

Tamworth Borough Council

Local Plan Examination Hearing Sessions

JVH Planning and Tamworth Borough Council Five Year Housing Land Supply Joint Statement

29 June 2015

The Inspector Mr Fox requested that JVH Planning and the Council agree (as far as possible) the parameters around establishing the 5 year land supply for Tamworth.

JVH and TBC set out to agree the following:

1. The annual housing requirement
2. The five year requirement
3. The start date for assessing 5 year supply
4. The housing targets for previous years
5. A Completions rate (a discount to be applied to sites with permission)
6. Should a 5% or 20% buffer be applied?
7. Should that buffer be applied to any previous under delivery?
8. What were past completions
9. What are current commitments
10. Assumptions over Local Plan allocations – urban sites and SUEs

JVH and TBC held a meeting on 17 June 2015 following the close of that day's hearing sessions. TBC produced a note of that meeting which JVH commented on. A further meeting was held on the 24th June 2015 following the close of that day's hearing sessions. The following sets out the areas of agreement, where no agreement could be reached, commentary from JVH highlighted in yellow and commentary from TBC in green.

1. The annual requirement is 170dpa
[if you accept that 6,250 is the OAHN and 2,000 dwellings are given away to other areas otherwise it would be 250].
2. The five year requirement is $170 \times 5 = 850$
3. The Council were comfortable to use the start date suggested by JVH of 2015/16 for the purposes of this assessment

JVH - This is the period shown as the next five years in the Councils latest trajectory EX16 and even if the plan is not adopted until early 2016 this would still be within the first five year period , the first year of which ends on the 31st March 2016.

The Council think the start date should be from the year of adoption (or closest year to it, as adoption is likely to be in Jan / Feb 16, so 2016/17 is considered to the more appropriate date)

4. Establishing the housing targets for previous years is complicated as there were a number of plans in force at different periods of time.

The Staffordshire Structure Plan was adopted in 2002, covering the period 1996 to 2011. The housing provision in that plan was based on the Regional Planning Guidance for the West Midlands Region (RPG11, as revised 1998) and planned for 51,800 new homes. The Plan distributed 5,000 units to Tamworth Borough or 9.65% of the total.

The Structure Plan (2002) Policy H1 fell in 2007. In deciding not to save the policy the Government said¹: “It is considered that sufficient information is contained within the RSS (2004) and emerging RSS (phase 2 revision) to guide the distribution of housing development in Staffordshire pending completion of the Phase 2 revision of the RSS. Furthermore, the distribution of housing provision set out within Policy H1 [*of the Structure Plan*] is deemed to be out of general conformity with the strategy of the RSS, as confirmed by the Inspector into the Lichfield Core Strategy”.

In 2004 an updated RPG was produced (later it became the RSS) which set out housing distribution to upper tier authorities. So for Staffordshire the annual requirements were:

To 2007: 2900 units

2007 – 2011: 2500 units

2011 – 2021: 1600 units

In approving the RPG/RSS in June 2004, the Secretary of State identified a number of policy issues that needed to be addressed in future revisions to the document (see para 1.33 of RPG 11). Given the range of matters to be considered, the volume of work and the long timescales involved, the West Midlands Regional Assembly as the Regional Planning Body (RPB) agreed that the issues raised by the Secretary of State should be looked at in three phases:

- **Phase One** - Black Country Study.
- **Phase Two** - Launched in November 2005 covering housing figures, centres, employment land, centres, transport and waste.
- **Phase Three** - Phase Three of the RSS Revision is looking at critical rural services, culture/recreational provision, various regionally significant environmental issues and the provision of a framework for Gypsy and Traveller sites.

The Tamworth Local Plan 2001-2011 was adopted in July 2006. It was prepared under the ‘transitional provisions’ set out in Schedule 8 of the Planning and Compulsory Purchase Act 2004. Sections 36(4) and 43(3) of the 1990 Town and Country Planning Act (local plan to be in general conformity with the structure plan) continued to apply. The procedural regulations were the Town and Country Planning

1

(Development Plan) (England) Regulations 1999. It was recognised by the Inspector when he examined the Tamworth Local Plan that the then current Structure Plan (SP) was drafted to cover the period 1996-2011, although it would cease to have effect after the expiry of 3 years from the coming into force of Section 38 of the 2004 Act. He also noted that The 2004 Regional Spatial Strategy (RPG/RSS) was also now part of the development plan. Section 38(5) of the 2004 Act provides that 'if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published...'. Regional Planning Guidance 11 (West Midlands) is dated June 2004, and became the RSS from 28 September 2004. The Inspector considered the relationship between the deposit draft LP, the SP and the RSS. He concluded that on the assumption that for the period up to 2011 existing SP proportions should be maintained, it would appear that the 2004 RSS policy (simply on housing numbers up to 2011) does not obviously conflict with what the SP policy requires in Tamworth. Taking into account past completions the Tamworth Local Plan considered the requirement was 1365 for the period 2006-2011, or 273 dpa. The Local Plan Policy fell in 2009.

The WMRSS Phase Two Revision Draft was submitted to the Secretary of State in December 2007. It provided a figure for Tamworth of 145dpa for the period 2006-2026. The 2009 Panel report suggested that this should be increased to 150dpa. The phase 2 Revision was not progressed after Government announced its intention to revoke regional strategies. Therefore the conflict arising between the adopted Local Plan (2006) and the WMRSSS Phase Two Revision Draft must be resolved under Section 38(5) of the 2004 Act². The Council believes that the resolution must be in favour of the RSS Phase 2 Revision as it was submitted in 2007 later than the 2006 Local Plan.

JVH: - I don't agree; the local plan was formally adopted and the phase 2 RS was never adopted. The Inspector specifically considered the position and the Local plan must have prevailed until 2009 there was no conflict between it and the RSS. The development plan after 2009 was the RS and the adopted Tamworth Local Plan taking into account which policies were saved and which were not..

TBC – The 2006 Local Plan Inspector considered the position in respect of the 2004 Regional Strategy and Structure Plan and considered there was no conflict "on the assumption that The existing Structure Plan proportions should be maintained". The SP proportions were 9.65%, the RSS phase 2 Revision proportions were 5.28%. Furthermore the S38 (5) of the 2004 Act is very clear as to which part of the development plan should be used when conflict arises.

² <http://www.legislation.gov.uk/ukpga/2004/5/section/38>

JVH to use the following targets:

Year	Requirement	Completions	Source / Explanation
2006/07	273dpa	452	Tamworth Borough Council Local Plan adopted 2006 – Policy HS1
2007/08	273dpa	198	
2008/09	273dpa	205	
2009/10	150dpa	154	Policy HS1 was not saved and a target of 150dpa from the submitted RSS phase 2 panel report is the most appropriate to use
2010/11	150dpa	135	
2011/12	150dpa	69	
2012/13	150dpa	129	
2013/14	170dpa	48	New Local Plan target of 170dpa
2014/15	170dpa	61	
Total	1759	1451	

Whilst the Council agree that the 2006/07 target should be from the adopted Local Plan, given the explanation from Government in its decision not to save the housing policies in the Structure Plan, upon which the Local Plan was based, it is felt that a different target should be used. The council believes there are 3 options for this:

- i) Use the proportions from the phase 2 revision to the published 2004 RSS. The phase 2 revision made provision for 54,900 dwellings in Staffordshire, of which 2900 were to be in Tamworth, representing 5.28%. If this was applied to the 2004 RSS, then this equates to 132 dpa for the period 2007 to 2011 and 84dpa for the period 2011-2021. It is worth noting that the Inspector for the 2006 Local Plan considered the use of the structure plan figures which derived from 1998 RPG to be

appropriate ONLY if the proportions remained the same; clearly they did not, the proportion for Tamworth fell from 9% to 5%.

- ii) Use the proportions from the Structure Plan to the 2004 RSS. The SP made provision for 51,800 dwellings in Staffordshire, of which 5000 were to be in Tamworth, representing 9.65%. If this was applied to the 2004 RSS, then this equates to 241 dpa for the period 2007 to 2011 and 154dpa for the period 2011-2021. Again, it is worth noting that the Inspector for the 2006 Local Plan considered the use of the structure plan figures which derived from 1998 RPG to be appropriate ONLY if the proportions in the RSS Phase 2 Revision remained the same; clearly they did not, the proportion for Tamworth fell from 9% to 5%.
- iii) Use the figures in the submitted RSS Phase 2 Revision of 145 dpa. This is the approach that should be taken as prescribed in the 2004 Act Section 38(5): using the most recently published development plan

The Council considers that taking into account of the letter from the Government (regarding the Lichfield examination) where it stated sufficient information was contained within the RSS and emerging RSS to guide the distribution of housing development in Staffordshire and the Inspectors comments to the 2006 Tamworth Local Plan, together with the provisions set out in S38 (5) of the 2004 Act, then the following housing requirements should be used. The submitted RSS Phase 2 Revision figure of 145dpa should be used from 2007/08 until 2009. The WMRSS Phase 2 Revision Panel of 150dpa should then be used until the RSS was revoked. Indeed, past monitoring reports from 2009 (covering the previous years) showed that the Council based its requirement figure on the RSS Phase 2 Revision figure of 145dpa (see Appendix 3).

Year	Requirement	Completions (Net)	
2006/07	273dpa	452	Tamworth Borough Council Local Plan adopted 2006 – Policy HS1
2007/08	145dpa	198	RSS Phase 2 Revision as submitted
2008/09	145dpa	205	
2009/10	150dpa	154	submitted RSS phase 2 panel report
2010/11	150dpa	135	
2011/12	150dpa	69	

2012/13	150dpa	129	
2013/14	170dpa	48	Revocation of the RSS : New Local Plan target of 170dpa
2014/15	170 dpa	61	
Total	1503	1451	

5. The Council were comfortable to use the 10% discount rate to existing commitments as suggested by JVH. Commitments are shown in examination document EX16.
6. Agreed that if a calculation was carried out using a 20% buffer then no need to do a 5% calculation. However TBC reserves the right to argue that a 5% buffer should be used.
7. No agreement could be reached on this issue: TBC are of the opinion that the most recent position from Government should be used (Secretary of State letter 19 January 2015, paragraph 14 re: TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78 APPEAL BY HIMOR GROUP LIMITED LAND BOUNDED BY GRETTY LANE, ROPE LANE, CREWE ROAD AND A500, CREWE - APPLICATION REF: 13/2874N). JVH cited some Local Plan Inspector reports (references to follow). These are: the letter from Warwick District Council's Local Plan Inspector of June 2015; which is attached because I cannot find it in the Examination library (please see HD25) this supports the JVH Version. JVH does not agree it is double counting. JVh has added some more references about his in her notes.
8. The past net completions as in document EX13 are agreed to be accurate.
9. The commitments and their phasing as in document EX13/EX16 were not agreed to be accurate. JVH does not agree and sets out why in Appendix 1.
10. TBC went through with JVH the work done to date to understand the delivery of all three SUE sites and of the urban area sites. At present this is not an area which JVH could agree with the Council on.

Five year housing supply calculations as at 1st April 2015 to 31st March 2020

Supply

TBC	JVH
Five year requirement 170x5 = 850	850 - Agreed
Under construction – 58	58 - Agreed

All Permissions – 407, with 10% discount (41) = 366	366 - Agreed
SUE (Anker Valley, Dunstall Lane, Golf Course) = 475	405 (see note below)
Urban Sites (343+344, 347, 348, 357, 358, 399, 406, 462, 496, 521, 550) = 369	Not included 343 and 344 deduct 54 units Deduct 21 from 358 Not include 348 deduct 20 units Not include 399 deduct 12 units = 262
Total = 1,268	Total 1,091

Past under delivery

It was agreed between the Council and JVH that to ascertain the **quantum of under delivery** then the new Plan requirement of 170dpa should be used.

9 X170 = 1,530

Past delivery = 1,451

Therefore under delivery is 79 dwellings

Calculating a buffer

It was agreed between the Council and JVH that to ascertain if the 5% or 20% buffer should be used then delivery should be assessed against past plan targets.

JVH are of the opinion that a buffer of **20%** should be applied

The Council are of the opinion that a buffer of **5%** should be applied. This is based on the fact between 2006/07 to 2009/10 delivery exceeded targets each year and in three of those it vastly exceeded the target. Cumulatively using the past total targets, delivery was 52 dwellings short.

Applying the buffer

No agreement could be reached on whether the buffer should be applied to the five year requirement alone, or the five year requirement plus any past under delivery. The Council believe it should only be applied to the five year requirement, JVH believe it should be applied to past under delivery as well.

Appendix 1
JVH Notes

JVH Table 1 5 year housing supply calculation [undersupply based on current plan annual requirement]

5 Year Supply Requirement	850
Past under delivery	79
	929
Apply 20% buffer	186
Total	1115 1115/5 = 223 dwellings per annum
5 Year Supply	1,091
Supply in years	4.89

JVH Table 2 [undersupply based on historic development plan requirement]

5 Year Supply Requirement	850
Past under delivery	308
	1158
Apply 20% buffer	231
Total	1389 1389/5 = 277 dwellings per annum.
5 Year Supply	1,091
Supply in years	3.93.

JVH Under supply statement.

The NPPG (Paragraph: 015 Reference ID: 2a-015-20140306: What is the starting point to establish the need for housing?) specifically requires consideration of the impact of past undersupply.

However one approaches this issue, previous levels of undersupply cannot be ignored either locally or nationally as they are clearly a contributory factor to the present housing crisis. How this issue might be addressed in a development plan forum could either be by including an allowance for the backlog under previous policy regimes or by adjusting household formation rates or by including a calculation of the back log. The back log against the previous plans is considered by JVH to be 308 These homes that were required to be built to meet needs have never been delivered and therefore there is a backlog of unmet need. It must be remembered that the 800 homes proposed in the last plan for the Anker Valley have never been delivered to date. If the test is against the current plan target then there are 79 dwellings under supplied.

The problem with using the current plan target is that from the beginning of the plan period in 2006 there are 40 dwellings per year that are not being provided for either in Tamworth or in the adjoining districts. This is the housing need of Tamworth, it has

not been met in full and as yet is not planned to be met in any specific district or location. This element of the housing need has therefore not been currently provided for anywhere. Taking the backlog against the previous development plan targets of 308 dwellings would go some way to ensuring that this need is met, particularly given the uncertainty of the additional 1000 homes coming on stream in a reasonable period of time or indeed at all in the adjoining districts.

JVH The Application of the Buffer Statement

There are number of decisions in which the buffer has been applied to the total housing need (i.e. annual rate plus undersupply). The Sandbach Road North, Alsager (PINS Ref: APP/R0660/1/13/2195201). Decision explicitly supports the requirement plus underachievement plus buffer approach. The Inspector stated:

'The 5 year requirement is 5,750. To that must be added the backlog of about 1,750, making a total of 7,500. Adding the 20% buffer brings a total requirement of some 9,000 dwellings over 5 years, or 1,800 per annum. The fact that such a figure has rarely been reached in the past is not a reason for suggesting it is an inappropriate target. Significantly boosting supply surely implies that ambitious targets are appropriate.'

Two Secretary of State decisions in Droitwich Spa, Worcestershire (PINS Refs: APP/H1840/A/13/2199085 and APP/H1840/A/13/2199426 – also support applying the buffers required by paragraph 47 of the Framework to the total housing requirement (including historic shortfalls).

As well as the above appeal decisions we note that in the recent letter of June 2015 on the Warwick Local Plan the appointed Inspector states:

41. In terms of a five year supply of housing sites, a buffer of 20% should be applied therefore. This buffer should be applied once the shortfall from the plan period so far has been added to the basic requirement of 720 dwellings per annum.

This is the most recent report on the matter and is clear on the subject.

JVH Evidence of Delivery Statement

There is no current evidence of the delivery rate of large greenfield sites in Tamworth, as the Council has been reliant for many years on windfalls coming forward [due to the un deliverability of their allocation in the last Local Plan at Anker Valley.] The rates that are assumed in the trajectory are considered to be over optimistic in respect of both timing and delivery rates. Neither the Golf Course or the Dunstall Lane are in the hands of house builders, the first is owned by the Council and the second by a local development company who are not house builders. Hence development on these sites after outline permission is granted will require the sale of these sites to the industry. They are unlikely to be single developer sites which is a further complication and each may require a consortium approach with equalisation agreements to be arrived at. This adds to the delivery time significantly. One of these sites has a live planning application submitted. On the basis that an outline consent and S 106 may be issued before March 2016 , then neither site is likely to deliver significant dwellings before 2019 -20 On that basis therefore the trajectory is over optimistic in terms of the delivery rates and we have adjusted the rate in our calculations to reflect an appropriate timescale and deducted 70 dwellings from the projected delivery rate for Dunstall Lane. This means that the total delivery for the

SUEs would be 405 dwellings in the five year period. There is no evidence before the examination that the delivery rates anticipated by the Council are in fact realistic, given the lack of developer involvement with two of the major sites.

With regard to the Urban sites and the trajectory provisions for these, they are also an over optimistic assessment of the situation. Many of these sites are in fact still in another land use and hence are not available in the sense of the NPPF at para 47 and so should not be included in the five years supply. We have made deductions for sites 344 and 343 [reduction of 54 units]. These sites are within the hands of a private family trust. They have a complicated history with regard to family ownership and have been unused land for a period of over 25 years having been allocated in the plan of 1995 they have failed to materialise over the last 20 years and due to the ownership issues are not considered that they will deliver any homes in the next five years.

Site 358 Whitley Avenue is in the trajectory for 35 dwellings, the current application is for 14 homes and has not been criticised for this layout and mix despite the application being submitted over a year ago.

Site 348 is a working garage in the town centre offering cars for sale and servicing and is therefore not available for development.

Site 399 is in the same position and in addition is in a split of ownerships.

Site 462 car park off Park Farm Road Kettle Brook was identified in the Urban capacity study that underpinned the last plan adopted in 2006 and not delivered to date.[not withstanding this we have not deleted it from the calculation the Council is believed to own the site]

It was interesting to note that at the retail session the Councils retail consultant considered that site refs 507 508 509 north of the Gungate retail scheme was a potential additional retail site and had no idea that the site was indeed a housing allocation that was relied on in the Plan..

Table JVH 1 has deducted those sites from the supply as set out above on a non exhaustive basis , this does not imply that the remaining sites are all available and deliverable and without constraint but there is insufficient time to deal with them in detail, we have concentrated on the sites known to us and on which we have information.

All of this means that the Local Plan cannot demonstrate a five year supply of land in accordance with the requirements of the NPPF para 47 which clearly says that , the supply must be of deliverable sites and to be considered deliverable they must be available now and also be viable. Sites with no planning permission are not available and deliverable and not all allocated sites are necessarily deliverable as recognised in the guidance. Clearly sites that already have an existing commercial land use in the town centre are not available and furthermore may not even be viable given the existing values attached to the current uses. The wording of the NPPG

Reference ID: 3-033-20150327 is clear that a detailed analysis of the five year supply is to be done at the local plan stage. The Council did not facilitate this approach by the way that the information was supplied in the trajectory alone with no detailed explanation of the assumptions made on delivery and other important inputs.

What this work demonstrates is that the strategy as proposed is heavily reliant on the delivery of the three urban extensions and any significant setback on these will affect the delivery of the strategy and the land supply and worsen the backlog position . The urban sites are unreliable given that many have existing uses, some have been available for over 20 years and have failed to deliver and many have detailed constraints to deal with. Tamworth has been relying on windfalls for several years to deliver development in the circumstances were Anker Valley did not come on stream as anticipated. Effectively the sites that are deliverable and viable and likely to deliver in the next five years are already within the committed supply.

The strategy is therefore precarious as it is reliant on three major SUES with long lead in times two of which are not in the hand of house builders, a selection of urban sites many of which have alternative commercial uses on them; and the displacement of 1000 homes to an unknown location.

Tamworth 5 year housing supply calculation

5% buffer

5 Year Supply Requirement	850
5% buffer	42.5
Past under delivery	79
Total requirement	972.5 972.5/5= 194.5
Total 5 Year Supply	1,268
Supply in years	6.52

20% buffer

5 Year Supply Requirement	850
20% buffer	170
Past under delivery	79
Total requirement	1099 1099/5= 219.8
Total 5 Year Supply	1,268
Supply in years	5.77

Undersupply

The evidence base prepared to establish the OAHN for Tamworth (B4, B10, and EX9) over the whole plan period has been proposed to be 6,250 or 250dpa. The next stage was to establish the constraints to the Borough and identify which sites could come forward for development. Following this, the Council considered what should be an appropriate level of flexibility and contingency for the planned housing supply. Taking these factors into consideration, the Council determined that an overall housing requirement for the Plan period should be 4,250 or 170dpa, with the remaining 2,000 to be delivered outside of the Borough.

Therefore Council considers that past under delivery should be calculated against the proposed target of 170dpa.

Of the overspill 2,000: 500 each are within the respective development plans for North Warwickshire and Lichfield and are therefore used in their own 5 year supply calculations. This point in particular was highlighted by North Warwickshire.

Of the remaining 1,000, once adopted in a development plan(s) it will then have to be factored into calculating a five year land supply.

It is clear that these dwellings will not be lost from the 'system', the agreements between all three local authorities are quite clear to ensure that this will not occur.

Application of the Buffer

The Council considers that the most recent decision from the Secretary of State should be used on this issue.

Evidence of Delivery

The vast majority of sites in Tamworth since 2006 have been completed on brownfield sites (92%). Therefore, it is difficult to draw any direct comparisons between the proposed greenfield SUEs and overall delivery in Tamworth. However, looking at the delivery of specific sites it is clear that large sites can be delivered quickly.

The Council has in calculating the proposed trajectory, considered performance of other large sites in Tamworth, considered the initial milestones to delivering a site – planning permissions, and importantly asked the development industry for thoughts on site delivery and what can be delivered. These discussions are detailed in I1 – as part of a developer workshop looking at the viability and delivery of sites – particularly in relation to annual delivery rates and critical infrastructure items. The Council believes the proposed rates of delivery for the SUEs are appropriate and realistic.

Indeed looking back at the 2006/07 residential land monitoring report the Tame Valley Alloys site, a site of 360 units, completed 149 units. It is recognised that this was in a different economic climate but to counter that, it was a brownfield site. In 2007/2008 that same site had 133 completions. Looking to the monitoring year of 2009/2010, another brownfield site of 270 units at the former Doulton Works yielded 115 completions in more challenging economic conditions,.

Anker Valley has outline consent and pre-app discussions started earlier this year on reserved matters (indeed before the outline consent had been issued). The house builder behind that scheme, Bellway Homes, wishes to start on site immediately and have units completed by the end of 2015/16. The Council did consider this to be ambitious, so took a more cautious approach of completions not coming through until 2017/17. Importantly this demonstrates the desire from the house builder to start construction soon.

The Golf Course has a live outline application. The site is owned by the Borough Council and the sale is expected to conclude over the summer. Given the discussions held with prospective purchasers and the requirements of the sale agreement, the Council is confident that the delivery estimated in the trajectory is realistic and deliverable.

The Dunstall Lane SUE is being promoted by a developer with a strong track record of local delivery (Ventura Park) and there is no reason to doubt the information that they have provided on anticipated start dates.

Turning to the sites allocated in the urban area. Sites 343 and 344 have been long standing sites but there is no reason to suggest they won't come forward in this five year period. Recent pre-application discussions have re-started on this site and at the examination hearings the Council informed the Inspector that this site is being

promoted by the Council for additional funding from the GBSLEP. The viability of this site was considered in document I1 and it was shown to be viable.

Site 358 is a live application for 14 homes. This was a resubmission after the first application was refused for several reasons, including “inefficient use of land”.

Site 348 is a working garage but the owner has indicated that it would be available for development in this five year period and no reason to doubt. Indeed the site to the rear of this allocation site, is a brownfield site and currently under construction and was only granted consent in the last 12 months. Prior to this it was an occupied office. So in a short space of time it has gone from an occupied working office to a nearly completed residential block.

Site 399 is a working vehicle hire business, with two owners – one owning the majority of the allocation and the other owning the small greenfield parcel adjacent. The two parcels of this site could come forward independently of each other. Both landowners have indicated the site will be available for development in this five year period. As detailed in comments on site 348, brownfield sites can come forward quickly, indeed Tamworth has an exceptional recent delivery rates on brownfield sites.

Site 462 is land owned by the Council. The site had been assessed in the old Urban Capacity Study and more recently in the SHLAA. The site has not been allocated for housing development in any previous development plans. The site was formally made available for development by the Council last year and will be brought forward for development in the next five years. The Council has an excellent recent track record of delivering housing on land it owns.

Sites 507 508 509 are all owned by Staffordshire County Council and developer intent has been submitted to The Council for each site. The site is not envisaged to come forward until the last 5 years of the plan period; therefore these sites have no bearing on the 5 year land supply for the immediate 5 years. As these sites are within the town centre a mixed use proposal of town centre uses and residential would be acceptable.

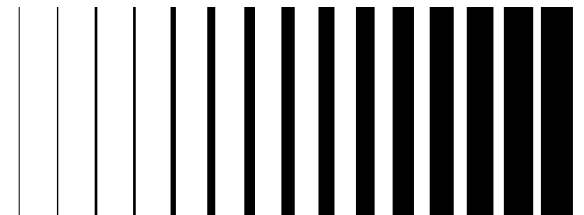
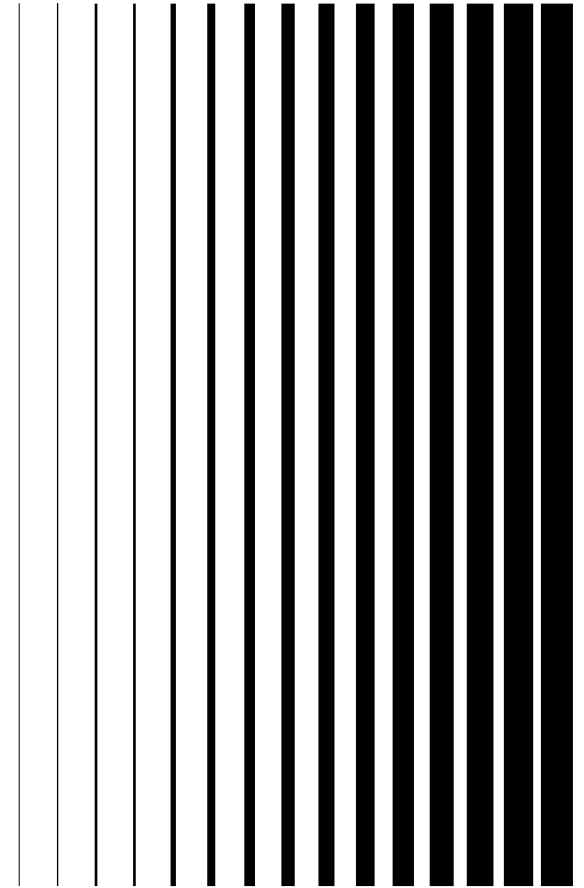
The Council does not believe that any discounting of the allocated sites (SUEs or Urban Sites) from five year supply should take place. Each site has been thoroughly appraised through the site selection process and a viability assessment carried out in documents A5 and I1 and details how the SUEs can be delivered in B11. The delivery of the SUEs was discussed during the hearing sessions on 23 June 2015. At that session GVA on behalf of the land owner (Aucott) confirmed that the Dunstall Lane SUE was deliverable, in their pre-submission and hearing statements it is clear that GVA consider the site to be deliverable now. The Council has no reason or evidence to suggest otherwise.

Further to this, the Council would like to highlight that no windfall allowance has been included in this assessment. If the Inspector is minded to suggest that a windfall allowance is made in the Plan, and if any doubt remains over the five year supply, these calculations should be re-done.

Appendix 3 – Sample of monitoring report from 2009

Availability of Residential Land

31st March 2009



Availability of Residential Land

31st March 2009

Summary



HOUSING PROVISION IN TAMWORTH 1 APRIL - 31 MARCH 2009		
RSS Requirement, 1 April 2006 - 31 March 2026		2,900
Completions, 1 April 2006 - 31 March 2008		649
1 April 2008 - 31 March 2009		
Completions (Gross)		211
Under Construction (position as at 31 March 2009)		129
Commitments (position as at 31 March 2009)		599
Units Lost in Current Year		6
Net Completions		205
TOTAL PROVISION		1582
1 April 2008 - 31 March 2009		
Completions on Local Plan sites		34
Small Windfall Completions		19
Windfall Completions		158
Completions on Brownfield sites		177
Completions on Greenfield sites		34