

Draft Scott Schedule – 07/02/23

Agreed matters

Agreed matter	Agreed comments	Council's comments	Appellant's comments
Base date	<p>The base date for calculating the 5YHLS is 1<sup>st</sup> April 2022 and the five year period is to 31<sup>st</sup> March 2027.</p> <p>It is agreed that the future position at 1st April 2023 is not a matter to be considered for the purposes of this appeal. Neither party advance a case that a 5YHLS will be demonstrated once the emerging Local Plan is adopted.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Please see section 7 of BP's PoE (pages 36-37)</li> <li>• The base date for calculating the 5YHLS for the purposes of this appeal is 1<sup>st</sup> April 2022. This means that sites which were not deliverable at the base date should not be included in the deliverable supply.</li> <li>• As I have explained in my PoE, the Secretary of State and Inspectors have found that it would be inappropriate to include sites that have become "deliverable" since the base date. To do so without taking into account completions and any other losses since the base date risks "skewing" the position.</li> <li>• Please see appeal decisions in Tonbridge &amp; Malling (CD9.42, paragraph 9), Milton Keynes (CD10.10, DL paragraph 12 and IR paragraph 12.12), Mid Suffolk (CD9.38, paragraph 67) and Cheshire West and Chester (CD10.05, DL paragraph 15 and IR paragraph 344).</li> <li>• Therefore, the sites that MW refers to in paragraphs 1.16 to 1.18 of his rebuttal may be included as deliverable in the next position statement (base date 1<sup>st</sup> April 2023) as long as there is clear evidence of deliverability, however the completions and losses to 31<sup>st</sup> March 2023 will also be removed. The Council considers that 613 dwellings will be delivered in 2022/23, which is more than the 555 dwellings which have been approved (400 at appeal) on these 4 sites which MW refers to</li> </ul>
The requirement	<p>In accordance with paragraph 74 of the Framework, the five year housing land supply should be measured against the local housing need calculated using the standard method set out in the PPG. It is agreed that this is capped at 888 dwellings per annum.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Please see section 8 of BP's PoE (page 38)</li> <li>• The local housing need is capped at 888 dwellings. The uncapped figure would be 966 dwellings.</li> <li>• The Council is not seeking to meet the local housing need in the emerging Local Plan. The proposed housing requirement of 760 dwellings per annum (average) is significantly below the local housing need but the emerging Local Plan is being examined within the context of the 2012 Framework (please see section 4 of BP's PoE, pages 26-30)</li> </ul>
The buffer	<p>It is agreed that the 20% buffer applies</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• This is agreed and is not expected to change when the next HDT results are published (please see section 5 of BP's PoE, pages 31-34)</li> </ul>
Housing Delivery	<p>It is agreed that the latest Housing Delivery Test result was less than 75% (it was 66%).</p> <p>It is also agreed that this is not expected to change when the next HDT results are published.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Please see section 5 of BP's PoE, pages 31-34</li> <li>• The 2021 HDT result was below 75% (it was 66%) and therefore the presumption in favour of sustainable development applies as well as a 20% buffer and the need for an action plan.</li> <li>• My calculations in this section of my proof of evidence demonstrate that this position is not expected to improve when the 2022 HDT results are published, even if the emerging (stepped) housing requirement is adopted.</li> </ul>
A 5YHLS cannot be demonstrated	<p>It is agreed that the Council cannot demonstrate a deliverable 5YHLS against its local housing need and a 20% buffer by a significant margin. The extent of the shortfall is not agreed.</p>	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Please see section 12 of BP's PoE, pages 44-45, Appendix EP1 and the tables below.</li> </ul>

Comments on Methodology

		Council's comments	Appellant's comments
	The definition of "deliverable" and clear evidence	<ul style="list-style-type: none"> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Please see section 3 of BP's PoE (pages 13-25) – I refer to the change to the definition of deliverable compared to the 2012 version of the Framework</li> <li>• The reason for the amendment is set out in paragraph 3.28 (page 14) – the definition of deliverable provides appropriate and realistic expectations for when sites of different types are to come forward. i.e. sites with detailed planning permission and small sites are deliverable and onus is on the Appellant. Sites with only outline planning permission for major development and allocations should "only" be included where there is "clear evidence" that housing completions will take place in the 5YHLS period.</li> <li>• The key question for the Inspector is has the Council provided clear evidence of housing completions in 5YHLS period on the disputed sites?</li> <li>• Section 3 of my PoE refers to a series of appeal decisions where the SoS and Inspectors have considered the revised definition of deliverable as set out in the latest version of the Framework and what constitutes clear evidence.</li> <li>• Whilst each appeal is determined on a case by case basis, several themes have arisen, including:</li> <li>• <u>The absence of any written evidence</u> – where no written evidence from those promoting sites to support assumptions made. This is relevant here because all we have are the comments set out in MW's rebuttal evidence. No emails, letters, proformas, statements of common ground, Planning Performance Agreements (PPAs) from those actually involved in delivering the sites have been provided.</li> <li>• Paragraph 3.43 of my PoE (page 19) – provides 4 examples of appeals (Audlem Road, Cox Green Road, Stalbridge, Chichester) – where there were no applications for RM and no written evidence from those promoting sites and the SoS and Inspectors removed the sites from the respective 5YHLS positions.</li> <li>• <u>The most up to date evidence</u> – appeal decisions have found that evidence related to sites in the schedule post base date can be taken into account e.g. a RM application on a site with outline pp that has been submitted and approved. But this works both ways – where sites have not progressed as they were expected to at the base date.</li> <li>• <u>The form and value of the evidence</u> – the evidential value of the written information is dependent on its content. In some of those cases, much more evidence was provided by the respective Councils than has been provided by Welwyn Hatfield, such as signed proformas and statements of common ground, yet the Secretary of State and Inspectors found that those sites should not be considered deliverable e.g. Gleneagles Way appeal decision (CD10.10) where the SoS rejected completed proformas and emails from developers as clear evidence and removed sites with only outline permission or allocated without planning permission. Relevant here because Welwyn Hatfield hasn't provided any such emails / proformas.</li> </ul>

		Council's comments	Appellant's comments
			<ul style="list-style-type: none"> <li>• Further examples in my PoE are:</li> <li>• Popes Lane, Sturry (CD9.39) where the Inspector removed 1,811 dwellings (28% of Canterbury Council's claimed supply) even though that Council had provided statements of common ground with developers and landowners. There are no statements of common ground provided by Welwyn Hatfield for this appeal; and</li> <li>• Cox Green Road, Rudgwick (CD9.35) where the Inspector found the contents of a proforma to be scant in detail without any explanation of the timings of delivery could be achieved including the timescales for submitting and approving reserved matters, applications for the discharge of conditions, site preparation and installing infrastructure. There are no proformas provided by Welwyn Hatfield and the evidence it has provided is similarly scant in any detail.</li> <li>• It is worth repeating that the onus remains throughout on the LPA to demonstrate a 5YHLS. Yet the Council appears to claim that the limited evidence it has provided for this appeal – far less than that rejected in other cases referred to by Appellant – satisfies the clear evidence test set out in the same Framework against which those other cases were considered. The limited and scant evidence put forward by the Council falls substantially short of what is required.</li> <li>• More detail than has been provided is required by the Framework. This was confirmed in the Great Torrington (CD9.40) appeal decision, where the Inspector described paragraph 68-007 of the PPG and then stated in paragraphs 56 and 57: <ul style="list-style-type: none"> <li><i>“56.... This indicates the expectation that ‘clear evidence’ must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will in reality deliver housing in the timescales and in the numbers contended by the party concerned.</i></li> <li><i>57. Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are the planning matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not in itself constitute ‘clear evidence’. Developers are financially incentivised to reduce competition (supply) and this can be achieved by optimistically forecasting delivery of housing from their own site and consequentially remove the need for other sites to come forward”</i></li> </ul> </li> </ul>

Disputed sites

	Site Address (LPA Ref)	Capacity	Council's 5YHLS	Appellant's 5YHLS	Difference	Council's comments	Appellant's comments
1	<p>Broadwater Road West SPD Site – “the Wheat Quarter”</p> <p>6/2018/0171/MAJ (Approved 15/02/2019)</p> <p>6/2021/0181 – submitted January 2021 – pending determination</p> <p>6/2021/0671 – submitted March 2021 – pending determination</p>	1,403	760	208	552	<ul style="list-style-type: none"> <li>The site has extant detailed planning permission for 1,340 C3 dwellings plus 114 C2 dwellings under planning reference 6/2018/0171/MAJ. The site is also included on the Council's Brownfield Land Register and is proposed for allocation in the Draft Local Plan (SDS3/Pea02b).</li> <li>Construction at the site has commenced under this extant permission, with the first 208 units now having been built out and completing in year one of the relevant five year housing supply period (2022/23). Only 760 of the 1,403 dwellings with full permission (1340 C3 + 63 C2 dwelling equivalent allowance) have been included in the supply, reflecting the sites complexity and size, however also that construction at the site has now commenced and dwellings are now being delivered.</li> <li>The 2021 National Planning Policy Framework (NPPF), Annex 2, definition of deliverable states that: <i>“...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)...”</i></li> <li>Whilst two subsequent applications have been submitted for the site, the remaining dwellings under the extant permission could still be implemented and there is no clear evidence that the number of homes outlined in the supply will not be delivered within the five years at this site. Following the 208 completing in 2022/23, the next forecast completions included in the five year housing land supply for this site are not until 2024/25, reflecting a pause in delivery while the subsequent applications are under consideration.</li> </ul>	<ul style="list-style-type: none"> <li>Please refer to appendix EP1 of BP's PoE, paragraphs 1.1-1.13</li> </ul> <p><b>Background</b></p> <ul style="list-style-type: none"> <li>This site is 9.1 ha in area and is located to the east of Welwyn Garden City centre. It is vacant having been previously occupied by the Shredded Wheat Factory. It is now known as “the Wheat Quarter”</li> <li>The Council has consistently over-estimated delivery of this site as shown when comparing the different AMRs published by the Council only for delivery to be pushed back each time the next AMR is published. For example, in the 2018 5YHLS position that was considered as part of the Entech House appeal (CD9.49), the Council claimed that 850 dwellings should be considered deliverable on the site over the period 1<sup>st</sup> April 2018 to 31<sup>st</sup> March 2023.</li> <li>The site has had planning permission for redevelopment to residential development since August 2017 but has been the subject of replans due to design, developer's intentions and an increase in overall housing numbers in response to the emerging Local Plan.</li> </ul> <p><b>Current planning status?</b></p> <ul style="list-style-type: none"> <li>The site has planning permission for: <ul style="list-style-type: none"> <li><i>“Creation of a mixed-use quarter comprising the erection of up to 1,340 residential dwellings including 414 (31%) affordable dwellings (Use Class C3); 114 extra care homes (Use Class C2); the erection of a civic building comprising 497 m<sup>2</sup> of health (Use Class D1), 497 m<sup>2</sup> of community use (Use Class D1), 883 m<sup>2</sup> of office (Use Class B1) and 590 m<sup>2</sup> of retail (Class A1/A2/A3/A4/A5); alterations, additions and change of use of Grade II Listed Building and retained Silos to provide 5,279 m<sup>2</sup> of flexible business floorspace (Use Class B1), 270 m<sup>2</sup> Combined Heat and Power (Sui Generis), 2,057 m<sup>2</sup> International Art Centre (Use Class D1), 1,235 m<sup>2</sup> Gymnasium (Use Class D2), 1,683 m<sup>2</sup> of restaurant/coffee shop/bar (Use Class A1/A3/A4/A5), Creche/Day Nursery (Use Class D1) of 671 m<sup>2</sup> as well as a Network Rail TOC Building (Use Class B1) of 360 m<sup>2</sup>; plus associated car parking, access, landscaping, public art and other supporting infrastructure”</i></li> </ul> </li> <li>This was approved almost 4 years ago on 15<sup>th</sup> February 2019 (LPA ref: 6/2018/0171). The Council's own evidence set out in paragraph 6.3 of the HDT Action Plan states: <ul style="list-style-type: none"> <li><i>“The site at Broadwater Road West in Welwyn Garden City is now under construction, however only 208 dwellings are expected to come forward under the extant permission. Two further applications have been submitted in relation to this site and are currently awaiting determination.”</i></li> </ul> </li> <li>As set out in my PoE, the Wheat Quarter website explains that the owners have critically reviewed the 2019 permission and are working</li> </ul>

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							<p>with the Council on refining and revising the proposals to create a scheme that better meets the needs of the local community.</p> <ul style="list-style-type: none"> <li>The 2 other applications referred to in the HDT Action Plan are:</li> <li>6/2021/0181 – this is a hybrid planning application for full permission for 399 private rented sector dwellings, 153 dwellings and 250 units of residential care and outline permission for 418 dwellings to the north of the site. Paragraph 1.3 of the planning statement for that application states: <p style="margin-left: 40px;"><i>“Whilst the regeneration of the Wheat Quarter has begun, the impact of Brexit and Coronavirus has impacted both the viability and the developability of the consented scheme, with huge uncertainty as to the extent of market demand for the non-residential component at the heart of the scheme”</i></p> </li> <li>This application has been pending determination for over 2 years. It has not been presented to committee and is subject to a significant level of objection including in relation to the proposed housing mix (being predominantly apartments). There is an outstanding objection from the LLFA. The Council has not provided any timescales as to when it is going to be determined and how long the S106 agreement will take.</li> <li>6/2021/0671 – this is a hybrid application for full permission for 317 dwellings and outline planning permission for 404 dwellings at the land to the south. Again, the application has been pending for a long time. The application is subject to a significant amount of objection from residents (in relation to impact on character and appearance, design and density) and it is not known when the application is going to be determined.</li> <li>In summary, there is clear evidence that the extant permission is only going to deliver 208 homes and whilst new applications have been made by the respective owners to the north and south, the applications are taking a very long time to determine. It is not known whether these will be approved, when that will be or when the S106 agreement will take place.</li> </ul> <p><b>Written agreement between the LPA and the developer?</b></p> <ul style="list-style-type: none"> <li>A written agreement between the LPA and the site developers confirming their delivery intentions and anticipated start and build out rates has not been provided. It is not known how the Council has assumed that there will be a pause in delivery of just 1 year before 100 dwellings are delivered in 2024/25 and then 226 dwellings each in 2025/26 and 2026/27.</li> <li>A phasing plan has not been provided to demonstrate how these lead in times and build rates could be realised.</li> </ul> <p><b>Summary</b></p> <ul style="list-style-type: none"> <li>In summary, the site has planning permission and is under construction. However, the Council's evidence and that of the developer is that the extant permission will not be implemented beyond the first 208 apartments.</li> </ul>

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							<ul style="list-style-type: none"> <li>• Instead, there 2 new applications have been made but these have been pending determination for 2 years, are subject to a significant level of objection and it is not know when they will be approved and the S106 agreements signed.</li> <li>• There is no written evidence from the developers of the site to confirm their timescales for delivery and therefore only 208 dwellings should be included in the 5YHLS.</li> </ul>
2	<p>North East of WGC, Panshanger – “DeHavilland Park”</p> <p>6/2018/0873 - (Approved 13/2/2020) – varied by 6/2021/0516/VAR (approved 10/06/22)</p> <p>6/2021/3436/RM – submitted 08/12/21 – pending determination</p> <p>6/2021/3096 – submitted 29/10/21 – pending determination</p>	872	462	0	462	<ul style="list-style-type: none"> <li>• An outline planning application for this site was approved on 13 February 2020 (6/2018/0873/OUTLINE) for up to 650 residential units (phase 1). A reserved matters application was also submitted in January 2022 in relation to the construction of the spine road and related highways (6/2021/3436/RM) and is awaiting determination. The site is proposed for allocation in the Draft Local Plan (SDS1/WGC4).</li> <li>• The landowner of this site is Homes England, the Government’s housing accelerator. Homes England are obtaining planning consents and will build out the spine road and supporting infrastructure. Development parcels will be marketed to developers for final design and build elements. The submitted (November 2021) planning application for phase 2 notes that : ‘Homes England will be fully involved throughout the development process to ensure pace, quality, continuity and consistency’.</li> <li>• Information received from Homes England in a survey sent out in April/May 2022, as part of the Local Plan examination, indicated that the site is estimated to begin delivering completions from 2024/25.</li> </ul>	<ul style="list-style-type: none"> <li>• Please refer to appendix EP1 of BP’s PoE, paragraphs 1.14-1.26</li> </ul> <p><b>Background</b></p> <ul style="list-style-type: none"> <li>• This site is the former Panshanger Aerodrome, which is located to the north east of Welwyn Garden City. Homes England own the site.</li> </ul> <p><b>Current planning status?</b></p> <ul style="list-style-type: none"> <li>• This site only has outline planning permission for: “a residential-led development of up to 650 residential units, a two-form entry primary school, provision of six gypsy and traveller pitches, a new local centre (comprising retail and community uses), new vehicular access from HERN Lane, car parking, associated infrastructure and landscaping works with all matters except access reserved” (approved 13/02/2020). This was varied in relation to allow for a phased approach so that Homes England can provide the main infrastructure (including the spine road) but not develop the site themselves (LPA ref: 6/2021/0516 – approved June 2022).</li> <li>• An application for reserved matters for the first phase has been submitted, but this is for the spine road and does not include details for any of the residential dwellings (LPA ref: 6/2021/3436/RM). It was submitted over a year ago in December 2021 and is still pending determination. It is not known when the RM application will be determined. The RM application is currently subject to an outstanding objection from the Local Lead Flood Authority.</li> <li>• A further outline planning application for up to 210 dwellings and 12 Gypsy and Traveller pitches was made by Homes England in October 2021 and this is still pending determination over a year later. This application relates to phase 2. It is not known when the outline planning application is to be determined. It is subject to outstanding objections in relation to ecology and flood risk.</li> </ul> <p><b>Firm progress towards the submission of an application?</b></p> <ul style="list-style-type: none"> <li>• There is no clear evidence of firm progress towards the submission of a reserved matters application for residential development.</li> <li>• Homes England currently own the site but will not be the developer. As above, whilst they will deliver the spine road, which will be phase 1. The spine road not have detailed permission and it is not known when it will be approved or constructed.</li> <li>• It is therefore not known when the site is going to be sold to a developer or what their timescales are or what their build out rates would be.</li> <li>• The outline planning permission (as varied) requires the submission and approval of a phasing plan (condition 3). The reason for this is to: “make clear how the site is to be phased to assist with the determination of</li> </ul>

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						<p><i>subsequent reserved matters applications and in order to ensure that infrastructure provision and environmental mitigation measures are provided in the interest of proper planning". This condition has not been discharged and there is no clear evidence of firm progress being made towards the submission of an application to discharge it.</i></p> <p><b>Written agreement between the LPA and the developer?</b></p> <ul style="list-style-type: none"> <li>• A written agreement between the LPA and the site developer confirming their delivery intentions and anticipated start and build out rates has not been provided.</li> <li>• MW's rebuttal (paragraph 1.10) refers to a survey from the developer from April / May 2022, which indicates that the site is "estimated" to begin delivering completions from 2024/25. However, this has not been provided and no details have been provided in terms of when the spine road application is going to be approved, when construction is going to start on it and when it will be completed, when the site is going to be sold to a developer and what their timescales are for the preparation, submission and approval of reserved matters applications, when applications to discharge the pre-commencement conditions are going to be made and when they are expected to be approved or when a start on the first residential phase of development is going to commence and when the first completions are realistically going to take place.</li> <li>• The Council appears to have accepted the comments made by the promoter on face value without a realistic assessment of when the first homes are realistically going to be completed.</li> </ul> <p><b>Firm progress with site assessment work</b></p> <ul style="list-style-type: none"> <li>• The outline planning permission (as varied) is subject to 36 conditions, include pre-commencement conditions relating to <ul style="list-style-type: none"> <li>- Phasing (condition 3);</li> <li>- Site wide strategies re: movement, public realm, waste and drainage (condition 8);</li> <li>- Construction Environmental Management Plan (condition 9);</li> <li>- Landscape and Ecological Management Plan (condition 11);</li> <li>- Lighting (condition 12);</li> <li>- Archaeology (condition 13);</li> <li>- Minerals (condition 14);</li> <li>- Site investigation and remediation (conditions 15, 16 and 17);</li> <li>- Flood risk assessment and mitigation (condition 22);</li> <li>- Traffic regulation order (condition 25);</li> <li>- Halifax Way and Panshanger Lane accesses (conditions 26 and 27);</li> <li>- Rights of Way Improvement Plan (condition 29);</li> <li>- Travel Plan (condition 30);</li> <li>- Accessible and Adaptable Homes (condition 31); and</li> <li>- Tree planting (condition 33).</li> </ul> </li> <li>• Only the condition relating to archaeology (13a) has been discharged and the Council has not provided any clear evidence of firm progress towards site assessment work in relation to any of the other pre-commencement conditions.</li> </ul> <p><b>Clear relevant information about site viability, ownership constraints or infrastructure</b></p>

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							<ul style="list-style-type: none"> <li>No evidence has been provided by the Council in relation to any of these issues.</li> <li>As above, the site is owned by Homes England who will deliver the Spine Road but will not develop the site. It is not known when the spine road and associated highway works will be in place.</li> </ul> <p><b>Summary</b></p> <ul style="list-style-type: none"> <li>In summary, the site has outline planning permission and the onus is on the Council to provide clear evidence that housing completions will begin on this site in the 5YHLS period.</li> <li>Whilst a reserved matters application has been made, this is just for the Spine Road, is subject to unresolved objections and has been pending determination for over a year. It is not known when the spine road is to be delivered.</li> <li>Homes England own the site but will not develop it. There is no clear evidence of firm progress being made towards the submission of a reserved matters application or a written agreement with the developer to confirm the actual lead-in times or build out rates.</li> <li>No clear evidence has been provided by the Council for the inclusion of this site and it should be removed from the 5YHLS. This results in a deduction of <b>462 dwellings</b>.</li> </ul>
3	YMCA, 90 Peartree Lane  6/2019/2714 (approved 24/08/22)		29	0	29	<ul style="list-style-type: none"> <li>This site had outline planning permission (6/2019/2714/OUTLINE) granted in August 2022. The site is also included on the Council's Brownfield Land register and is proposed for allocation in the Draft Local Plan (Pea104). At the base date of the five year housing land supply (1<sup>st</sup> April 2022), this site had a resolution to grant outline permission subject to s106 agreement. This site was assessed in the Council's 2019 Housing and Economic Land Availability Assessment which indicated deliverability within 1-5 years.</li> <li>Planning conditions for this site have since been submitted in December 2022 (6/2022/2887/COND) including a construction phasing plan which indicates that construction at this site will commence in January 2023 with final completion by January 2025. Whilst this indicates that delivery is expected slightly later than that forecast in the Council's five year housing land supply, this subsequent evidence supports the Council's forecast that this site is expected to complete within the five years.</li> </ul>	<ul style="list-style-type: none"> <li>Please refer to appendix EP1 of BP's PoE, paragraphs 1.27-1.34</li> </ul> <p><b>Background</b></p> <ul style="list-style-type: none"> <li>At the base date, this site did not have planning permission, but a hybrid application for full planning permission the demolition of the existing 125-bed YMCA hostel and erection of a new 100 bed hostel and outline planning permission for up to 43 residential apartments was pending determination. It was subsequently approved after the base date.</li> </ul> <p><b>Current planning status?</b></p> <ul style="list-style-type: none"> <li>The current planning status is that the site has full planning permission for the demolition of the existing hostel and the erection of a new 100 bed hostel and outline planning permission for up to 43 dwellings.</li> <li>As explained in MW's rebuttal, applications for the discharge of some of the pre-commencement conditions have been made and are pending determination.</li> <li>An application for reserved matters for the 43 open market apartments has not been made.</li> </ul> <p><b>Firm progress towards the submission of an application?</b></p> <ul style="list-style-type: none"> <li>No clear evidence has been provided by the Council to demonstrate that firm progress is being made towards the submission of an application for reserved matters for the residential part of this site.</li> <li>The site is to be sold to a developer and it is not known what the developer's timescales are for the submission of reserved matters or delivery of the apartments.</li> </ul> <p><b>Written agreement between the LPA and the developer?</b></p> <ul style="list-style-type: none"> <li>A written agreement between the LPA and the site developer confirming their delivery intentions and anticipated start and build out rates has not been provided.</li> </ul>



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							<ul style="list-style-type: none"> <li>MW's rebuttal refers to a construction phasing plan, which has been submitted to discharge one of the pre-commencement conditions, however this does not provide any information in relation to when a reserved matters application is going to be made for 43 apartments or who it will be by. Indeed, the proposed Construction Phase Logistic Plan simply shows the area where the residential dwellings are to be located as being fenced off.</li> </ul> <p><b>Firm progress with site assessment work</b></p> <ul style="list-style-type: none"> <li>No clear evidence of firm progress with site assessment work in relation to the apartments has been provided by the Council.</li> </ul> <p><b>Clear relevant information about site viability, ownership constraints or infrastructure</b></p> <ul style="list-style-type: none"> <li>No clear evidence has been provided by the Council in relation to any of these issues.</li> <li>The redevelopment of the YMCA building is to cost £14m and relies on funding by Homes England and the sale of part of the land for residential development. The Council awarded the YMCA with £300,000 towards this in October 2022. It is not clear whether the funding for the project is in place or when the land is to be sold.</li> </ul> <p><b>Summary</b></p> <ul style="list-style-type: none"> <li>In summary, the site only has outline planning permission for residential development and the Council has not provided any clear evidence that housing completions will begin on this part of the site in the 5YHLS period.</li> <li>The developer is not known and therefore the timescales for the delivery of the apartments is not known. This site should be removed from the 5YHLS.</li> </ul>