

# **STATEMENT OF COMMON GROUND – FIVE YEAR HOUSING LAND SUPPLY**

**APPEAL REFERENCE:** APP/R4408/W/24/3341097

**DATE OF HEARING/INQUIRY:** 6 August 2024

**SITE ADDRESS AND DESCRIPTION OF THE DEVELOPMENT:**

Land north of Shaw Lane, Carlton, Barnsley, S71 3HH

Appeal against the refusal of 'residential development of up to 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SUDS and drainage, with details of a new vehicular access onto Shaw Lane (Outline with all matters reserved apart from means of access)'

**APPELLANT:** Network Space Development Limited

**LOCAL PLANNING AUTHORITY:** Barnsley Metropolitan Borough Council

This statement addresses the following areas of common ground concerning Five Year Housing Land Supply.

## Introduction

1. This Appeal ("Appeal") relates to planning application reference 2022/0115 (hereafter referred to as the "Planning Application"), in relation to the proposed development of Land north of Shaw Lane, Carlton.
2. The Appeal is against the refusal of 'residential development of up to 215 dwellings with associated car parking/garages, landscaping, public open space including both equipped and non-equipped areas of play, SUDS and drainage, with details of a new vehicular access onto Shaw Lane (Outline with all matters reserved apart from means of access)'.
3. This Statement of Common Ground (SoCG) has been agreed between Andrew Rose, Spawforths on behalf of the Appellant (Network Space Developments Ltd), and Garry Hildersley, Head of Planning, Policy & Building Control on behalf of Barnsley Metropolitan Borough Council, in respect of the appeal site related to land north of Shaw Lane, Carlton, Barnsley (hereafter referred to as "the Site").
4. The purpose of the SoCG is for the Local Planning Authority and the Appellant and to agree a position regarding the issue of five year housing land supply with respect to this appeal. It is recognised that a SoCG is useful in focusing the issues which separate the parties and assisting the appointed Planning Inspector in reaching fully informed decisions expeditiously and without waste of public and industry resources.
5. This SoCG should be read alongside additional SoCGs that have been prepared and agreed on behalf of the Council and the Appellant. Those matters are not repeated in this SoCG.

## **Matters of Agreement/Disagreement Regarding Five Year Housing Land Supply**

6. The appeal site forms part of mixed use Local Plan site MU3, allocated for housing and green space. As required in Local Plan Policy MU3 the site is also subject to an Masterplan Framework (5.1 Carlton Masterplan Framework and 5.2 Carlton Masterplan Framework Delivery Strategy) adopted subsequently to the Local Plan. The Carlton Masterplan Framework covers two Local Plan mixed use allocations MU2 Land between Fish Dam Lane and Carlton Road and MU3 Land off Shaw Lane Carlton. The overall intention of the Masterplan Framework is to ensure that development is brought forward in a comprehensive manner considering cumulative infrastructure requirements.
7. The Local Plan sets out an indicative number of dwellings for sites MU2 and MU3 as 294 dwellings and 1683 dwellings respectively, and therefore a total of 1977 dwellings. These dwellings will contribute to meeting the borough's housing requirement and are included within Local Plan policy 'H2 The distribution of new homes', as part of the 'number of homes' figure for Urban Barnsley.
8. As part of the Masterplan Framework process the indicative capacity of new homes was subsequently reduced to a total of circa 1500 dwellings across both sites (MU2 and MU3). This amended number is the number of dwellings accounted for in the latest published housing land supply report and housing trajectory (5.6 Barnsley Five Year Deliverable Housing Land Supply Report April 2021 – March 2026).
9. The latest published housing supply position and associated housing trajectory for Barnsley is set out in 5.6 Barnsley Five Year Deliverable Housing Land Supply Report April 2021 – March 2026. It sets out the position as at 1 April 2021. The Five Year Deliverable Housing Land Supply Report, April 2021 to March 2026, assumed housing delivery from the wider MU3 Local Plan allocation from 2023/24. Delivery was estimated at the following rate: 35 dwellings in 23/24, 45 dwellings in 24/25, 90 dwellings in 25/26 and 26/27 and 135 dwellings in years 27/28 and 28/29. Further housing monitoring data, including the number of net additional homes delivered in Barnsley is published in 5.5, the latest published Barnsley Local Plan Monitoring Report 1 April 2022 – 31 March 2023.
10. For the purposes of this inquiry only, the Council agrees that it cannot identify a five year housing land supply. The Council therefore accepts that the 'tilted balance' is engaged.
11. For the purposes of this inquiry only, at the base date of 1 April 2024, the Council estimates that it has 3.6 years supply whereas the Appellant considers that the Council has between 1.8 and 2.6 years supply, dependent on approach to applying a buffer and dealing with

undersupply.

12. In determining the housing requirement for the five year period, the Council and the Appellant do not agree on approaches to applying a buffer and dealing with undersupply. The respective approaches are set out in table 1 below.
13. Whether the supply is 3.6 years (the Council’s position) or between 1.8 and 2.6 years (the Appellant’s position), it is agreed that the weight to be attached to the delivery of housing is substantial.

**Table 1: Matters of agreement and disagreement**

<b>Matter</b>	<b>Appellant Position</b>	<b>LPA Position</b>
<b>Five Year Housing Land Supply</b>		
Five Year Housing Land Supply	The Council cannot demonstrate a five year housing land supply.	Agreed.
<b>Five Year Requirement 2024/25 to 2028/29</b>		
Approach to undersupply	The range includes undersupply addressed over next five years (Sedgefield) or over the remaining Local Plan period (Liverpool).	The shortfall in housing delivery since the start of the plan period (3611 dwellings) to be recovered over the Local Plan period in line with the 'Liverpool Methodology', as deemed appropriate by the Local Plan Inspector at paragraph 245 of the report of the examination (CD 3.2).
Buffer	The range includes with a 20% buffer – using the HDT methodology to calculate HDT for 2023, and without a 20% buffer.	No buffer – HDT measurement met in line with NPPF paragraph 80.
<b>Five Year Housing Land Supply for 2024/25 to 2028/29</b>	The Appellants considers the Council has between 1.8 years and 2.6 years supply.	The Council estimates that it has 3.6 years supply.

14. In the light of Table 1 and Paragraph 13:

- The Council and the Appellant agree that neither cross examination nor a round table on housing land supply is required.
- The supply range is 3.6 for the Council to a range between 1.8 and 2.6 for the Appellant.
- The weight to be attached to the delivery of housing is substantial; and
- The tilted balance is engaged.

**Signed Agreement**

The content of this Statement of Common Ground represents an agreed position between the main parties to this Appeal.

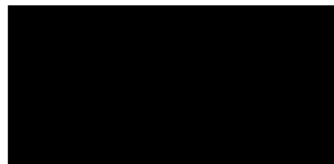
Signed on behalf of the Appellant



Andrew Rose, Spawforths

Date: 05.07.2024

Signed on behalf of the Council



Garry Hildersley, Barnsley Metropolitan Borough Council

Date: 04.07.2024