellant suggests there should be consistency with the base date year for the supply and therefore 2018 should be used. [45, 46, 219, 220]

428. The position has been considered at a recent appeal APP/P0119/W/17/3189592 with the Inspector concluding that the use of the current year in which the decision was made was technically correct to ensure consistency with the base date for the supply side. I have some sympathy with that position but it is not what the PPG guidance says and should the Government have wished the year to relate to the base date of the year assessed it would have said so. The advice appears quite unequivocal. The nature of the ten year period is also over a different period than the 5 year period being assessed. On this basis I follow the advice in the PPG and use the current year.”

Source: CD 5.17 PINS APP/D3505/W/18/3214377

ii) Step 2 – An adjustment to take account of affordability.

4.13 The **appellants** use the **2020 affordability ratio of 5.79** (the latest available) to produce a housing requirement of 2,165 dpa (see table 1 line F).

4.14 As highlighted in Section 2 (including CD5.37 paragraph 55 and 59) the use of the most recent affordability ratio in the calculation of an up to date housing requirement is the correct approach in line with the requirement of the NPPG Paragraph: 004 Reference ID: 2a-004-20201216 which states:

“The most recent median workplace-based affordability ratios, published by the Office for National Statistics at a local authority level, should be used.”

4.15 The **Council** use the **2019 affordability ratio of 5.65** to calculate this adjustment to produce a housing requirement of 2,131 dpa (see table 1 line F) .

4.16 Up to this point the two differences of approach make a difference in actual numbers of 34 dpa.

iii) Step 3 – the Capping the level of any increase

4.17 It is agreed that there is no cap to be applied at step 3.

iv) Step 4 - The Cities and Urban Uplift

4.18 The NPPG now clearly and specifically adjusts the figure to be applied for the purposes of determining the 5 year requirement for this appeal. There were transitional arrangements and they have now passed.

4.19 This would result in a requirement of 2,923 dpa (Table 1 Step 4 line I).

4.20 The NPPG Paragraph: 004 Reference ID: 2a-004-20201216 applies the Urban Centre Uplift to Sheffield.

4.21 The transition period for decision taking is set out in NPPG Paragraph: 037 Reference ID: 2a-037-20201216 which states that the transitional arrangements will apply for six months from the publication date of this guidance (16 December 2020) but that after this date, the new standard method (i.e. with cities and urban centres uplift) will apply for relevant decision-making purposes.

4.22 In the Government’s response to the local housing need proposals in “Changes to the current planning system” (Updated 1 April 2021) (CD4.3) it is explained that the importance of the new standard method is that it delivers a number nationally that is consistent with the commitment to plan for the delivery of 300,000 new homes a year, a focus on achieving a

more appropriate distribution of homes, and on targeting more homes into areas where there are affordability challenges.

4.23 In respect of the transition arrangements the Government (CD4.3) state:

“The standard method has a role not only in plan-making, but is also used in planning decisions to determine whether an area has identified a 5 year land supply for homes and for the purposes of the Housing Delivery Test (where strategic policies are more than five years old). Where this applies, the revised standard method (inclusive of the cities and urban areas uplift) will not apply for a period of six months from the publication of the amended planning practice guidance. After 6 months, the new standard method will apply.”

4.24 The transition arrangements for the introduction of Step 4 the “Urban Uplift” stated on 16 December 2020 :

*“Transitional arrangements will apply for six months from the publication date of this guidance. This means that the local housing need calculation excluding cities and urban centres uplift, can be used, for example when determining the housing requirement for the 5 year housing land supply, until this date. **After this date, the new standard method (i.e. with cities and urban centres uplift) will apply for relevant decision-making purposes.** (emphasis added)*

Source: Paragraph: 037 Reference ID: 2a-037-20201216

4.25 In respect of the local housing need figure to use in the calculation the NPPG states that:

“A 5 year land supply is a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing (and appropriate buffer) against a housing requirement set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 73 of the National Planning Policy Framework.

Source: Paragraph: 002 Reference ID: 68-002-20190722

4.26 In light of the above I conclude that while the only figures apparently available from the Council for the consideration of the supply are those published in December 2020 this should nevertheless be assessed against the local housing need figure as required by the Framework (paragraph 70) and the PPG.

4.27 The position, based upon the Framework and PPG is set out in the SPRU column of table 1 above.

d) The Buffer

4.28 It is agreed that a 5% buffer should be applied to the requirement in calculating the five year land supply.

e) The 5 Year Requirement

4.29 Taking account of the correct position on the calculation of the housing requirement over the 5 year period it is 2,923 dpa (table 1 line I). To this is added a 5 % buffer, resulting in a **5 year requirement of 15,345** (Table 1 line K).

4.30 The Council maintains that the requirement over the 5 year period is 2,131 dpa (table 1 line F). To this is added a 5 % buffer, resulting in a 5 year requirement of 11,188 (Table 1 line K). If the Council are incorrect, in rejecting the “Urban Uplift” at this point (but otherwise correct in their other two arguments) then the calculation would result in a **five year requirement of 15,103** or 3,021 dpa (2,131 x 1.35 x 1.05 x 5).

4.31 The implications of undertaking the correct calculation on all aspects of the Housing requirement would result in a deficit in the 5 year requirement as demonstrated in the table below which uses the Council supply before removing those sites I do not consider are deliverable.

Table 2. SCC 5 year Land Supply taking into account the “Urban uplift”

Summary Tables	SCC supply / SPRU Requirement
SPRU Requirement	2,923
5% buffer	3,069
5 year requirement	15,346
Net supply claimed by the Council	12,131
Years Supply	3.95
Surplus/Shortfall	-3,214

Source: SCC 5 year Housing Land Supply (December 2020)

4.32 In the event that the Council do not accept the above interpretation of the Framework and Guidance, in the following sections I review the sources of supply and discount those where I consider there to be clear evidence that they will not deliver in respect of category A sites and where there is not clear evidence of delivery in respect of category B sites.

5.0 THE HOUSING SUPPLY

a) Introduction

5.1 There are 2 areas of disagreement between the Council and the Appellant; the supply as a 1st April 2020 and the availability of evidence to calculate the supply as at 1st April 2021. In summary the issues are:

a) The Supply at April 2020

- i) Is there clear evidence that Category A sites will not deliver housing completions in the next five years?
- ii) Is there clear evidence that Category B sites will deliver housing completions in the next five years?
- iii) Should Student accommodation be included in the supply without further justification?

b) The supply position at 1st April 2021 updates the 2020 supply as follows:

- i) Add into the supply of new permissions granted between 1st April 2020 and 31st March 2021.
- ii) Add into the supply sites that were delivering in 2024/25 in the 2020 supply and that are forecast to continuing delivering in 2025/6.
- iii) Add into the supply another year of windfalls.
- iv) Add into the supply any of the previously excluded (by the Council) “Stalled” Category A sites in the 2020 supply that have evidence to suggest they are now going to deliver.
- v) Add into the supply any Sites with Outline Planning Permissions excluded from the 2020 supply that have evidence to suggest they are now going to deliver.
- vi) Delete the level of completions between April 2020 and April 2021

5.2 It is important to understand that in the context of the Sheffield property market, where almost all development is being delivered on previously developed sites within the urban area, then the ability for landowners and promoters to establish the principle of development via outline applications is difficult because the relationship with the neighbouring land uses needs to be considered so the size and orientation of units needs to be understood as well as the physical relationship with neighbouring buildings. Consequently, most applications have to be for full permission. On a conventional greenfield housing site, a full permission would indicate a high level of commitment to delivery. That is not the case in many instances where there is no

choice but to seek a full permission.

- 5.3 The complexity of most redevelopment sites in Sheffield city centre requires landowners, promoters and developers to establish the scale and nature of almost all development through the submission of full planning applications. These are then viability tested or tested in the market to establish if they are able to proceed.
- 5.4 This process means that for urban redevelopment sites there may be a number of different full planning applications over a number of years before a scheme is finally approved that is viable for development and likely to be delivered. As a company based in Sheffield, my business has known of a number of sites which have had an extant full planning permission on them for a number of years but have not been developed.
- 5.5 In addition, given that it can take time to secure funding for a development many landowners or promoters will secure applications by discharging the pre commencement conditions and undertaking demolition, even though they themselves have no intention of fully developing the approval.
- 5.6 I have set out in my evidence below and attached, sites that have full permission and yet there is clear evidence that they do not have a realistic prospect of housing being delivered in the next 5 years. This is in addition to considering those sites that either do not have permission or have only an outline permission, where the Council has to provide clear evidence that there is a realistic prospect that they will be delivered and has not done so.

b) Category A Sites - Sites with Full Permission or Reserved matters

- i) ***Sites to be removed as evidence the permission will not be implemented as alternative proposal are being pursued.***

- 5.7 The following sites have been included in the Council's supply as category A sites. I have removed them as there was clear evidence as at 1st April 2020 that these permitted schemes will not be implemented. This in some cases has been reinforced by later evidence. Full details of these are provided in Appendix 1.

Table 3. Sites which are subject to alternative proposals

Site Ref	Application Ref	Address	Dwgs	Summary of Reason
S02915	18/01077/FUL	HSBC, 79 Hoyle Street, Sheffield, S3 7EW	343	In February 2020 the Cassidy group made a public statement that this scheme was on hold. This is a scheme previously identified by the Council as being stalled. The architects for the original developer highlighted affordability issues with the original scheme that was permitted. Activity to date, including application for Non-Material Amendments does not suggest that a suitable viable alternative scheme is deliverable. After foundations were installed construction stopped while funding was being secured. The uncertainty around funding still persists as revealed by a more recent quote from Cassidy Group (owners). This application is not going to be delivered.
S03988	19/01876/ORPN	The Pennine Centre, 20 - 22 Hawley Street (Block 3, Block 4 and Block 5)	174	Permissions for replacement windows (ref. 20/00077/FUL) in order to retain office use as recognised in the Officers report of the 9th March 2020 was granted on 9th March 2020 (appendix 21C).An alternative commercial scheme is now being implemented on this site
S03161	19/00483/FUL	Land At Doncaster Street, Hoyle Street, Shalesmoor And Matthew Street, Sheffield, S3 7BE	222	The original promoter had not secured funding at the start of the period. Issues of funding around such a large PRS scheme were acknowledge at the time of the application, requiring a phased approach to development. Subsequent evidence regarding the need to develop an alternative scheme to attract funding reinforces that there is clear evidence this scheme will not deliver completions in the next five years.
Total			739	

ii) **Sites without extant permissions**

5.8 The following sites are included in the Council's supply as category A sites as they had full planning permission as at 1st April 2020. I have removed these from the supply as there are no extant permissions on these sites. The permissions have expired. Full details are provided in Appendix 1.

Table 4. Sites where permissions have expired since 1st April 2020.

Site Ref	Application Ref	Address	Dwgs	Summary of Reason
S03666	17/04216/FUL	Car World Yorkshire Site Of 164 To 176 London Road Sheffield S2 4LT	13	Lack of action on conditions, no contact, and continuation of existing business as at 1st April 2020 establishes site not available at base date and clear evidence it will not deliver. No extant permission –permission now expired
S00991	17/03335/FUL	Site of Darnall Medical Aid Society, Fisher Lane, Sheffield, S9 4RP	10	Lack of action on conditions, no contact, and long history of unimplemented consents as at 1st April 2020 establishes will not deliver No extant permission - permission expired 5 th Feb 2021 without being implemented
Total			23	

iii) **Sites with full permission for which there is clear evidence these will not be delivered**

5.9 The following sites are identified by the Council as category A sites but I have removed them from the supply as I consider there is clear evidence that these particular sites will not deliver completions in the next five years. Each of the following site has numerous factors such as not being available for development now as there is continued occupation by an alternative use, the disposal of the site by the original developer to an alternative owner who is pursuing a different use or maintaining an original use on the site, known viability issues with the scale of development finally granted, lack of movement to progress the development such as no attempt to address outstanding pre-commencement conditions, no developer identified, no finding secured and a long history of unimplemented planning applications. Full details are provided in Appendix 1.

Table 5. Sites with full permission for which there is clear evidence these will not be delivered

Site Ref	Application Ref	Address	Dwgs	Summary of reason
S03383	17/02719/FUL	40-50 Castle Square Sheffield S1 2GF	22	No activity would have otherwise expired if it wasn't for the covid extension, no contact from agent/applicant, outstanding pre commencements. The applicant was a letting agency and there is no sign of a developer on board. The site has been advertised as retail units since 2017.
S01347	18/01648/FUL	Site Of Park & Arbourthorne Labour Club Eastern Avenue/City Road Sheffield S2 2GG	39	Permission will expire in October 2021. There are outstanding pre commencement conditions that have not been discharged. The site has been for sale since 2008 and has not come to fruition. Contact with the Agent/architect has confirmed that there are outstanding viability issues.
S04008	18/03172/FUL	DWP, Rockingham House, 123 West Street S1 4ER	96	Not Available - Site occupied by Government office at base date no evidence of site for sale either locally or on government web site highlighting disposal. Original Architect confirmed they were not retained to progress the scheme. Site was and remains unavailable. No activity; outstanding pre commencements, site still in government ownership and needs to be sold, no developer. Site is still government owned and in use by DWP. Contact with the agent/architect confirmed that they had not been instructed on any work to implement consent. Clear evidence that scheme is not progressing,
S03973	18/04637/FUL	Site Of Norbury, 2 Crabtree Road, Sheffield, S5 7BB	14	The site has very marginal viability and the owner has confirmed that they are not implementing the scheme and is considering alternative uses or selling the site. As at 1 st April 2020 there had been no activity; no contact from agent/applicant, as well as outstanding pre commencements, conditions. If contact had been made at the time the same response would have been forthcoming.
S03958	19/00642/FUL	Premier, 127 Sharrow Lane, Sheffield, S11 8AN	13	Agent/architect has confirmed that this scheme will not deliver within 5 years and highlights dissatisfaction with the scheme that was finally consented this was known at the time of the granting of the consent prior to the 1 st April 2020. The lack of activity; the Council having no contact from agent/ applicant, no developer engaged and a

				long history of unimplemented permissions all know at base date.
S03741	18/00858/FUL	50 High Street City Centre Sheffield S1 1QH	101	The agent has confirmed that this is not a viable consent and will not be implemented. This is supported by the fact that there was and continues to be no activity; outstanding pre commencements, no developer, no contact from agent/applicant. Site is occupied by Sports Direct, Poundland, and British Heart Foundation. Contact with the applicant confirms that the site has viability issues. This is confirmed by the site being sold for £6,799,999 in 2017 and is now on the market for £4,000,000 despite securing planning permission.
S03536	18/04670/FUL	Johnson & Allen Ltd, Car Park, Furnace Hill, Sheffield, S3 7AF	18	Architect advised that the original application was difficult to negotiate though to consent and that a reduction in height as part of the negotiations rendered the scheme unviable as it was an expensive scheme to build. He stated that the scheme would not be developed in the next five years. This is supported by the fact that there has been no activity; outstanding pre commencement conditions, no contact from agent/applicant. Site now sold as a car park and being used as such.
S03655	18/03632/ORPN	Parkhead House 26 Carver Street Sheffield S1 4FS	23	Since the permission the site has been sold by the original promoter to a new owner who has refurbished the office space prior to 1 st April 2020 and the site has now been advertised as offices. The site is no longer available for residential conversion and is no longer in the ownership of the promoter of the residential scheme. This is clear evidence that the residential scheme will not be delivered. No activity outstanding pre commencements, and no Council contact from the original agent/applicant support these findings but contact with the new owner at the time would have confirmed their plans for office use as floorplans had already been drafted.
S03836	17/04932/FUL	Heritage Park 55 Albert Terrace Road Sheffield S6 3BR	35	The site has been sold by the original developer who delivered the other parts of the site as residential development. This remaining part of the site is an operational car park for the neighbouring NHS building which is also part of a larger land holding and is now in the ownership of an investment company. Site is part of the

				operational car parking for the NHS who are tenants of part of the wider land holding. The original Architects Franklin Ellis have confirmed that they have had no involvement since the site was sold (12 September 2019 Appendix 17F). No activity: outstanding pre commencements, Council's contact is that a new scheme might be submitted not that the original would be implemented. To date no new scheme has been submitted. At 1 st April 2020 and now the site was being used as an operational carpark for the occupier (NHS) of the neighbouring property and was not available for development.
S03874	18/01781/ORPN	Yorkshire Bank Chambers, Fargate, Sheffield S1 2HD	12	Since the confirmation of the ORPN in 2019 the offices on the second and third floors have been advertised to let by Lambert Smith Hampton (advert posted 26/12/2020, Appendix 18C) and there is signage on the building indicating these offices are still to let from a site visit 24/02/2021 (Appendix 18B). No activity; outstanding pre occupancy, the Council have had no contact from agent/applicant.
S03950	19/00113/LBC	Dragoon Court, Hillsborough Barracks, Penistone Road, S6 2GZ	32	The original Architect has confirmed that the scheme as permitted was not viable. This was the position at the 1 st April 2020 as the original Architect experiences predates this. The original promoter of the scheme in line with the architect's comments chose not to implement the scheme but to sell in on as part pf a much larger investment portfolio including the ASDA store. This is a very small element of the much larger site and investment opportunity. The refusal of RM and the fact these were not resubmitted is further clear evidence that the original promoter and now the new owner will not implement the scheme. No activity; outstanding pre commencements. The Council have had no contact from agent/applicant, no developer.
S03962	19/01118/FUL	Tapton Cliffe And Lodge, 276 Fulwood Road, Sheffield, S10 3BN	13	After the failure of a second application to increase the number of dwellings the site to achieve a viable scheme has been sold on by the developer to a private couple. There was also no activity; outstanding pre commencements, no contact from agent/applicant. The applicant

				registered has no funds and has not responded to nay enquires.
S04176	18/03109/FUL	Cemetery Road Car Sales, 300 Cemetery Road, Sheffield, S11 8FT	14	The site was not available at the time of the assessment and remains unavailable. DLP Secured PP but client requires to relocate prior to disposing of site. Still being actively used as a garage and car sales. 11 pre commencement conditions all remain to be signed off and no instruction from owner to get these signed off.
S01361	16/02751/FUL	Site Of TTS Car Sales Ltd, Archer Road, Sheffield	28	Site advertised as being for rent in April 2020. DLP have previously acted for site owner. Difficulty in securing viable development on site. No activity; outstanding pre commencements, no contact from agent, site advertised for rent for its present use, long planning history including unimplemented consents. Contact with the agent/architect has confirmed that there are no plans to implement the scheme and the site is for rent for its existing use.
S00093	19/00451/FUL	Charter Works 20 Hodgson Street Sheffield S3 7WQ	77	Architects for original scheme confirm viability issues with original consent (granted before 1 st April 2020) no discharge of conditions at base date or since. Site presently occupied as student accommodation.
S00187	18/03406/FUL	St. Cuthberts Family Social Club, Horndean Road/Barnsley Road, Sheffield S5 6UJ	19	The agent/architect confirmed that this scheme is not being progressed and there has been no further work instructed to bring the site forward. No activity; outstanding pre commencements, no contact from agent/applicant, long history of unimplemented permissions, HELAA states that the site will only be available after 5 years and is only possibly achievable.
Total			556	

c) Category B sites - Council owned sites on the brownfield register where there is no clear evidence of delivery.

5.10 The Council include a substantial number of sites within the supply that have no planning permission whatsoever. These are Council owned sites which are included on the Council's brownfield register.

5.11 As category B sites it is for the Council to demonstrate that there is clear evidence that these sites will deliver completions in the next 5 years.

5.12 In summary the issue with these sites is whether the signed proforma is in itself clear evidence of delivery or evidence of the signatory's optimism regarding the delivery of these sites.

5.13 All of these sites will require planning permissions and my experience is despite these being Council owned sites such permission are not always forthcoming. Many have been vacant and cleared for a considerable period of time, are now being used as both formal and informal recreation by residents. For all there is continued uncertainty around costs, viability and funding. While the proforma identify potential funding streams they do not confirm that these have been allocated to specific sites. In some cases, sites are required to go through individual capital approval and have not been. These schemes are dependent on the Council securing the funding and this funding is not secure as it is subject to a number of pressures as the Housing Revenue Account (HRA) Business Plans for 2019/20 (CD3.17) and 2020/21 (CD3.16) both state:

“The HRA Business Plan has had to face a number of financial challenges over the last few years which have had a significant impact on the plan. Although Government have provided some clarity on future rent policy, this will not mitigate the financial loss to the business plan from enforced rent reduction over the last few years”

5.14 These notions were re-emphasised with the added strain of Covid-19 in the 2021/22 report (CD3.16, page 4), it is noted that some of the previous aims of the plan may need to be revised:

“HRA Business Plan will not only continue to be impacted on the effects of previous national policy decisions such as the reduction of social housing rents, but from more recent events such as the Coronavirus (COVID-19) pandemic. This will have a significant impact on the business plan for 2021/22 but also for many years to come. As we work to determine the level of impacts and how this will shape the business plan for future years, it is likely that we will need to reassess some of our future plans. However, our focus will remain on continuing to deliver a Council housing service that serves the needs of our

tenants.”

- 5.15 In is noted that the HRA Business Plan 2020/21 does not identify any individual sites for funding. It should be noted that the funding is not just used for bringing sites forward for development but also for purchasing dwellings from private developers (CD3.16 page 9).
- 5.16 The Financial Plan section detailed in the HRA Business Plan 2021/22 (CD3.16 page 23) highlights that The HRA is dependent on borrowing to achieve its investment and service delivery programme, and as part of this there are three main considerations: the interest rate (34% of the HRA's loan portfolio comprises internal borrowing and variable loans that are subject to interest risk), cash requirements for investment and debt management, and affordability of the 30-year plan. As part of the borrowing strategy, it is noted that long term plans are subject to affordability and viability and achieving everything originally planned may not be possible due to the volatility of borrowing:
- 5.17 As the HRA operates on a self-financing basis, in the HRA Business Plan 2021/22 (CD3.16 page 27) has a section ('Risks') detailing a series of risks in funding the programme (including the Stock Increase Programme), which could compromise the viability of the Business Plan. These risks are identified as:
- a) Welfare Reform and Universal Credit (CD9.12, page 27)
 - b) National Housing Policies (CD9.12, page 27)
 - c) Risk Buildings (CD9.12, page 28)
 - d) Interest Rate Risk (CD9.12, page 28)
 - e) Inflation Rate Risk (CD9.12, page 28)
 - f) Repairs and Maintenance (CD9.12, page 28).
 - g) Responding to Climate Change (CD9.12, page 29)
- 5.18 As such, there are a series of risks, many which have been exacerbated with recent reforms, events, and the Covid19 pandemic, and therefore there are numerous factors that have been identified to likely compromise the viability of the Business Plan and the delivery of affordable housing stock.
- iv) *Sheffield Housing Company***
- 5.19 Sheffield Housing Company was a partnership between Sheffield City Council, Keepmoat Homes, and Great Places Housing Group.
- 5.20 Sheffield Housing Company was established in 2011, it is noted on the website that their current portfolio will see the development of 2,000 properties across Sheffield, and to date 1,000 homes have been completed (Appendix 39).

5.21 In respect of a number of the identified Brownfield Register sites, the Council’s comments state (CD9.06): “Sheffield Housing Company confirmed significant progress with site assessment and viability work. Site in 5-year supply based on most recent Sheffield Housing Company business plan”.

v) **Summary of the appellants case on the sites from the brownfield register**

5.22 The following brownfield sites have been removed as there are no pending or extant permissions on the sites, little site progress or unresolved constraints, and funding issues. Further details in appendix 2:

Table 6. Sites on brownfield register where there is not clear evidence of delivery

Site Ref	Address	Dwgs	DLP
S00062	Hemsworth Primary School, Blackstock Road	80	<p>The site was cleared in 2005 and is now rewilding.</p> <p>There is no evidence that the site is included in the Stock Increase Program for delivery.</p> <p>The HRA Update (2020/21) does not identify funding requirements for this specific site.</p> <p>The site will have to go through an individual capital approval. This has not occurred.</p> <p>No contract to deliver the site. Highway works are not known are to determined at site master planning stage’</p> <p>Proforma signed 13/08/20</p> <p>SCC published position at March 2020 (CD5.7b): “The site will be delivered as an Older Person’s Independent Living (OPIL) Scheme with the planning application to be submitted autumn 2020”</p> <p>This hasn’t occurred.</p>
S00672	Musgrave Road Housing Clearance Site (E3 and E4), (Shirecliffe 2)	42	<p>Previous permission 15/01176/FUL that expired 8/7/2018</p> <p>The site was cleared by 2005 and is now managed open space</p> <p>Potential Topography and Ground Condition barriers as this is a brownfield former housing site</p> <p>No funding secured – dependant on a viable scheme and robust funding package being agreed.</p>

			<p>Not identified by potential partner Keepmoat as future development site.</p> <p>Not in March 2020 SCC Monitoring report (CD5.7b).</p>
S00700	Harborough Ave/ Vikinglea Drive Manor (Manor 14)	87	<p>Site cleared by 1999 and is now managed formal open space with semi mature trees.</p> <p>Funding is required to deliver this site has not been secured.</p> <p>Grant funding may be also required (presumably to address viability issues).</p> <p>No contract to deliver.</p> <p>SCC Proforma signed 13/08/20</p>
S00707	Wulfric Road/ Windy House Road, Manor	24	<p>Site cleared by 1999 maintained as formal open space with trees and a formal football pitch with goal posts</p> <p>Constraints include previous structures on site.</p> <p>The proposal would involve the development of playing fields this will be subject to consultation with Sport England which can be a barrier to development</p> <p>Funding not identified or available SCC state “Continuously exploring options with external funders”.</p> <p>Viability gap identified.</p> <p>Funding is required to deliver this site and it has not been secured.</p> <p>Council suggest that HE funds could be accessed and that the project will go through individual capital approval. It has no such approval at present.</p> <p>No contract for delivery.</p> <p>Proforma signed 24/11/20</p> <p>Not in SCC March 2020 Monitoring report (CD5.7b).</p>
S00719	Kenninghall Drive, Norfolk Park	114	<p>Site cleared by 2002 maintained as open space with semi mature trees across the site.</p> <p>Constraints include previous structures on site and highway impact that has not been assessed.</p> <p>There are ongoing discussion to achieve funding to address viability issues. Site will only be started once a robust funding package has been agreed by all partners. As of 1st April 2020 it had not.</p>

			<p>The Council confirm that the funding required to address the infrastructure requirements of the site has not been secured</p> <p>Proforma signed 13/10/20</p>
S00721	Daresbury Drive Maisonettes	37	<p>Site was cleared by 2005 and is now in use as open space.</p> <p>Constraints include previous structures on site and highway impact that has not been assessed.</p> <p>There are ongoing discussion to achieve funding to address viability issues. Site will only be started once a robust funding package has been agreed by all partners. As of 1st April 2020 it had not.</p> <p>The Council confirm that the funding required to address the infrastructure requirements of the site has not been secured.</p> <p>Proforma signed 13/08/20</p>
S00733	Gaunt Road (previously numbered 95 - 381)	19	<p>Site was cleared by 2005 and is now overgrown and rewilding.</p> <p>Funding is required to deliver this site and it has not been secured for this site. Council suggest that HE funds could be accessed and that the project will go through individual capital approval. It has not such approval at present.</p> <p>No contract to deliver.</p> <p>Position as of March 2020 SCC (CD5.7b) "The SIP programme shows that a planning application is expected July 2020, with the Council's Capital Delivery Service starting design work as soon as possible"</p> <p>Funding for this site has not been secured.</p> <p>This site has not been though the individual capital approvals.</p> <p>Proforma signed 24/11/20</p>
S01447	Claywood Tower Blocks	40	<p>Site was cleared in 2005 and has now overgrown and is 're-wilding'</p> <p>The site constraints include foundation of former tower blocks.</p> <p>Funding is required and not secured.</p>

			<p>The HELAA states that the site would not deliver in the next five years.</p> <p>SCC March 2020 Monitoring Report (CD5.7b) stated “Sheffield Housing Company confirmed that the planning application is expected in January 2020”.</p> <p>No application received.</p> <p>Proforma signed 13/10/20</p>
S01451	Algar Place/Algar Road	121	<p>This site was cleared in 2016/17 and is now used as open space.</p> <p>Funding package not determined and additional grant funding may need to be secured.</p> <p>Funding arrangements have not been secured to develop the site.</p> <p>No Contract to deliver.</p> <p>Proforma signed 24/11/20</p> <p>HELAA (CD9.07 and Appendix 40) site assessment identifies the site to be only available after year 5 (after 1st April 2025),</p> <p>Not in SCC March 2020 Monitoring report (CD5.7b).</p> <p>Proforma signed 06/10/20</p>
S03202	Deerlands Avenue	32	<p>The site was cleared by 2005 and is now in use as open space.</p> <p>Existing structures on site require extensive earth works and retaining structures.</p> <p>Funding not secured there is an ongoing dialogue.</p> <p>Scheme will only be started once a fully viable and robust funding package has been agreed by all partners. No such scheme has been agreed as at 1st April 2020.</p> <p>Proforma signed 13/10/20</p>
S03214	Newstead Estate, Birley	213	<p>Site Clearance commenced in 2011 and was completed by 2015. The site is now in use as open space with some trees.</p> <p>Large amount of abnormal costs due to challenging topography and strata highlight issues of viability.</p> <p>Funding not secured to deliver this site. Additional HE funding may be accessed.</p>

			<p>The site will need to go through individual capital approval and this had not occurred by 1st April 2020.</p> <p>SCC March 2020 Monitoring report (CD5.7b) only identified 83 dwellings delivered not the 213 which requires 173 to be delivered in a single year.</p> <p>No contract to deliver site.</p> <p>Proforma signed 06/10/20</p>
	Total	809	

6.0 THE INCLUSION OF STUDENT ACCOMMODATION IN THE FUTURE HOUSING LAND SUPPLY

6.1 The PPG (Paragraph: 034 Reference ID: 68-034-20190722) provides guidance on how authorities can count student housing in the housing land supply.

6.2 It is recognised that all student accommodation can in principle count towards contributing to an authority's housing land supply, but its inclusion is not automatic. Its contribution is based on:

- a) the amount of accommodation that new student housing releases in the wider housing market (by allowing existing properties to return to general residential use); and / or
- b) the extent to which it allows general market housing to remain in such use, rather than being converted for use as student accommodation.

There is then text in the PPG that sets out the approach to avoid double counting and the ratio to be applied.

6.3 The NPPG requires the Council to demonstrate that student housing is contributing to the wider housing market in the ways described in the NPPG and that only once this has been done can the student units be included in the supply. Student units should not be automatically included.

6.4 There are a number of appeals and High Court judgement that have considered this issue in the context of the previous guidance. The most helpful of the appeals is Land Off Darnhall School Lane, Winsford, Cheshire APP/A0665/W/14/2212671 (CD5.10) which was issued in November 2019 after the PPG was changed on 22nd July 2019 to its current form. The relevant paragraphs are paragraph 16 of the Decision letter and paragraphs 346 to 350 of the inspector's report. These paragraphs consider the evidence in respect of growing student numbers and refer to the lack of any evidence from the Council in respect of a comprehensive assessment of the changes in student numbers and their locations since 2010 before concluding that all of the student units in the Council's supply should be removed.

6.5 In this case the Councils Five Year Land Supply includes 4 sites which it identifies as being for Student accommodation (in total or in part) and that are already addressed in the tables above. These total some 617 units and have already been discounted:

- a) HSBC, 79 Hoyle Street, Sheffield, S3 7EW 343 units
- b) DWP, Rockingham House, 123 West Street S1 4ER 96 units
- c) 50 High Street City Centre Sheffield S1 1QH" 101 units
- d) Charter Works 20 Hodgson Street Sheffield S3 7WQ 77 units

- 6.6 Our analysis also identifies some 2,763 units included in the 5 year supply that are Purpose built Student Accommodation including cluster flats (Policy Proof Appendix 1 table 4) taking into account the 617 units above, removed on grounds of delivery, the impact of removing student accommodation from the supply as a general category due to a lack of evidence of their contribution, as set out in the NPPG, is a further decrease of 2,156 units (2763 – 617).
- 6.7 This represents some 22% of the supply and if there is no evidence to justify their inclusion then these should be removed from supply.
- 6.8 In simple terms there is a need to show that the new accommodation will release wider market housing for that purpose by allowing the students to move out or relieve pressure on other market housing from being converted for student use. Clearly however, if there is no evidence as to the growth of student numbers to compare against supply, the Council is not able to show this. For example, if the growth is the same as the new student accommodation provided, then there will have been no release of existing housing stock from student use to general market use. The evidential point rests with the Council if it seeks to rely on student accommodation, to show how much market housing is released.
- 6.9 In order to provide some insight into the scale of the student population and its growth (an important factor in considering the degree to which new accommodation frees up general market housing) the following table provides the past rates of growth in student numbers for the two universities and projects these forward. The total number of full time students at Sheffield's two universities increased from 46,776 in 2013/14 to 50,799 in 2017/18. If there is a continuation of current trends, this is expected to increase to around 57,000 by 2024 as shown in the table below.

Table 7. Historic (2013-2018) and Projected (2018-2024) Student Population in Sheffield

Year	University of Sheffield	Sheffield Hallam University	Total Full Time Students
2013-14	22,802	23,974	46,776
2014-15	23,235	24,530	47,765
2015-16	24,072	25,101	49,173
2016-17	24,899	25,296	50,195
2017-18	25,544	25,255	50,799
2018-19	26,255	25,830	52,084
2019-20	26,970	26,162	53,132
2020-21	27,684	26,495	54,180
2021-22	28,399	26,828	55,227
2022-23	29,114	27,161	56,275
2023-24	29,829	27,494	57,322

Source: *University of Sheffield and Sheffield Hallam University Annual Financial Reports to 2017/18*

6.10 In the absence of evidence from the Council it would appear that there has been a continued growth in the student population and as such it cannot be simply assumed that additional student accommodation should be counted towards meeting the general housing requirement. The Appellants case does not rely on the absolute accuracy of the projection above which is provided to allow a contextual understanding of the growth in student numbers only. The case relies on the Council not undertaking any analysis to show how student accommodation actually counts towards supply.

7.0 THE SUPPLY AS AT 1ST APRIL 2021

7.1 The Council's Statement of Case (CD6.4 Paragraph 5.31) says that at the start of the Inquiry on 22 June 2021 the Council will not have published a revision to the December 2020 5 Year Housing Land Supply Monitoring Report and so that will remain their published position. This has been clarified in subsequent recent correspondence. The Council highlight that in order to produce a revised figure, they will need to undertake the following tasks:

- a) Assess completions data from 2020/21,
- b) Assess permissions granted in 2020/21
- c) Update delivery information for all sites to be included in the 5-year housing land supply with relevant developers and agents.

7.2 The Council anticipate the final figure will not be available until September 2021, after the Inquiry has taken place.

7.3 I note that if the Council was seeking to confirm the 5 year supply with a position statement it would have to submit all the information to the planning inspectorate by 31st July (PPG Paragraph: 012 Reference ID: 68-012-20190722) as such it would not be an unreasonable expectation for the Council to have completed this work by the start of this inquiry. In fact, much of the data is already available and as I will demonstrate below, even taking the most benign approach to the supply, generous to the Council, the Council cannot be considered to have a five year housing land supply.

7.4 It is important to note that 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 (PPG Paragraph: 007 Reference ID: 68-007-20190722).

7.5 Given the change in the requirement, which has been known for over 6 months, the Council has had ample time to prepare for a revised land supply and sufficient time to update planning permissions and completions since the 1st April 2021. For the case of the Council to now apparently rest on denial of the use of the latest Standard Method because it hasn't updated its supply is somewhat turning the matter on its head. As highlighted in section 2 of this evidence the housing requirement is based upon the need for housing as calculated now using up to date evidence. While it has been recognised that this requirement must sometimes be applied to an earlier calculation of supply this is an approach that has been correctly adopted by both inspectors and the Secretary of State as it is in accordance with the PPG. It appears that the Council's position is that the 1st April 2020 supply is not "aligned" with the uptodate housing requirement (CD6.14 paragraph 2.3). If that is the case, then this

is not a justification to revert to an earlier requirement. An alternative to not “aligned” in this scenario would be that the supply is out of date. In order to assist the inspector, as to the likely position as at 1st April 2021, I have done a broad based assessment of what the update 2021 supply will look like.

- 7.6 In order to focus this section of my evidence it is worth setting out that even using the Council's own supply as set out in the December 2020 Report (CD3.7), without any of the reductions to supply in the previous sections of this proof, there is a shortfall when measured against the current 5 Year Housing Requirement of 15,346. That **shortfall is 3,214 dwellings** (15,345 – 12,131) equating to a **3.95 years** supply.
- 7.7 However, if that supply is reduced as set out above it falls to **2.56 years supply a shortfall of 7,487.**
- 7.8 The exercise below is designed to give a broad assessment of the 2021 year supply position.
- a) **Additional units from sites already within the Councils identified land supply as at 2020.**
- 7.9 There are a few sites that the Council forecast will be delivering completions in 2024/25 and will continue to deliver in the year 2025/26.
- 7.10 These are set out in the table below and using the Council assumptions will add a further 439 dwellings to the Council's land supply.
- 7.11 I give reasons above why I do not consider that there is clear evidence that the Land At Doncaster Street, Hoyle Street, Shalesmoor and Matthew Street, Sheffield (site S03161 forecast to deliver 278 dwellings in 2025/26) has a reasonable prospect of delivery and so I have already discounted that element of the scheme that the council had forecast to deliver up to 2025, for the same reasons I discount the second element of the scheme that the council forecast to be delivered in 2025/26. This reduces the addition to the supply from this source should be lower to 171 dwellings (449 – 278).

Table 8. Identified sites the Council forecast will deliver in 2025/26

Site Ref	Address	Planning Status	Total Capacity	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
S03193	Former Steins Tip, Station Road, Deepcar	Under Construction	413	0	10	40	40	40	40
S03840	Midcity House 17, 23 Furnival Gate, 127-155 Pinstone Street And 44 Union Street	Full Permission but not started	271	0	0	0	90	90	91
S03161	Land At Doncaster Street, Hoyle Street, Shalesmoor And Matthew Street, Sheffield, S3 7BE	Full Permission but not started	500	0	0	0	0	222	278
S02510	Ouseburn Road, Darnall (referred to as the Darnall Triangle)	Outline Permission	98	0	0	0	10	10	10
S03183	The Circle / Fretson Road	Brownfield Register	210	0	36	48	48	48	30
	SCC forecast delivery in 2025/6								449
	SPRU forecast delivery in 2025/6								171

Source: SCC Five Year Housing Land Supply December 2020 (CD 3.7)

b) New Permissions Granted 1st April 2020 to 1st April 2021

7.12 There have been 2,562 dwellings granted full or outline Planning Permission in the period between 1st April 2020 to 1st April 2021 (See appendix 4 and 5 year land supply SoCG table 2 for details).

7.13 This includes sites identified as “stalled” by the Council in appendix 4 of the 5 year Housing Land Supply monitoring report (CD 3.7) which have been subject to further activity including new applications. This also includes outline planning permissions identified by the Council in the December 2020 land supply but excluded from the actual 5 year supply by the Council, (CD 3.7 appendix 4) where further activity such as Reserved Matters applications has taken place.

7.14 In terms of new outline planning permissions, I have taken a robust approach and included them all in the Council's supply, though some may not be deliverable.

c) Completions 1st April 2020 to 1st April 2021

7.15 Completions are recorded quarterly by the Government (Live table 253a) and the available completion data for the period is set out in the table below. This table uses calendar years while the Council land supply starts in 1st April which is Q2 in the table below and goes to 31st March the next year.

Table 9. Completions 1st April 2020 to 1st April 2021

Sheffield	Private Enterprise	Housing Associations	Local Authority	All
2020 Q2	70	0	0	70
2020 Q3	320	10	0	330
2020 Q4	210	20	0	230
2021 Q1				
	600	30	0	630

Source: *Live Tables 253a*

7.16 It is noted that this data source is sometimes criticised for **under recording completions** but in this assessment that would be advantageous to the Council's position because the number of completions will reduce the supply. I have asked the Council for its final year end completions date and this has not been forthcoming.

7.17 I do however note from this last year of completions, that even if the number is materially larger than 630, it is remarkably low compared to the old Standard Method annual requirement of over 2,000 units and a new Standard Method figure of almost 3,000 units (in both cases without the buffer). This low completions figure shows a serious decline in delivery and suggests delivery problems to come for the Council.

d) Windfall and demolitions

7.18 As I am taking into account completions in the year 2020/21 (albeit at a lower rate that is actually likely to have occurred, then it is appropriate to add to the supply of windfalls which is an allowance for permission granted on smaller sites. The Council use a figure of 200 a year and I have used the same.

7.19 The Calculation also has to take into account demolitions, again at the same annual rate as the Council at 50 a year.

e) Conclusion of 1st April 2021 5 Year Housing Land Supply

7.20 Contrary to the Council's Statement of case, much of the evidence to complete the 1st April 2021 supply is actually available, or should be available.

7.21 My review of the available evidence as set out below suggests that at best the Council's position would be that there is a supply of **4.78 years**. This updating is as generous as possible in the Council's favour, because I have not sought to discount any of the new permissions that have been granted, I have allowed all of the supply from rolling the Council figures on a year and I have probably underestimated completions at just 630 compared to 3,083 net completions in 2019/20 (CD3.13 table 12 page 35). This therefore represents the most advantageous position for the Council in terms of the likely land supply as the final round of recoded completions is likely to be much higher than 630, as well as there being

evidence that some sites I have included are likely not to be deliverable.

7.22 In addition, my position is that the reductions I make to the 2020 supply are correct and would carry through to 2021. Taking into account the above additions and deductions from the supply, results in a supply to 12,390 dwellings resulting in a supply of **3.99 years**.

7.23 These two positions are set out in the table below.

Table 10. Summary of the position as at 1st April 2021 using the Councils and the Appellants evidence base

	Starting with SCC 2020 Supply	Starting with Appellant 2020 Supply
Summary Tables for 1st April 2021		
Requirement including Urban Uplift and other adjustments	2,923	2,923
5% buffer	3,069	3,069
5 year requirement	15,345	15,345
SCC Supply at 2020	12,131	10,004
Additional delivery from sites in SCC Supply in year 2025/26	449	171
New consents Full and OL (including RM and Full on Stalled (Appendix 4) and Outline PP (Appendix 5) of December Monitoring report.	2,562	2,562
Completions first 3 quarters as recorded by Gov	-630	-630
Windfall 2025/26	200	200
Demolitions 2025/26	-50	-50
Supply as at 1st April 2021	14,662	12,257
Years Supply	4.78	3.99
Surplus/Shortfall	-683	-3,088

8.0 CONCLUSION

- 8.1 The Council's evidence (Five year Land Supply Monitoring Report December 2020) is that there is a 5.4 year supply of housing land.
- 8.2 It is considered that the Council's approach to the calculation of the requirement is incorrect and the supply in the 5 Year Land Supply Report (December 2020) should be assessed against the current Local Requirement as calculated in accordance with PPG including the Urban Centre Uplift. It is not considered that an out of date Housing Requirement can be supported by reference to the Framework or the PPG.
- 8.3 There has been a 6 month lead in for the Urban Uplift, which has given the Local Authorities impacted by Step 4 time to respond and prepare for its implementation on the 16th June 2021. It is noted that with the introduction of the original standard method the Secretary of State in his decisions simply applied the new requirement calculation to the available evidence on supply. In other cases in 2018 where it was applied, some of the Councils had managed to update their supply. This was so even though there was no transition period.
- 8.4 In this case it is my contention that the housing requirement as calculated by standard method (including the Urban Uplift) is applied to the Council's most recent land supply evidence (Section 2 of this evidence). If the Council are correct that the 1st April 2020 is not aligned with the up to date housing requirement (CD6.14 paragraph 2.3), this would not be justification for reverting back to an earlier calculation of the housing requirement but would lead to the conclusion that this mis alignment is a result of the Council's land supply being out of date. As I highlighted earlier, Planning Practice Guidance Paragraph 007 (Ref ID: 68-007-20190722) requires the use of up-to-date evidence, and on the Council's own argument the 2020 based supply is mis aligned with the new requirement then the Councils evidence fails to demonstrate a five year supply of land.
- 8.5 **If the standard method was to be applied to the published 5 year land supply (CD3.6) this would result in a 3.95 years supply.**
- 8.6 This however belies the fact that our review of the Council evidence of supply reveals that it includes a number of sites which do not pass the test of being deliverable as set out in the annex to the NPPF.
- 8.7 Notwithstanding the above the fact that the Council's approach has included a considerable number of student cluster flats without the justification required by the PPG suggest that the actual level of supply is considerably less still. Simply discounting these sites would reduce the supply further.

8.8 If both the deductions on the basis of deliverable sites and student cluster flats are made the supply is reduced to further still to 2.56 years supply.

Table 11. Summary of the Council's and the Appellant's 5 year land supply position at 1st April 2020

	SCC 2020 requirement	NPPG Housing Requirement and SPRU Deductions	Impact on years supply of NPPG Housing Requirement and SPRU Deductions
Housing Requirement	2,131	2,923	
5% Buffer	2,238	3,069	
5 year requirement	11,188	15,346	
Councils Supply	12,131	12,131	3.95 years
Category A site reductions – Alternative Proposals		739	3.71 years
Category A sites – expired Permissions		23	3.70 years
Category A sites – other clear evidence will not deliver		556	3.52 years
Category B sites – Brownfield Register		809	3.25 years
Student Accommodation (not included in the above discounts)		2,146	2.5 years
SPRU Supply		7,858	
Years Supply	5.42 years	2.56 years	
Surplus Shortfall	943	-7,487	

8.9 In summary it is my view that either the Council have not got a five year land supply as a result of the application of the standard method or following their own argument their supply is now out of date as it no longer relates to the up to date requirement as calculated by the standard method.



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