

Town and Country Planning Act 1990 – Section 78  
Town and Country Planning (Development Management Procedure) (England) Order 2015  
Town and Country Planning (Inquiries Procedure) (England) Rules 2000

## **Appeal by Ringers Road Properties Ltd**

Against the refusal of planning permission by the London Borough of Bromley for:

***“the demolition of existing buildings and construction of a mixed use development comprising residential units, ancillary residents' facilities (including co-working space) and commercial floor space (Use Class E) across two blocks, along with associated hard and soft landscaping, amenity spaces, cycle and refuse storage (Revised scheme incorporating a second stair into Block A and Block B, internal layout and elevational changes, and changes to the on street parking bays and footpath along Ringers Road and Ethelbert Road)” at 2-4 Ringers Road and 5 Ethelbert Road, Bromley***

**Appeal Ref: APP/G5180/W/24/3340223**

**Statement of Common Ground (Five-Year Requirement and  
Housing Land Supply) between**

**London Borough of Bromley**

**&**

**Ringers Road Properties Ltd.**

This page is intentionally blank.

# Statement of Common Ground – Five-Year Requirement and Housing Land Supply

## I. Introduction

- I.1. This Statement of Common Ground (SoCG) has been prepared jointly by Ringers Road Properties Ltd (hereinafter referred to as ‘The Appellant’) and the London Borough of Bromley (hereinafter referred to “The Council”).
- I.2. The Statement refers to Appeal Ref: APP/G5180/W/24/3340223 against the decision of the Council to refuse to grant planning permission at 2-4 Ringers Road and 5 Ethelbert Road, Bromley (application reference 21/05585/FULL1) for:

*“the demolition of existing buildings and construction of a mixed use development comprising residential units, ancillary residents' facilities (including co-working space) and commercial floor space (Use Class E) across two blocks, along with associated hard and soft landscaping, amenity spaces, cycle and refuse storage (Revised scheme incorporating a second stair into Block A and Block B, internal layout and elevational changes, and changes to the on street parking bays and footpath along Ringers Road and Ethelbert Road)”.*

- I.3. This SoCG refers only to matters concerned with the housing requirement and Five Year housing land supply position (‘the 5YHLS’). A separate SoCG covering all other planning matters has been prepared. This includes a summary of the background, site location and proposal.
- I.4. This Statement sets out the agreed matters of fact and agreed positions between the Council and the Appellant in respect of housing supply matters for this appeal.
- I.5. Finally, this statement summarises those areas of disagreement between the parties.
- I.6. This final version of the SoCG is jointly agreed by:

Signed *Ben Pycroft*

Date 14 June 2024

**Ben Pycroft**

On behalf of Ringers Road Properties Ltd

Signed *Ben Johnson*

Date 12 June 2024

**Ben Johnson**

On behalf of the London Borough of Bromley

## 2. Matters of agreement

### Base date and five year period

- 2.1. The Council’s most recent assessment of the 5YHLS is set out in the London Borough of Bromley Housing Trajectory 2021 (published November 2021). The base date of the 5YHLS assessment within this document is 1<sup>st</sup> April 2021. It is therefore agreed that the relevant base date for calculating the 5YHLS is 1<sup>st</sup> April 2021 and the five year period runs to 31<sup>st</sup> March 2026.

### The adopted housing requirement

- 2.2. It is agreed that the housing requirement for the FYHLS period is set out in the London Plan (adopted March 2021). Policy HI of the London Plan: “Increasing housing supply” explains that:

*“Table 4.1 sets the ten-year targets for net housing completions that each local planning authority should plan for. Boroughs must include these targets in their Development Plan Documents”*

- 2.3. Table 4.1 (page 163) of the London Plan then explains that the ten year target for Bromley over the period 2019/20 to 2028/29 is 7,740 dwellings. The housing requirement is not stepped. Therefore, the annual average adopted housing requirement for Bromley is 774 dwellings.
- 2.4. It is agreed that as the London Plan was adopted less than five years ago in March 2021, in accordance with paragraph 77 of the Framework, the 5YHLS (from April 2021 to March 2026) should be measured against the adopted housing requirement of 774 dwellings per annum. The “base” 5YHLS requirement is therefore 3,870 dwellings (i.e.  $774 \times 5 = 3,870$ ).

### Shortfall against the London Plan requirement

- 2.5. It is agreed that the base date of the London Plan is 1<sup>st</sup> April 2019 and the shortfall since the base date of the London Plan is 687 dwellings as set out in the following table.

Year	Housing requirement (dwellings p.a. net)	Completions (net)	Over / under provision	Cumulative over / under provision
2019/20	774	536	-238	-238
2020/21	774	325	-449	-687
<b>Total</b>	<b>1,548</b>	<b>861</b>	<b>-687</b>	

- 2.6. It is agreed that the shortfall against the housing requirement should be accounted for by adding this to the 5YHLS requirement prior to then adding the 20% buffer.

## Housing Delivery Test

2.7. It is agreed that the latest Housing Delivery Test result is the 2022 result (published December 2023). The 2022 result for the London Borough of Bromley is 52% as shown in the following table:

	Number of Homes Required				Number of Homes Delivered				HDT %
	2019-20	2020-21	2021-22	Total	2019-20	2020-21	2021-22	Total	
Bromley	587	427	641	1654	485	272	103	860	52%

2.8. In accordance with paragraph 79 of the Framework:

- As the result is less than 95%, LBB must prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;
- As the result is less than 85% the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period) in accordance with paragraph 77 of the Framework; and
- As the result is less than 75%, the presumption in favour of sustainable development applies, as set out in footnote 8 of the Framework.

2.9. It is agreed that the requirement used in the most recent HDT calculation was the housing requirement set out in the Bromley Local Plan of 641 dwellings per annum, which was derived from the 2016 London Plan. This was reduced by one month in 2019/20 and four months in 2020/21 to reflect any impact Covid-19 and associated restrictions had on house building in those years.

### The buffer

2.10. As above, it is agreed that the 20% buffer is applied in accordance with paragraphs 77 and 79b) of the Framework.

### Sources of supply

2.11. It is agreed that a site must be deliverable in order for it to be included in the 5YHLS.

2.12. The definition of a deliverable site is set out in the glossary on page 69 of the Framework, as follows:

*“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).*

## Statement of Common Ground (Housing Supply) – 14/06/2024

- 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.”*

### Large sites

- 2.13. The appellant and the Council agree that the following large sites should be removed from the FYHLS:

<b>LPA ref:</b>	<b>Address</b>	<b>Capacity (Net)</b>
20/00952/FULL1	Little Lavender, Orchard Road	1
19/01198/FULL1	28 Park Hill Road, Shortlands	9
		<b>10</b>

### 3. Matters of Disagreement

#### Disputed large sites

3.1. The following large site in the Council’s 5YHLS is disputed.

LPA ref:	Address	Capacity (Net)	Council 5YHLS	Appellant 5YHLS	Difference
19/01543/FULL1	Land at junction with South Eden Park Road and Bucknall Way	143	143	0	-143
		<b>143</b>	<b>143</b>	<b>0</b>	<b>-143</b>

#### Disputed small sites / windfall allowance

3.2. The Council includes 1,974 dwellings from small sites in its 5YHLS. This comprises of:

- a) 837 dwellings on small sites calculated from 1,006 dwellings with planning permission on small sites at 1<sup>st</sup> April 2020 plus 400 dwellings which are assumed to be approved during 2020/21 minus assumed completions in 2020/21 of 302 dwellings and minus a lapse rate; and
- b) 1,137 dwellings on an additional small sites windfall allowance for years 3-5 of the FYHLS period, derived from the London Plan small sites target (Table 4.2) of 379 dwellings per annum (3 years x 379 dwellings = 1,137 dwellings per annum).

3.3. The Appellant includes 1,510 dwellings from small sites in its 5YHLS. This is the average number of dwellings completed on small sites over the period 2010/11 to 2020/21 of 302 dwellings X 5 years.

3.4. There is therefore a difference of 464 dwellings.

#### Extent of the deliverable supply

3.5. The Council’s case is that it can demonstrate a deliverable 5YHLS of 3,235 dwellings at 1<sup>st</sup> April 2021. Against the adopted housing requirement, shortfall and a 20% buffer, this equates to 2.96 years.

3.6. The Appellant’s case is that the Council can demonstrate a deliverable 5YHLS of 2,628 dwellings at 1<sup>st</sup> April 2021. Against the adopted housing requirement, plus shortfall and a 20% buffer, this equates to 2.4 years.

3.7. The respective positions are shown in the following table.

## Statement of Common Ground (Housing Supply) – 14/06/2024

	Requirement	Council	Appellant
A	Annual housing requirement	774	774
B	Five year requirement (A X 5 years)	3,870	3,870
C	Shortfall from 1 <sup>st</sup> April 2019	687	687
D	Total five year housing requirement (B+C)	4,557	4,557
E	Five year housing land supply to be demonstrated (D + 20%)	5,468	5,468
F	Annual average requirement plus buffer (F / 5 years)	1,094	1,094
	<b>Supply</b>		
G	5YHLS at 1st April 2021	3,235	2,628
H	Supply in years (G / F)	<b>2.96</b>	<b>2.4</b>
U	Undersupply against 5 year housing requirement and buffer	<b>-2,233</b>	<b>-2,840</b>

[ENDS]