

Town and Country Planning Act 1990 – Section 78
Town and Country Planning (Development Management Procedure) (England) Order 2013
Town and Country Planning (Inquiries Procedure) (England) Rules 2000

Appeal by Aurora Properties (UK) Ltd

Against the decision of Welwyn Hatfield Borough Council to refuse to grant outline planning permission for:

“up to 125 dwellings, a C2 care facility for up to 60 bedrooms with associated facilities, a scout hut and all ancillary works on Land to North of Bradmore Way, The Brookmans Park Estate”

Appeal Ref: APP/C1950/W/22/3307844

Statement of Common Ground on Housing Land Supply

between

Welwyn Hatfield Borough Council (the Local Planning Authority)

&

Aurora Properties (UK) Ltd (the Appellant)

Signed

Date

XXXX

On behalf of Welwyn Hatfield Borough Council

Signed

Date

XXXX

On behalf of Aurora Properties (UK) Ltd

Statement of Common Ground on Housing Land Supply

1. Matters of agreement

The base date for the 5 year housing land supply calculation

- 1.1. It is agreed that the base date for calculating the 5 year housing land supply (5YHLS) is 1st April 2022 and the relevant 5-year period is to 31st March 2027.
- 1.2. 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.

The figure the 5YHLS should be calculated against

- 1.3. 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.

The buffer

- 1.4. It is agreed that the 20% buffer applies.

Housing Delivery

- 1.5. It is agreed that the latest Housing Delivery Test result was less than 75% (it was 66%)
- 1.6. It is also agreed that this is not expected to change when the next HDT results are published.

The Council cannot demonstrate a deliverable 5YHLS

- 1.7. 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.

2. Matters of disagreement

The extent of the deliverable supply

- 2.1. The Council considers that the deliverable supply at 1st April 2022 is 2,805 dwellings.
- 2.2. The Appellant considers that the deliverable supply at 1st April 2022 is 1,762 dwellings,
- 2.3. The reason for the difference of 1,043 dwellings is set out in the table below:

Table 1: Disputed sites

Site	Council's 5YHLS	Appellant's 5YHLS	Difference between the two positions
Broadwater Road West SPD Site (the Wheat Quarter)	760	208	552
North East of WGC (Panshanger)	462	0	462
YMCA, 90 Peartree Lane	29	0	29
Total			1,043

- 2.4. The Council considers that its five year supply figure of 2,805 dwellings equates to 2.63 years.
- 2.5. The Appellant considers that its five year supply figure of 1,762 dwellings equates to 1.65 years.
- 2.6. The respective positions are set out in the following table:

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Table 2: Welwyn Hatfield's 5 Year Housing Land Supply at 1st April 2022

		Council	Appellant
	Requirement		
A	Annual housing requirement	888	888
B	Five year housing requirement (A X 5 years)	4,440	4,440
C	20% buffer (20% of B)	888	888
D	Five year supply to be demonstrated at 1 st April 2022 (B + C)	5,328	5,328
E	Annual requirement plus 20% (D / 5 years)	1,066	1,066
	Supply		
F	5YHLS at 1 st April 2022	2,805	1,762
G	Supply in years (F / E)	2.63	1.65
H	Undersupply against 5 year housing requirement and buffer	-2,523	-3,566