

TECHNICAL STATEMENT – HOUSING LAND SUPPLY MATTERS

HALLAM LAND MANAGEMENT LIMITED

LAND SOUTH OF LONGSIGHT ROAD, LANGHO

DECEMBER 2025

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Executive Summary

This Statement has been prepared on behalf of Hallam Land Management Limited (hereafter "the Appellant") to provide planning evidence in respect of an appeal pursuant to Section 78 of the Town and Country Planning Act 1990 against Ribble Valley Borough Council's (hereafter "the Council") decision to refuse planning permission for residential development under the following outline planning application:

- Land South of Longsight Road, Langho – (Ref: 3/2025/0196).

This Statement specifically addresses matters relating to housing land supply.

The essential questions for determining the housing land supply for RVBC are (i) should the Council be allowed to reduce their housing requirement through offsetting an 'oversupply' of housing delivered over the Plan period; and (ii) determining the extent of the Council's deliverable housing supply.

Issue 1 – Should an allowance of 'oversupply' be accepted?

Against the historical backdrop of the Key Statement H1 housing requirement, and recent planning policy reforms, this Statement considers the appropriateness of the Council's proposition for allowing 'oversupply'.

Reference is made to 'oversupply' for purposes of consistency with the Council, however this approach is in short only an exceedance in housing delivery against a minimum annualised average housing requirement of 280 dwellings per annum (dpa).

NPPF Paragraph 78 provides a starting point which in itself wholly undermines the Council's methodology. In the context of Paragraph 78, the NPPF provides a binary choice between the application of housing requirements set by adopted strategic policies (i.e. Key Statement H1) or LHN. In this case the Council is inviting the Inspector to consider a third option which is not permitted under a strict interpretation of national policy.

Should this point not be accepted, for completeness this Statement provides a detailed analysis of the relevant factors specific to Ribble Valley and arrive at a planning judgement which has been reinforced by an assessment of national policy, guidance and relevant decision-making.

The express lack of policy guidance to support this approach is considered as being fundamental to its appropriateness. This represents a conscious omission from Government who are not seeking to endorse the application of minimum housing requirements as a ceiling. Had this been the case then PPG could have been amended following the NPPF 2024 consultation and given that it is a 'live document'.

The Council is inviting the Inspector to accept a proposition that will intentionally suppress their future housing requirement through an entirely new policy approach that is not endorsed within the NPPF or PPG.

This proposition is wholly contrary to the national imperative of significantly boosting the supply of housing as is reinforced under the NPPF, PPG and White Papers on Housing and Planning. This is the conclusion of several Inspectors and the Secretary of State in determining relevant decisions grappling with this matter. Such decisions are material considerations of significant weight because there should be consistency in decision-making.

The Council's proposition is to significantly reduce their housing requirement to just 65% of the LHN figure. This runs contrary to what the planning system is seeking to achieve in terms of significantly boosting the supply of housing land.

If it is accepted that any exceedance above a minimum housing requirement can be 'banked', then this will mean Council's will only ever continue to deliver the minimum amount of housing. This does not align with the Development Plan, NPPF and has been supported by several appeal decisions. There is no evidential basis for Ribble Valley to be an exception.

It is also important to note the clear distinction between supply and delivery. To rely on historic delivery to suppress an established current need figure for an immediate future period will go no way to meeting the evidenced requirement for housing with a defined area.

The implications for accepting oversupply will only exacerbate the existing shortfall in affordable and market housing within the Borough and fall well short of meeting identified needs. This results in a tension between housing delivery and delivering other strategic objectives through the Plan when taken as a whole (i.e. Strategic Objective 2 and the requirement to meet all housing needs) and further undermines the Council's case on allowing for 'oversupply'.

It is determined that the 5YHLS should not be calculated on the basis of a reduction in the annualised requirement, as a result of past exceedances against an out of date, housing requirement in Key Statement H1.

Issue 2 – Ribble Valley’s deliverable supply of housing land

The Council's deliverable supply evidence, as presented in the RVBC 5 Year Housing Land Supply (5YHLS) Statement 2025, has been reviewed and considered against relevant case law and the NPPF definition of 'deliverable'. It is concluded that the deliverable supply over the next five years is 1,017 dwellings.

Having assessed the supply it is concluded that 307 dwellings should be removed, principally because of the Council's uncertainty over the deliverability and lead-in periods of Site allocation HAL 5 (Highmoor Farm, Standen), and assumptions on small windfall sites. While RVBC claim a supply of 1,324 dwellings, our assessment which has been undertaken on a fair and conservative basis shows this position to be 1,017 dwellings. This position will continue to be reviewed through the duration of the appeal upon final submission of evidence. Matters of difference in the deliverable supply position will also be the subject of ongoing common ground discussions.

A summary breakdown in the deliverable supply is set out below in Table 1:

Table 1: Summary on Deliverable Supply Positions

Deliverable Supply (2025-30)	Appellant's Position	RVBC's Position	Difference
C2 Permissions	76	76	0
Allocation Sites	107	177	-70
Full Planning Sites	82	85	-3
Outline Planning sites¹	0	41	-41
Under Construction & Commenced	596	730	-134
Small Sites	156	215	-60
Deliverable Supply	1017	1324	-307

¹ Note that the above addresses a point of consistency in the RVBC Supply Statement 2025 which includes Site Allocation HAL 5 - Highmoor Farm as an outline commitment. This has now been included in the Allocation Sites.

The quantitative difference in supply evidence is immaterial to any overriding conclusion on the matter of 5YHLS should the Inspector accept the Appellant's case that an allowance of oversupply cannot be applied to the LHN (Local Housing Need) requirement.

The deliverable supply position has consistently diminished over the last five years and has reduced to such an extent that there are now identifiable issues over the qualitative composition of this supply to meet the Borough's housing needs which includes affordable housing and older persons housing.

Conclusions on Ribble Valley's Five Year Housing Land Supply

This Statement concludes that the five-year housing land supply should be measured against the LHN figure, and a 5% buffer on the basis that Key Statement H1 is evidently out of date. The Council's proposition to 'bank' an oversupply of housing against what is a minimum strategic housing requirement, up to and even beyond the Plan period, is flawed and contrary to national policy and the imperative of significantly boosting the supply of housing.

This conclusion is consistent with that of several appeal decisions and the most recent determination from the Secretary of State.

A balanced consideration has been given to the merits and implications for making an allowance on oversupply, as a means of suppressing future housing requirements in Section 4, taking into account various appeal decisions, case law, and the wider context for housing delivery in Ribble Valley to inform our planning judgement. It is determined that such an approach is wholly contrary to an interpretation of both national and local policy, is at odds with the national imperative of the planning system to significantly boost the supply of housing and would further undermine the delivery of market, affordable and older persons housing in Ribble Valley.

It is only in a single, limited scenario where oversupply is allowed to be deducted from the forward LHN housing requirement, and an acceptance of the Council's deliverable supply, where RVBC can demonstrate a five-year housing land supply. Even then it is an incredibly marginal position at just 5.1 years (an exceedance of only 29 dwellings).

Based on a planning judgement on both issues, this Statement has assessed the supply and concluded that against the local housing need figure and a 5% buffer, the five-year housing land supply position equates to 3.1 years.

A summary of this calculation is set out below in Table 2:

Table 2: Summary on NJL Assessment of RVBC 5YHLS Position

	Housing Requirement	
A	RVBC Local Housing Need	311
B	Local Housing Need for 1st April 2021 to 31st March 2026	1,555
	Including Buffer	
C	5% Buffer based on Housing Delivery Performance [B*0.05]	78
D	Total Housing Requirement for 1st April 2021 to 31st March 2026 [B+C]	1,633
E	<u>Annual Housing Requirement [D / 5]</u>	<u>327</u>
	Housing Supply	
F	C2 Permissions	76
G	Site Allocations	107
H	Large sites with Full Permission (not yet commenced)	82
I	Large sites with Outline Permission	0
J	Large sites under construction/ commenced	596
K	Small sites windfall allowance	156
L	<u>Total Deliverable Supply</u>	<u>1,017</u>
M	Housing Land Supply Shortfall	-616
N	5YHLS Position (years)	3.1

In summarising the above components, it is concluded that should the Inspector find the proposed approach to offsetting 'oversupply' within the 5YHLS calculation is unjustified, then the Council are unable to demonstrate a 5YHLS irrespective of differences over the deliverable supply. If the Appellant's assessment on the deliverable supply is accepted, then the Council are unable to demonstrate a 5YHLS with or without 'oversupply' being factored into the calculation.

1.0 Introduction

1.1 This Statement has been prepared on behalf of Hallam Land Management Limited (hereafter "the Appellant") to provide planning evidence in respect of an appeal pursuant to Section 78 of the Town and Country Planning Act 1990 against Ribble Valley Borough Council's (hereafter "the Council") decision to refuse planning permission for residential development under the following outline planning application:

- Land South of Longsight Road, Langho – (Ref: 3/2025/0196).

1.2 The proposed description of development was as follows:

'Outline Application: Development residential homes (Use Class C3), associated access, rail station car park, green infrastructure and sustainable drainage systems (all matters reserved except for access to, but not within, the site)'

1.3 This Statement specifically addresses matters relating to housing land supply and is to be read in conjunction with the Statement of Case prepared by NJL Consulting on all planning matters.

Approach to 5YHLS Evidence

1.4 The Appellant will seek to engage with the Local Planning Authority (LPA) through common ground discussions to narrow as far as possible the issues in dispute. Based on the presentation of evidence within the Council's latest 5YHLS Statement (2025) and Committee Report, there are various matters which can be agreed between both parties which will be formalised within a separate Housing Supply Statement of Common Ground (SOCG).

1.5 However, in summary the matters which are in dispute presently relate to:

1. Appropriateness of factoring in oversupply into the 5YHLS calculation; and
2. Delivery rates in relation to specific sites within the identified supply.

2.0 Planning Policy Context

- 2.1 This section outlines relevant policy and guidance, which (taken as a whole) provides the basis for the Appellant's analysis on the housing land supply position in Ribble Valley.
- 2.2 Section 38(6) of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 2.3 In this case the National Planning Policy Framework ("NPPF") and Planning Practice Guidance ("PPG) is a material consideration. This includes reference to the National Planning Policy Framework and relevant extracts in the Planning Practice Guidance, covering the calculation of 5YHLS, deliverable supply, establishing the housing requirement for Ribble Valley and approach to any offsetting of oversupply.

Development Plan

- 2.4 The adopted Development Plan comprises of the:
- Core Strategy 2008-2028 (adopted 2014); and
 - Housing and Economic Development Plan (adopted 2019).
- 2.5 Key Statement H1: Housing Provision of the Core Strategy identifies that land for residential development will be made available to deliver 5,600 dwellings, estimated at an average annual completion target of at least 280 dwellings per year over the period 2008-2029 in accordance with baseline information.
- 2.6 The Council will identify through the relevant "Strategic Housing Land Availability Study" (SHLAA), sites for residential development that are deliverable over a five-year period. By reference to the housing land monitoring report and where appropriate Strategic Housing Land Availability Assessments, the Council will endeavour to ensure housing land is identified for the full 15 year Plan period and beyond. A 'plan-monitor-manage' approach will be adopted and a monitoring report will be the key tool in tracking the five year rolling land supply. The overall housing requirement will be subject to a formal review within five years from the date of adoption of the Core Strategy to ensure it remains the appropriate strategic figure with which to plan.
- 2.7 This Statement draws upon information within the Council's published 5 Year Supply Statements in order to fully understand the extent of housing delivery and provision within the local authority through the Plan period.

National Planning Policy Framework 2024

- 2.8 The National Planning Policy Framework was revised in December 2024. It sets out the Government's planning policies for England and how these should be applied. For decision taking, the revised Framework applies from the date of publication and as such, the policies within it are a material consideration of significant weight. Paragraph 61 sets out the Government's clear objective of significantly boosting the supply of housing land, emphasising the importance of ensuring *'that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay'*.
- 2.9 Paragraph 63 is an important consideration to this appeal and in coming to an overall judgement on the appropriateness of allowing for 'oversupply' in the five-year supply calculation, noting the circumstances facing this particular authority. The policy emphasis in Paragraph 63 makes clear the requirement upon Local Planning Authorities to ensure that appropriate housing land is available to meet the needs of 'different groups in the community' including (but not limited to):
- '[...] those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing-with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes'*
- 2.10 In determining the housing requirement and minimum number of homes needed, Paragraph 62 makes clear the requirement for plans to be informed by a local housing need assessment and/or conducted using the standard methodology for calculating local housing need. This represents a material shift in policy from the previous iteration of the NPPF (2023) which had watered down the application of the Standard Method as only an 'advisory starting-point' for establishing a housing requirement for the area.
- 2.11 Importantly, there are no longer provisions within the Framework which would otherwise permit *'exceptional circumstances'* to justify an alternative approach to establishing housing needs. justify a departure from this which are to be resolved and demonstrated through the local plan making process.
- 2.12 Paragraph 72 adds that once the housing requirement has been set, local planning authorities need to clearly identify a deliverable supply of land to meet these needs, taking *'taking into account their availability, suitability and likely economic viability'*.

2.13 Set in the context of the core objective to significantly boost housing delivery, Paragraph 78 sets out the requirement for local planning authorities to demonstrate 'a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing' (NJL Emphasis).

2.14 This is to be set 'against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old'. Footnote 39 of NPPF adds under Paragraph 78 that unless the housing requirement set out in the strategic policy has been 'reviewed and found not to require updating', local housing need will be used for assessing whether a five year supply of specific deliverable sites exists using the standard method set out in the PPG once the strategic policy is more than five years old.

2.15 In respect of the application of the buffer, the paragraph continues in setting out that:

'The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

a) 5% to ensure choice and competition in the market for land; or

b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply'

2.16 Annex 2 (p. 72) of the 2024 NPPF sets out for the avoidance of doubt, the definition of 'deliverable' in the context of establishing a deliverable supply of housing land. The definition states:

Deliverable: 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).

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.”

2.17 Examples of the type of evidence which could be provided are listed in the PPG.

Planning Practice Guidance

2.18 The Planning Practice Guidance² on ‘Housing Supply and Delivery’ sets out the methodology for calculating a 5YHLS position.

2.19 As a starting point concerning the matter of offsetting oversupply from future housing requirements, the PPG³ only provides guidance on how to deal with over-supply in the context of offsetting ‘any shortfalls against requirements from previous years’. The PPG is silent on whether the same approach can be undertaken to offset against future housing requirements in the plan period.

2.20 It should be noted that the use of an “oversupply” reduction has been the subject of High Court litigation and a number of Appeal Decisions (see Section 4 of this Statement). It is an issue which is well-known to the Secretary of State (as the SoS has previously been a party to such proceedings and subsequent consultation in the 2024 NPPF). The PPG is a “living document”, which can be updated to address new issues. The fact that the SoS has chosen not to change either the NPPF (in the December 2024 iteration) and/or the PPG suggests that the SoS does not consider that an allowance for past oversupply should be used to reduce the 5YHLS requirement. This would be consistent with the national policy imperative to boost significantly the supply of housing.

2.21 In establishing what housing requirement figure authorities should use when calculating their 5-year housing land supply, Paragraph 68-005 states:

‘Housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year land supply figure where:

- *the plan was adopted in the last 5 years, or*
- *the strategic housing policies have been reviewed within the last 5 years and found not to need updating. In other circumstances the 5 year housing land*

² Planning Practice Guidance: Housing supply and delivery

³ Planning Practice Guidance: Housing supply and delivery (Paragraph: 023 Reference ID: 68-032-20190722)

supply will be measured against the area's local housing need calculated using the standard method.

In other circumstances the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method'.

2.22 In calculating the deliverable supply to be set against the housing requirement, the Planning Practice Guidance⁴ builds upon the definition of 'deliverable' under Annex 2 of the NPPF, namely sites which:

- Have outline planning permission for major development;
- Are allocated in a Development Plan;
- Have a grant of permission in principle; or
- Are identified on a brownfield register.

2.23 PPG also provides clarity on the scope of evidence which can demonstrate deliverability, including:

- *Current planning status* – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- *Firm progress being made towards the submission of an application* – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;
- *Firm progress with site assessment work*; or
- *Clear relevant information about site viability, ownership constraints or infrastructure provision*, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

⁴ Planning Practice Guidance: Housing supply and delivery (Paragraph: 007 Reference ID: 68-007-20190722)

3.0 5YHLS – Assessment of the Council's Housing Supply

- 3.1 On the basis of published information and the reporting at the time of refusing planning permission for the appeal proposals, the following are matters of agreement.

Identifying the base date and five-year period

- 3.2 The base date is the start date for the five-year period for which both the requirement and supply should relate. It is agreed that the relevant base date for assessing the 5YHLS for the purposes of this appeal is 1st April 2025 and the relevant 5YHLS period is to 31st March 2030.
- 3.3 The Council should not attempt to introduce new sites which are not already within its schedule of sites. This would effectively mean changing the base date to beyond 1st April 2025. Within this context, there have been several appeal decisions, which have found such an approach to be inappropriate.
- 3.4 However, this Statement takes account of other factors and evidence that has come to light after the base date for sites identified in the supply in the 5YHLS Statement 2025 (e.g. where an identified site has subsequently gained planning permission). This is in accordance with the approach taken by Inspectors at *Woolpit*⁵ and *Woburn Sands*⁶.

Identifying the basis for calculating the housing requirement

- 3.5 In order to remain effective, the NPPF Paragraph 34 states that policies in local plans should be reviewed at least once every 5 years and updated as necessary. This reflects Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended)⁷ which took effect as legislation from 6th April 2018.
- 3.6 In accordance with Paragraph 78 of the Framework and footnote 39 of the Framework, it is agreed that the 5YHLS should be measured against the local housing need calculated using the standard method set out in the PPG.
- 3.7 The Council accept that the basis of establishing the housing requirement is LHN, with the adopted strategic housing requirement under Key Statement H1 now rendered out

⁵ Appeal Ref: APP/W3520/W/18/3194926 - Land on east side of Green Road, Woolpit

⁶ Appeal Ref: APP/Y0435/W/17/3169314 - land to the west of Newport Road and west and east of Cranfield Road, Woburn Sands, Bucks

of date. Rolling this LHN requirement forward, the minimum housing requirement planned for Ribble Valley to 2030 equates to 1,635 dwellings.

- 3.8 However, whether or not it is appropriate to offset the local housing need figure against previous years of claimed 'oversupply' remains a key matter of disagreement with the Council.

Applying the appropriate buffer

- 3.9 In accordance with Paragraph 78a) of the Framework, the 5% buffer applies.

Oversupply and demonstrating a 5YHLS

- 3.10 Whilst both parties do not agree on appropriateness of factoring oversupply into the 5yhls calculation. Both parties do agree that the Council are unable to demonstrate a 5YHLS if it is determined that the use of 'oversupply' to deduct from the forward-looking housing requirement is not permissible in this case.

4.0 ISSUE 1 – Should any “oversupply” be deducted from the five year housing requirement?

National Policy Context and Decision Making on ‘Oversupply’

- 4.1 The PPG⁸ only provides guidance on how to deal with over-supply in the context of offsetting ‘*any shortfalls against requirements from previous years*’. The PPG is silent on whether the same approach can be undertaken to offset against future housing requirements in the Plan period. In our view, if the reverse approach was intended the guidance would say so.
- 4.2 The absence of any planning policy or guidance supporting the Council’s approach is, in our view, a deliberate omission by the Government. The PPG provides comprehensive guidance on how to calculate the 5YHLS. There is no requirement for additional steps which are not addressed in the PPG.
- 4.3 The PPG is a “living document”, which can be updated to address new issues. The fact that the SoS has chosen not to change either the NPPF (in the December 2024 changes) and/or the PPG suggests that the SoS does not consider that an allowance for past oversupply should be used to reduce the 5YHLS requirement. This would be consistent with the national policy imperative to boost significantly the supply of housing.
- 4.4 It should be noted that the matter has been the subject of High Court litigation and a number of Appeal Decisions. Appeal decisions have consistently drawn out the Government’s objective for the planning system and its key role in addressing the UK’s housing crisis through increased housing delivery.
- 4.5 Set against this backdrop, the housing requirements set for LPAs, especially in the policy context of the RVCS, clearly represents a minimum requirement. If every time the minimum is exceeded and an LPA is allowed to reduce the requirement in the next five years, then LPAs will only ever be delivering the absolute minimum. It is unanswerable that this is contrary to the national imperative of significantly boosting the supply of housing.

⁸ Planning Practice Guidance: Housing supply and delivery (Paragraph: 032 Reference ID: 68-032-20190722)

4.6 The latest conclusions on the matter of 'oversupply' taken by Secretary of State (SoS), are set out in the recovered appeal at land south of Oakridge in December 2018. The SoS decision⁹ noted that:

'The Secretary of State has carefully considered the Inspector's assessment of housing demand and of housing land supply, as set out at IR198-221. For the reasons given in that assessment, he agrees with the Inspector's conclusions that 520 homes per year are required (IR209)'

4.7 Although the Inspector and SoS went on to find that the appeal should be dismissed, Tewkesbury Council subsequently challenged the SoS decision in the High Court. The claim made by the LPA was that Tewkesbury Borough Council sought to challenge the decision on the basis that the Secretary of State's interpretation of the housing land supply, more specifically the approach to oversupply, was incorrect.

4.8 This issue was the subject of a legal challenge at the High Court¹⁰ in 2019 where Dove J accepted that, in the absence of any policy to interpret, it was a matter of planning judgement as to how the decision-taker treated an element of oversupply.

4.9 Dove J recognised that in the absence of any policy for legal interpretation, under the NPPF or PPG, then it remains a matter of planning judgement as to whether offsetting oversupply could be permissible in the calculation of a 5YHLS.

4.10 It is, however, significant that if it was the policy and guidance of the SoS to allow for oversupply, the SoS would have granted planning permission and amended PPG accordingly to bring clarity to the matter. On the contrary, PPG wasn't updated until 22 July 2019 shortly following Dove J's judgement to uphold the SoS decision.

4.11 The only update to PPG made by the SoS on 'Housing Supply and Delivery' was the inclusion of Paragraph: 023 Reference ID: 68-032-20190722 which states that:

'Where areas deliver more completions than required, the additional supply can be used to offset any shortfalls against requirements from previous years'. (NJL emphasis)

4.12 In the 6-year period since the last update to PPG, there has been a chronology of iterations and amendments to NPPF on this specific matter in response to a plethora of similar appeal decisions.

⁹ Appeal ref: APP/G1630/W/17/3184272 - Land South of Oakridge, Highnam, Gloucester – Para.14

¹⁰ Tewkesbury Borough Council v Secretary of State for Communities Housing and Local Government & Ors [2019] EWHC 1775

- 4.13 The former Government's position in the December 2023 NPPF (Paragraph 77) was that:
- 'National planning guidance provides further information on calculating the housing land supply, including the circumstances in which past shortfalls or over-supply can be addressed.'*
- 4.14 At that time, the 2023 NPPF indicated that there are circumstances permitting oversupply to be counted against upcoming supply and that the PPG would be updated to show how this would be applied. Publication of such guidance didn't materialise.
- 4.15 Following the General Election, the new Labour Government swiftly published the July 2024 NPPF consultation within which Question 8 directly asking the question on whether to proceed with the proposed removal of this wording from Paragraph 77.
- 4.16 The 2024 NPPF publication did remove this text reference which suggested a marked change in position from the former Government in that the offsetting of over-supply would not be permissible. However, it is acknowledged that the supporting consultation outcome paper set out the Government's position on Question 8, stating that the omission in the revised NPPF *'has no bearing on local authorities' ability to account for over-supply – this can continue to be taken into account as it is currently'*.
- 4.17 The Government's response noted that this remained a matter to be kept 'under review', however given the very deliberate removal of text under national policy, this response should not be taken from LPAs as a full endorsement to this methodological approach.
- 4.18 Following this chronology through, there remains no material change in national policy on the issue of oversupply. The latest authority on this matter remains the High Court judgement in Tewksbury¹¹ where the LPA challenged an appeal at Land off Ashmead Drive, Gothington (Appeal Ref: APP/G1630/W/20/3256319). The judgement confirmed the absence of policy or guidance on this point. Accordingly, a challenge based on a misinterpretation of policy must fail, as was clear from other decisions.
- 4.19 While there are several appeal decisions grappling with this methodological issue, the most recent assessment and policy interpretation on the matter of 'oversupply' is set out

¹¹ Tewkesbury Borough Council v Secretary of State for Housing Communities and Local Government [2021] EWHC 2782 (Admin) (18 October 2021)

in the appeal decision at Bordon Hill, Stratford upon Avon¹² in September 2025. The Planning Inspector determining that particular case noted that:

*'National policy, including the Planning Practice Guidance (PPG), does not exclude the use of oversupply to offset future requirements and only refers to it offsetting any shortfalls against requirements from previous years¹³. However, the PPG is clear that under-delivery does not need to be addressed separately when establishing LHN as it forms part of the affordability indicators that inform LHN¹⁴. **It follows that the same approach should be taken to oversupply (over-delivery) as more houses should improve the affordability of properties locally.**' (NJL Emphasis added)*

4.20 This represents the most up to date authority on the matter.

4.21 Overall, therefore it is accepted that a planning judgment can therefore lawfully be exercised, allowing an LPA to offset oversupply from a forward-looking housing requirement, however that is a different matter from **how** such a judgment should be exercised. That is a matter addressed in full in evidence below.

Factors affecting a Planning Judgement on use of 'Oversupply' in Ribble Valley

4.22 The Council's revised methodological approach to 5YHLS attempts to artificially reduce their housing requirement to 214 dpa. Their sole reason for this is that the Government have not explicitly stated in the NPPF and PPG that it this is not a lawful approach. No further evidence underpins the Council's approach and whether it is most appropriate and it is not the case that this has been a longstanding consistent approach held by the Council.

4.23 Furthermore, even if it were accepted that it was appropriate to factor in oversupply, then this can only be applied to the housing requirement so far as it is covered under the current Plan period which is due to expire 31st March 2028. At best for the Council, oversupply should only be factored into housing land supply calculations and that is a point that the Council themselves have failed to acknowledge but which should be irrefutable.

¹² Appeal Ref: APP/J3720/W/25/335884 - Orchard Adjacent to Chutneys, Bordon Hill, Stratford upon Avon – Para. 66

¹³ PPG Paragraph: 023 Reference ID: 68-032-20190722

¹⁴ PPG Paragraph: 022 Reference ID: 68-031-20190722

- 4.24 Contextually the Council's position on oversupply is one which has been adopted very recently and did not refer to oversupply in any published Annual Monitoring Report monitoring housing delivery through the adopted Plan period.
- 4.25 In fact, in the Council's 2024 Five Year Supply Statement published April 2025 there is no mention of oversupply being factored into the requirement calculation. In May 2025 barely a month later, the Council then introduced an updated report (2025 Five Year Supply Statement (May 2025) now factoring in oversupply from previous years housing delivery to reduce the Council's housing requirement.
- 4.26 In response to the LHN figures published under the revised Standard Methodology (December 2024), the Council have had to change their methodological position on 5YHLS in an attempt to reduce their housing requirement to a level whereby a 5YHLS can be demonstrated.
- 4.27 It is quite clear, therefore, why the LPA is seeking to use this allowance. Indeed, the timing and sudden introduction of this allowance into the Council's 5YHLS Statement (2025) compared to the 5YHLS Statement prepared for 2024 is, in of itself, telling.
- 4.28 As a consequence, the Council now suggest they can demonstrate a five-year housing land position of 6.2 years¹⁵ based upon a significantly reduced annualised housing requirement of just 214 dwellings (inc. 5% buffer).
- 4.29 To the contrary, there are a variety of reasons and points of evidence to contest the appropriateness of factoring oversupply in this particular instance.
- 4.30 In a general sense the Appellant does not fundamentally disagree with the term oversupply in the context of housing delivery. In reality, what it describes is that more than the bare minimum is being delivered. That is contrary to the national policy imperative to boost significantly the supply of housing and the RVCS imperative to deliver a *minimum* number of houses across the Plan period as a whole and is clearly at odds with government policy.
- 4.31 The adopted Core Strategy sets a housing requirement of 5,600 homes at an average of 280dpa for the period 2008-2028. Table 3 identifies the Council's performance over the plan period against this requirement.

¹⁵ Ribble Valley Five Year Housing Supply Statement (May 2025) Para. 8.3

Table 3: Summary of Net Housing Completions in Ribble Valley against the Trajectory

	Housing Requirement	Net Housing Completions	Difference (+/-)	Cumulative Difference
2008/09	280	75	-205	-205
2009/10	280	89	-191	-396
2010/11	280	69	-211	-607
2011/12	280	147	-133	-740
2012/13	280	172	-108	-848
2013/14	280	183	-97	-945
2014/15	280	345	+65	-880
2015/16	280	300	+20	-860
2016/17	280	390	+110	-750
2017/18	280	400	+120	-630
2018/19	280	412	+132	-498
2019/20	280	559	+279	-219
2020/21	280	453	+173	-46
2021/22	280	499	+219	+173
2022/23	280	546	+266	+439
2023/24	280	349	+69	+508
2024/25	305	333	+28	+536
2025/26	305	254	-51	+485
2026/27	305	256	-49	+436
2027/28	305	187	-118	+318
Total	5,700	6,018	-	+318

4.32 Table 3 identifies that the Council failed to deliver enough housing to meet the annual requirement for the first 6 years of the plan period. In fact, up until the end 2014, the Council were some 945 homes short of meeting the requirement to that stage. Only 735 homes were delivered against a requirement of 1,680 homes representing a delivery rate of just 44% of the minimum requirement.

4.33 That period pre-dates the adoption of the Core Strategy (December 2014) and serves to highlight the inherent issues in housing delivery within the Borough at times when there was a lack of an adopted housing requirement.

4.34 Subsequently there was a period following the adopting of the HEDP when delivery exceeded annual housing targets, however it is clear once more that due to development of housing allocations already having taken place, delivery figures are once again dropping to levels significantly below the LHN requirement.

- 4.35 Our assessment suggests that 863 dwellings will be delivered between 1st April 2025 to 31st March 2028 which, combined with completions to date, suggests that a total of 6,018 dwellings will have been delivered over the Plan period.
- 4.36 While this may appear significant in absolute terms, when set against the annual requirement to deliver a minimum of 5,600 dwellings over a 20-year Plan period, this 'oversupply' of 418 dwellings equates to an exceedance of just 7%¹⁶.
- 4.37 In this regard, the expression "oversupply" has no resonance. In the context of a (now out of date) minimum housing target and a national planning policy imperative to boost significantly the supply of homes, delivering more than the minimum number of homes in any given year does not constitute an "oversupply" which needs correcting, especially in the absence of any land use planning harm which might flow from such a claimed "oversupply". Nonetheless, the term is referred to in this Statement simply for convenience (in the manner in which it is used by the Council) to mean delivery over the minimum housing requirement.
- 4.38 Taking into account the requirement to plan against the LHN figure for the years 2024/25 to 2027/28, this 'oversupply' diminishes further to 318 dwellings (5%) prior to any annual fluctuations to the LHN when accounting for local affordability updates.
- 4.39 As the Council's supply evidence and our analysis on projected completions suggests this will fail to deliver anywhere near the level previously achieved in the Plan period and well below the annual, average housing requirement under Key Statement H1 or LHN. This is particularly significant as it risks undermining early delivery of the emerging Local Plan.

The Need to Significantly Boost the Supply of Housing

- 4.40 There is clear precedent in appeal decisions which show that Inspectors have taken a strong stance on consistency with the objectives of the NPPF. The allowance of oversupply elsewhere has been assessed on several occasions as being contrary to the national planning policy imperative of significantly boosting the supply of housing land.
- 4.41 The rationale for significantly boosting housing land and the associated benefits include:
- i. Significantly boost the availability of housing land for new development;
 - ii. Increasing choice and competition within the housing market;

¹⁶ 418 / 5600 x 100 = 7.4%

- iii. Providing housing for all types of needs within the local community;
- iv. Increasing housing supply in order to avoid price inflation as a result of growing demand and worsening affordability; and
- v. Supporting the strategic delivery of affordable dwellings to meet identified local needs.

4.42 In this case, the wording of Key Statement H1 states that land will be made available for 5,600 dwellings at an average annual completion target of 280 dwellings per year across the plan period. The supporting text explicitly states at para 6.4 that '**these figures will be treated as a minimum target unless otherwise determined.**'

4.43 These words supporting the adopted policy were required to ensure the policy was consistent with national policy at the time in order that the Plan may be found sound.

4.44 The Core Strategy is now 11 years old from adoption and at no stage has the LPA undertaken their statutory duty under Regulation 10A of The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) to fully or partially review the Core Strategy; in particular the strategic housing requirement and whether or not this remains an appropriate basis to plan against.

4.45 This is despite KSH1 stating that '*the overall housing requirement will be subject to a formal review within five years from the date of adoption of the Core Strategy to ensure it remains the appropriate strategic figure with which to plan*'.

4.46 While the Housing and Economic Development DPD was adopted within five years on October 2019, the scope of the DPD was not to re-appraise the objectively assess housing need (OAN) target but instead '*clearly limited to allocating sites to meet the need established in the CS*'¹⁷.

4.47 In the context of the material change in local and national circumstances, particularly with respect to national planning policy and the Standard Methodology, the strategic housing requirement underpinning the Plan is now plainly out of date. Housing needs must be planned for against the annual requirement set by the LHN figure.

4.48 The extent to which affordable housing needs have nearly trebled in the last five years, from 88 affordable dwellings per annum in 2020¹⁸ to 230 dwellings per annum in 2025¹⁹,

¹⁷ Report on the Examination of the Ribble Valley Local Plan, Housing and Economic Development, Development Plan Document (2019) - Para. 7

¹⁸ Strategic Housing and Economic Needs Assessment (2020)

¹⁹ Affordable Housing Needs Assessment (2025)

alongside the increased Standard Method figure, illustrates the outdatedness of the housing target and the failure of the Plan to properly deliver the requisite level of homes to meet local needs.

4.49 The Council's proposition is to significantly reduce their housing requirement to just 65% of the LHN figure. This would clearly contradict what the planning system is expressly seeking to achieve in terms of significantly boosting the supply of housing land for both open market and affordable needs. These qualitative supply matters are considered in further detail below.

Meeting all Housing Needs and the Qualitative Nature of the Supply

4.50 The Council's proposition to intentionally suppress a housing requirement to just 214 dpa represents a clear disregard for meeting a wide range of housing needs, particularly affordable housing.

4.51 The Appellant's evidence is that although the Council have exceeded a now out of date housing target (which in of itself is set as a minimum housing requirement):

- Over the Plan period the Council has achieved the **net delivery of 1,324 affordable dwellings**²⁰, an average of 78 affordable dwellings per annum. This is equivalent to **25% of average completions**, which falls below the Key Statement H3 requirement of 30% provision.
- The 2025 Affordable Housing Needs Assessment represents the evidence base document to support the development of housing policies relating to the emerging Ribble Valley Local Plan and is to be given most weight. The assessment was ironically published on the same month as the Council's 5YHLS Statement, showing that against a reduced housing requirement of just 214 dpa, the affordable housing needs in Ribble Valley have increased dramatically from 84 affordable dwellings per annum, as identified in the Core Strategy, to **230 affordable dwellings per annum**.
- Based on the Council's deliverable supply this will deliver at best 302 affordable dwellings²¹ over the next five years – just **60 affordable dwellings per annum** and **23% when compared against the Key Statement H3 requirement of 30%**. Our

²⁰ See Figure 4.2 of Affordable Housing Statement prepared by Tetlow King

²¹ $1,324 - 317 = 1,007 \times 30\% = 302$ affordable dwellings (2025-30) = 60 affordable dpa

Calculation discounts those sites in the RVBC supply which are not liable to affordable housing requirements: C2 Permissions (-76) + Allocation Sites (-8) + Full Planning (-8) + Under Construction (-10) + Small Sites (-215) = -317

assessment on supply suggests the delivery of affordable housing will be even lower.

- The deliverable supply of affordable housing will **only meet 26% of identified affordable needs**²² at a time when the Council are knowingly acting to suppress their housing requirement to just 214 dpa and the forward supply of new sites is clearly falling off a cliff in comparison to previous delivery rates over the Plan period. This is equally applicable to the delivery of accommodation to meet the needs of over 55's population to which further evidence will be presented at inquiry. The absence of any meaningful progress on the preparation of a New Local Plan beyond 2028 further undermines the Council's ability to address these acute housing needs.

4.52 Core Strategy Strategic Objective 2 (Para 3.12) states the need to '*To increase the supply of affordable and decent homes in the borough to help meet identified needs*'. The Council's continued failure to meet affordable housing needs is in this policy context a clear conflict with SO2.

4.53 SO2 is inextricably linked to housing delivery across the Borough which is underpinned by Key Statement H1. While the Council assert that they have delivered a numerical quantum of housing completions, in this policy context, the Council's continued failure to meet affordable housing needs represents a clear policy conflict with the Plan as a whole. The Council is therefore knowingly ignoring the affordable element of delivery which has real world consequences.

4.54 In the same month the Council published its latest Five Year Supply Statement and introducing oversupply reduction to its future supply, it also published an Affordable Housing Needs Assessment (May 2025) which identifies a stark increase in affordable housing needs within the borough of 230 dwellings per annum. The Council's 5YHLS methodology is therefore inherently misaligned to this evidence base and will demonstrably fail to deliver anywhere near the level of affordable housing required for Ribble Valley.

4.55 Further, it is put forward by the Appellant that the qualitative nature of the supply, based on the Council's own evidence, should be questioned as summarised in Table 4 below:

²² $305 / (230 \times 5) \times 100 = 26\%$

Table 4: Summary of qualitative assessment into the Council's deliverable supply

Indicator	Total
Site Allocations delivery	177 dwellings (13% of the total deliverable supply)
Windfall allowance	1,147 dwellings (87% of the total deliverable supply) ²³
Small site allowance (<10 dwelling schemes)	232 dwellings ²⁴ (18% of the total deliverable supply)
Affordable housing (dwellings/ %)	302 dwellings (23% of the deliverable supply)
Located within other Tier 1 and Tier 2 Villages	154 dwellings (12% of the deliverable supply)
Dwellings permitted in Langho	0 dwellings

4.56 The qualitative assessment raises a wide range of concerns but most principally an increased reliance on windfall allowance which does not represent a robust basis for a forward supply. The supply currently relies on a significant number of landowners and developers which adds greater complexity and risk.

4.57 The deliverable supply is of a relatively weak composition and will evidently not meet a wide range of needs, in accordance with Strategic Objectives and NPPF Paragraph 63. This is particularly prevalent on affordable housing and older person housing needs. In this context, the Council should be seeking to bolster their supply as opposed to suppressing their housing requirement so significantly.

4.58 It is also telling that despite being the most sustainable of the 32 defined settlements, there remains a complete absence of any development forecasted within Langho over the next five years. The spatial growth of development within Langho in the context of other settlements within Ribble Valley is considered separately within the Statement of Case.

The Need to Address both 5YHLS and the HDT

4.59 Beyond 5YHLS requirement there is the requirement of the Housing Delivery Test (HDT) which is separate but complementary to the requirement for a 5YHLS introduced to ensure consistency of delivery to meet local needs.

²³ Calculation (large windfall sites (397) + small windfall sites (265) + windfall allowance (183) = 845 dwellings/ 1504 dwellings x100 = 56%

²⁴ Including small sites which are included as committed sites in the 5YHLS

4.60 Failure to meet either test triggers the application of the 'tilted balance'. The Council's own supply calculation would deliver 65% of its HDT requirement based on Standard Method²⁵, and therefore unanswerably Ribble Valley would fail the HDT, engage the tilted balance and subsequently require an Action Plan to remedy the shortfall. This in itself demonstrates the flaws of this approach and inconsistencies with NPPF.

4.61 For reference, this matter was tackled in the appeal decision at Rascals Farm, Shipley Road, Southwater²⁶:

'I am cognisant that the Council have significantly exceeded the number of homes required under the Housing Delivery Test (the 'HDT'). However, this is a measure of housing delivery, as opposed to housing supply. Despite the Council's good track record when assessed against the HDT, the supply of deliverable housing sites within the District has fallen below five years. In such circumstances, the tilted balance contained in paragraph 11(d) of the Framework is engaged.'

4.62 There is a clear distinction between supply and delivery. To rely on historic delivery to suppress an established current need figure for an immediate future period will go no way to meeting the evidenced requirement for housing within a defined area. From a real-world perspective, it is simply of no use to those requiring a home either on the open market or for affordable tenure now and disregards the fact that housing needs are a 'flow' rather than 'snapshot' reflecting the real-world dynamic situation of existing households falling into need as their circumstances change and new households forming.

4.63 The absence of guidance on oversupply is irrelevant as the introduction of HDT in 2018, alongside the Standard Method, makes clear the time horizon Government are willing to accept for housing delivery records.

4.64 The HDT explicitly 'rewards' those LPAs which over deliver/exceed annual or rolling minimum targets (in the words of the Council), as the three-year period allows for fluctuations year on year.

4.65 The introduction of the HDT represents a significant change to Government policy since the adoption of the Ribble Valley Core Strategy (RVCS) in 2014 and it is telling that the Government do not provide any incentives for exceeding targets. Instead, there are

²⁵ $214/327 \times 100 = 65\%$ (inc. 5% buffer)

²⁶ Rascals Farm, Shipley Road, Southwater (Appeal Ref: APP/Z3825/W/20/3257700) - Para. 115

clear repercussions for those that under deliver, namely Action Plans and engagement of the 'tilted balance'.

- 4.66 In the context of the NPPF and national objective to significantly boost the supply of housing, this is achieved by delivering in tandem the two policy tests – 5YHLS and HDT. These policy tests cannot be divorced from one another, otherwise this will fail to deliver on the identified national objective of the planning system. The Council's proposition therefore introduces a tension that cannot be resolved in that it will intentionally suppress the forward supply of sites.

The Need to Maintain a Strong, Forward Looking Supply up to and Beyond 2028

- 4.67 It is noted that the five-year supply runs to 31st March 2030, at which time the Plan period for the RVCS will have ended well before in March 2028.
- 4.68 Notwithstanding this, the need for housing will not stop at the end of the Plan period or the five-year period. Indeed, there must be continuity of supply extending beyond 2030 however there is only an identified supply of 274 dwellings within the Council's 'large sites trajectory'²⁷ beyond the current five-year period.
- 4.69 The standard method demonstrates that the housing requirement in Ribble Valley must be significantly increased on the basis of the local housing need figure which will extend beyond 2030. The Council's proposition will intentionally lead to an undersupply which will need to be made up over the next plan period. This does not provide a strong basis for a new plan but is precisely what the Council are planning for.
- 4.70 This is significant as there has been no material progress to date on the emerging Local Plan to replace the RVCS, with the Council already falling behind their revised timeframes in the March 2025 Local Development Scheme, suggesting further delays to the plan-making process²⁸.
- 4.71 For the above reasons, planning permission must be granted now to maintain a continuity of supply up to and beyond 2028.
- 4.72 Furthermore, with the Plan period shortly expiring in 31st March 2028 and with no active progress being made on a new Local Plan, there is no basis for the Council to suggest that an allowance of past 'over-delivery' against an out of date housing target, can then continue to be relied upon to artificially reduce the annual housing requirement

²⁷ RVBC 5YHLS Statement (2025) - Appendix B

²⁸ Local Development Scheme 2025 (Appendix 2 - LDS Timetable)

for those years beyond the Plan period. It is unanswerable that for those years beyond the Plan period (2028-2030) this can only rely upon the full LHN figure.

4.73 The Council's use of oversupply and proposition that this can be spread out across the entire five-year period (2025-30) cannot be justified and demonstrates the lack of methodological rigour being applied by the Council in their 5YHLS assessment.

4.74 A revised assessment using the Council's own supply evidence has therefore been calculated on the basis (see Table 4) that even if a determination is made that oversupply can be applied in this circumstance, then this can only be deducted from the forward-looking requirement over the remaining years of the Plan period (2025-2028).

4.75 The Council's approach is therefore at odds with a strict interpretation of national policy and should therefore not be accepted on that basis.

4.76 Those reasons are as follows:

- The wording of Key Statement H1 is explicit that the housing target does not represent a ceiling and is to be achieved by an annualised average requirement to deliver at least 280 dwellings each year. This strategic housing requirement has been found to be plainly out of date and without review since adoption of the Plan in 2014 following which there have been highly material change in circumstances at a national policy level seeking to significant boost housing delivery.
- The exceedance of a minimum requirement does not therefore constitute 'oversupply' especially in the national context of significantly boosting the supply of housing land in the midst of a housing crisis. If the Council's proposition was accepted, then one would only deliver the absolute minimum required which is contrary to the NPPF.
- The Council's deliverable supply, based on their own evidence, will continue to result in a shortfall of affordable housing and is being suppressed to 26% of actual identified needs (based on a revised assessment published at the same time as the 2025 5YHLS Statement). This approach represents a clear policy conflict with the Strategic Objectives²⁹ and the plan as a whole.

²⁹ Ribble Valley Core Strategy (2014) - Para 3.12

- There is a clear need to ensure the strong delivery of housing up to and beyond 2028 in order to provide a robust basis for the emerging Local Plan. The Council's proposition will only stall housing delivery and result in a significant shortfall that will need to be captured under a new plan.

4.77 In order to deliver the national imperative of significantly boosting the supply of housing (as emphasised by relevant appeal decisions), national planning policy sets out the relevant tests for housing land supply and delivery which should work in parallel.

4.78 Chiefly, the introduction of the Standard Methodology which derives the Council's LHN figure (as accepted by the Council) already 'bakes in' previous years of delivery into the calculation of local housing need through the affordability uplift (and its supporting indicators such as the five-year average affordability ratios).

4.79 Indeed, the HDT is deemed to be critical to the Council's case in that it sets a three-year delivery period and **not** backdating to the start of the Plan period.

4.80 Accordingly, it is concluded that there are clear reasons and material considerations as to why the 5YHLS in Ribble Valley should not be calculated on the basis of an artificially reduced housing requirement which factors in 'oversupply' over the Plan period.

4.81 Should a different judgement be reached, then self-evidently, such an allowance cannot be justified beyond the end of the Plan period which expires on 31st March 2028. The Council's proposition on their annual requirement will therefore need to be adjusted in any event, where at best the oversupply should only be factored into housing land supply calculations for years 1-3 as set out in the accompanying calculations.

5.0 ISSUE 2 – What is the Council’s deliverable housing supply?

- 5.1 The Council's assessment on the deliverable supply of housing land between 1st April 2025 to 31st March 2030, is set out in the latest Five Year Housing Supply Statement which considers that 1,324 dwellings are deliverable.
- 5.2 Taking note of the definition of 'deliverable' set out under NPPF and PPG, the Appellants' assessment of the deliverable supply position in Ribble Valley is that **1,017 dwellings** will be delivered over the next five-year period, a total reduction of **307 dwellings** against the Council's latest position.
- 5.3 This position is summarised in Table 5 below.

Table 5: Summary on Ribble Valley Council's Deliverable Supply

Deliverable Supply (2025-30)	Appellant's Position	RVBC's Position	Difference
C2 Permissions	76	76	0
Allocation Sites	107	177	-70
Full Planning Sites	82	85	-3
Outline Planning sites ³⁰	0	41	-41
Under Construction & Commenced	596	730	-134
Small Sites ³¹	156	215	-59
Deliverable Supply	1017	1324	-307

- 5.4 A summary of sites which are disputed sites is set out below:

Council Evidence Base Ref	Site Address	Consented/ Capacity (net)	RVBC 5YHLS	Appellant 5YHLS	Difference (+/-)
Allocated Sites					
EV52	Land at Highmoor Farm	100	75	0	-75
Sites with Full Planning Permission					
EV47	Land at Accrington Road, Whalley	74	77	74	-3

³⁰ Note that the above addresses a point of consistency in the RVBC Supply Statement 2025 which includes Site Allocation HAL 5 - Highmoor Farm as an outline commitment. This has now been included in the Allocation Sites.

³¹ RVBC assume a 43dpa allowance between 2025-30 based on small site completions between the period of 01.04.2015 - 31.03.2025. The Appellant's position on small site windfall allowances is set out below.

Sites with Outline Planning Permission					
EV14	Standen – Phases 5 and 6, Land at Higher Standen Farm & Part Littlemoor Farm	386	41	0	-41
Sites Under Construction or Commenced					
EV6	Spout Farm, Preston Road	2	2	0	-2
EV10	Standen Phases 2,3 & 4; Land at Pendle Road	294	294	250	-44
EV19	Land SW Barrow & West of Whalley Road, Barrow – Parcel B	2	2	0	-2
EV37	Chipping Lane, Longridge – Phase 1	124	5	0	-5
EV39	Land West of Preston Road, Longridge	268	95	67	-28
EV58	Land at Neddy Lane, Billington	36	17	11	-6
EV59	74 Higher Road and land to the rear, Longridge	123	122	75	-47
Disputed Sites (Sub-total)			730	477	-253

5.5 An individual assessment of each site is summarised below drawing upon my review of the Council's evidence base and observations made through multiple site visits. It should be noted that a Freedom of Information Request has been submitted to the local authority to secure the dates upon which Completion Notices have been issued on these sites to verify the observations made during site visits.

5.6 In addition, the Council's assumptions on small windfall sites and their contribution to the deliverable supply are also challenged.

Allocated Sites

Land at Highmoor Farm, Clitheroe (Council Ref: EV52; Allocation Ref HAL5)

5.7 The site has been assessed against the definition of 'deliverable' under the NPPF which states that '*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*' [NJL emphasis]. For those housing allocations which do not have detailed planning permission, the definition adds

that sites 'should only be considered deliverable where there is **clear evidence** that housing completions will begin on site within five years'.

- 5.8 The site is allocated (ref: HAL5) for residential development in the RVBC Housing and Economic Development DPD (2019) with an indicative capacity of 100 dwellings. Outline planning permission ref: 3/2020/0601 was granted in February 2023 for 125 dwellings. There has been no Reserved Matters submission pursuant to the approved Outline planning permission.
- 5.9 The Council point to limited evidence provided by the planning agent representing the landowners that suggests completions will come forward from 2027/28 averaging at a build rate of 25 houses per annum. The Council assert that on this basis 75 dwellings should be accounted for in the 5YHLS.
- 5.10 The Council's trajectory for the site is unrealistic. There is no evidence of a developer attached to the site nor that there has been any further progress made since the grant of permission on 8th February 2023. Indeed, there is now less than 4 months until the outline planning permission lapses unless a Reserved Matters application is submitted beforehand. The lack of progress made in disposing of the site to a developer to bring forward a detailed scheme, or any evidence of public consultation or ongoing pre-application discussions with the Council, leads to the conclusion that this deadline will not be met.
- 5.11 From a technical perspective the proposed access strategy off Highmoor Park is particularly constrained in terms of land ownership and is wholly reliant upon Council owned land to facilitate this primary access point. This would strongly suggest a ransom scenario which has evidently frustrated the delivery of the site moving any further than the outline stage.
- 5.12 The Council has not provided clear evidence of firm progress being made towards the submission of a Reserved Matters planning application (or a new detailed planning application). The Council has not provided a written agreement with a developer confirming their anticipated start and build-out rates align with those proposed by the Council. It is also not known who the developer(s) would be.
- 5.13 In the context of the Annex 2 definition set out in the NPPF, the site is not considered deliverable in the five-year period, and **75 dwellings** should be removed from the Council's supply figure.

Sites with Full Planning Permission (not under construction)

Land at Accrington Road, Whalley (Council Ref: EV47)

- 5.14 The Council's evidence base (ref: EV47) notes that the site benefits from an extant planning permission for 77 dwellings. More specifically, an outline planning permission (3/2012/0179) and reserved matters approval (3/2016/0344) for residential development for the elderly (people aged over 55) comprising 37 no. bungalows and 40 no. retirement apartments in three linked two storey buildings.
- 5.15 The Council point to information from the agent suggesting delivery could start from 2026 and the authority considers completions from 2027/28 at a rate of 20 completions per year to be a reasonable estimate.
- 5.16 The site has since been the subject of a planning appeal (ref: APP/T2350/W/25/3368139) by a different developer (Oakmere Homes) which was allowed in October 2025 for detailed planning permission for 74 dwellings.
- 5.17 The site is therefore under the control of a new developer who are clearly looking to progress on the basis of a different planning permission which now proposes a minor reduction in dwelling numbers. There is clear evidence that the extant permission, which has seen limited progress since the lawful implementation in 2018, will not be progressed.
- 5.18 Accordingly, **3 dwellings** should be removed from the supply.

Sites with Outline Planning Permission

Standen – Phases 5 & 6, Land at Higher Standen Farm & Part Littlemoor Farm (Council Ref: EV14)

- 5.19 Our assessment upon achievable build rates at Higher Standen Farm are tempered down to 50 dpa which balances the scale of the site and opportunity for multiple outlets, along with the constrained size of the local housing market to accommodate a higher level of market absorption.
- 5.20 Accordingly, the anticipated completion of Phases 2, 3 and 4 is not until 2030/31 hence the ability to commence on these latter phases is not achievable before that date.
- 5.21 A reserved matters application for phases 5 & 6 comprising 265 dwellings was submitted on 24 March 2020 and is still pending determination now five years on. There is no clear evidence for inclusion in the supply.

5.22 Therefore, no units should be accounted for in the 2025-30 period – a reduction of **41 dwellings** from the Council's supply.

Sites Under Construction or Commenced

Standen Phases 2,3 & 4; Land at Pendle Road, Clitheroe (Council Ref: EV10)

5.23 The Council assert that all 294 dwellings consented for Phases 2 – 4 at the site will be delivered in the five-year period. Whilst the rate of completions over the last two monitoring years has ranged between 55 dpa to 65 dpa, the rate of delivery observed this year based on site visit observations identifies 10 completions between the period of May to November 2025 suggesting a tempering in build rate. This is likely due to Phase 1 now being fully completed and Phase 2 similarly nearing completion (with 19 plots remaining as of the November 2025 site visit). Therefore, the ability for Taylor Wimpey to build from two outlets east and west of the primary spine road, at least for the foreseeable, is not possible until additional road infrastructure is continued through the site.

5.24 My assessment upon achievable build rates at Higher Standen Farm are therefore tempered accordingly down to 50 dpa resulting in 250 completions over the five-year period. This also takes into account the scale of the site and opportunity for multiple outlets, along with the constrained size of the local housing market to continue to maintain a high level of market absorption.

5.25 Taking the above analysis, a reduction of **44 dwellings** is taken from the supply.

Land West of Preston Road, Longridge (Council Ref: EV39)

5.26 The site has planning permission following reserved matters approval 3/2018/0105 in May 2018 for 275 dwellings. Development is underway with Tilia Homes on site. The Council suggest that there are 95 dwellings still to be constructed as of the date of the 2025 5YHLS Statement.

5.27 A site visit was conducted by on 5th September 2024, confirming that 97 dwellings remain under construction on the site. As a result, NJL added these 97 dwellings to the supply, with a build-out rate of 30 dwellings per annum from the 2024/25 to 2026/27 monitoring years, and the final 7 dwellings to be delivered in the 2027/28 monitoring year.

5.28 Data on the issuing of Completion Notices by the Council confirms this build rate assumption. Between 1st April 2024 site visit to 31st March 2025 there were 33 completions.

- 5.29 A further site visit was therefore undertaken on 4th November 2025 which confirmed 55 plots were remaining. This evidence corroborates the NJL forecasted rate of delivery from the 2024 site visit and represents a more accurate assessment on progress being made on site.
- 5.30 Given the site visit evidence, the Council's assumption that 95 dwellings remained to be completed as of April 2025 represents a significant over-estimate and inaccurate assessment. For this to be accurate the developer (Tilia Homes) would need to have completed 40 dwellings in the past 6-7 months from April 2025 to November 2025 which demonstrably is not a feasible build rate based on this local housing market and rates previously achieved on this site.
- 5.31 It is asserted that only 67 dwellings should be allowed in the supply resulting in a deduction of **28 dwellings** from the Council's own assessment.

Land at Neddy Lane, Billington, Clitheroe (Council Ref: EV58)

- 5.32 Full planning permission (ref: 3/2021/0205) was granted in October 2022 for 36 dwellings with clear evidence of development having commenced on site. The Council suggest that the site remains to be completed with 17 dwellings to be completed within the next five years.
- 5.33 A site visit was undertaken on 30th May 2025 which confirmed there were in fact 11 plots which were yet to be completed. A single dwelling was observed as being sold with the remaining 25 dwellings occupied. My analysis includes the single dwelling as completed given that it has formally sold, however the Council have over-estimated the number of remaining completions to come forward over the next five years.
- 5.34 Accordingly, **6 dwellings** should be removed from the supply.

74 Higher Road and land to the rear, Longridge (Council ref: EV59)

- 5.35 Whilst a developer is attached to the site (Onward Homes) and a technical start on site has been made, there have been apparent delays since the grant of Reserved Matters approval in May 2022. Demolition and site preparation works are still required with evidence that the existing dwelling remains in-situ – this was again verified on the 4th November 2025 site visit.
- 5.36 The Council have failed to provide clear evidence to suggest that housing completions will come forward in the monitoring year 25/26. Allowing for a commencement of site

demolition, opening up and enabling works (12-month period) within the current monitoring year (i.e. by 31st March 2026) the earliest for the first housing completion will not be until 2027/28.

5.37 Allowing for a conservative build rate of 25dpa the site will deliver (at best) 75 dwellings over the five-year period resulting in a reduction of **47 dwellings** from the supply.

Other Completed Sites

5.38 The following sites have been included by the Council in deliverable supply despite evidence from a site visit undertaken on 30th May 2025 confirming that these developments have been fully built out. It therefore follows that they cannot be relied upon over the five-year period and should be removed:

- Spout Farm, Preston Road (2 dwellings);
- Land SW Barrow & West of Whalley Road, Barrow – Parcel B (2 dwellings); and
- Chipping Lane, Longridge – Phase 1, Longridge (5 dwellings).

5.39 Accordingly, a total of **9 dwellings** should be removed from the supply.

Small Windfall Sites

5.40 Paragraph 75 of the NPPF confirms that local authorities may apply a windfall allowance, but that there should be compelling evidence to show this as a reliable source of supply taking account of historic delivery rates and expected future trends.

5.41 Small sites completions are provided at Table 6 from the 2025 5YHLS:

Table 6: Past completions from small windfall sites (2015-2025)

Year	Total Dwellings	Small Site Dwellings
1 st April 2015 – 31 st March 2016	300	60
1 st April 2016 – 31 st March 2017	390	63
1 st April 2017 – 31 st March 2018	400	54
1 st April 2018 – 31 st March 2019	412	53
1 st April 2019 – 31 st March 2020	559	45
1 st April 2020 – 31 st March 2021	453	31
1 st April 2021 – 31 st March 2022	499	38
1 st April 2022 – 31 st March 2023	546	41
1 st April 2023 – 31 st March 2024	349	17
1 st April 2024 – 31 st March 2025	333	29
Total (2015-2025)	4241	431
Average per year (2015-2025)	424	43

		(215 allowance for 5YHLS)
NJL Total (2020-2025)	2180	156
NJL Average per year (2020-2025)	436	31.2 (156 allowance for 5YHLS)

- 5.42 The Council has provided no information that may inform expected future trends. Historic delivery evidence over the past ten years shows a declining trend in delivery of small sites over the past decade which was already occurring prior to the pandemic.
- 5.43 In accordance with Paragraph 75 of the NPPF, whilst there is evidence that small sites are a reliable source of supply there is no justification for the Council to rely upon a period that goes beyond the past five years.
- 5.44 There is limited identified supply in the Council's Brownfield Register with only two sites identified, with only one of those sites benefitting from planning consent which is for 5 dwellings (and would reasonably fall within the category of small sites allowance). The incremental nature of this does not alter my assumption on small site completions.
- 5.45 Accordingly, the figure of **156 dwellings** for the 5-year period is considered more realistic and reasonable at the current time.

6.0 The Five Year Housing Land Supply Position

- 6.1 There have been a number of relevant planning appeal decisions which have addressed the definition of 'deliverable' in the NPPF. These decisions have been considered to provide additional context for informing those sites which should be included within the five year housing land supply position.
- 6.2 Following the landmark decision at Woolpit³² it is made clear that the onus is on the Council to **provide** clear evidence of deliverability for category (b) sites.
- 6.3 It is important to note that since the adoption of the Core Strategy in 2014, RVBC have failed to undertake a review of the Local Plan against the backdrop of significant planning policy reform.
- 6.4 Separate to the calculation of 5YHLS, the Housing Delivery Test (HDT) represents a further policy measure implemented by Government to assess the annual measurement of housing delivery performance within local planning authorities. The PPG³³ states that where local authorities fail to deliver at least 85% of the housing requirement over the previous three-year period, a 20% buffer should be applied. If delivery exceeds this 85% level over the three-year period, a 5% buffer is appropriate.
- 6.5 In the case of Ribble Valley, the HDT identifies that there has been over delivery in the past three years. A 5% buffer has therefore been applied to the five-year requirement with the latest HDT result for 2023 summarised below in Table 7:

Table 7: Calculation of Ribble Valley's 2023 HDT Measurement

Period (Year)	RVBC Number of Dwellings Completed
2021/22	499
2022/23	546
2023/24	349
Total Completions 2021 - 2023	1,394
Housing Requirement 2021 - 2023	840
HDT Result %	165%

³² Appeal Ref: APP/W3520/W/18/3194926 - Land on east side of Green Road, Woolpit

³³ Paragraph: 034 Reference ID: 68-042-20241212

- 6.6 It is accepted by both parties that should the Inspector find that the allowance of oversupply of housing land is not permissible in this case, then regardless upon the assessment of deliverable supply, the Council are unable to demonstrate a five-year housing land supply.
- 6.7 It is only in a single, limited scenario where oversupply is allowed to be deducted from the forward LHN housing requirement, and an acceptance of the Council's deliverable supply, where RVBC can demonstrate a 5YHLS. Even then it is an incredibly marginal position at just 5.1 years (an exceedance of only 29 dwellings).
- 6.8 Table 8 provides a summary of the available scenarios on the basis of the outcome of consideration of appropriateness of oversupply in determining the appropriate housing requirement as well as the outcome of assumptions in relation to sites being delivered within the defined supply.

Table 8: Summary of Five-Year Housing Land Supply Calculation

Deliverable Supply	With 'Oversupply'		Without 'Oversupply'	
	Appellant 2025 -2030	RVBC 2025 -2030	Appellant 2025 -2030	RVBC 2025 -2030
C2 Permissions	76	76	76	76
Allocation Sites	107	177	107	177
Full Planning Sites	82	85	82	85
Outline Planning sites	0	41	0	41
Under Construction & Commenced	596	730	596	730
Small Sites	156	215	156	215
Deliverable Supply	1017	1324	1017	1324
Annual Requirement	259	259	311	311
Five Year Requirement	-	-	1555	1555
+ 5% buffer	1,295	1,295	1633	1633
5YHLS Position (Years)	3.9	5.1	3.1	4.1
Surplus/ shortfall	-278	29	-616	-309

- 6.9 This Statement has considered the full merits and implications for making an allowance on oversupply, as a means of suppressing future housing requirements in Section 4, having taken into account various appeal decisions, case law, and the wider context for housing delivery in Ribble Valley to inform our planning judgement. The Appellant's firm conclusion is that such an approach is wholly contrary to an interpretation of both national and local policy, is at odds with the national imperative of the planning system to significantly boost the supply of housing and would further undermine the delivery of market, affordable and older persons housing in Ribble Valley.
- 6.10 The Appellants' position is set out in Table 9 which is based upon our firm conclusion that the housing requirement for Ribble Valley is the local housing need figure.

Table 9: Summary on NJL Assessment of RVBC 5YHLS Position

	Housing Requirement	
A	RVBC Local Housing Need	311
B	Local Housing Need for 1st April 2021 to 31st March 2026	1,555
	Including Buffer	
C	5% Buffer based on Housing Delivery Performance [B*0.05]	78
D	Total Housing Requirement for 1st April 2021 to 31st March 2026 [B+C]	1,633
E	<u>Annual Housing Requirement [D / 5]</u>	<u>327</u>
	Housing Supply	
F	C2 Permissions	76
G	Site Allocations	107
H	Large sites with Full Permission (not yet commenced)	82
I	Large sites with Outline Permission	0
J	Large sites under construction/ commenced	596
K	Small sites windfall allowance	156
L	<u>Total Deliverable Supply</u>	<u>1,017</u>
M	Housing Land Supply Shortfall	-616
N	5YHLS Position (years)	3.1

- 6.11 Having scrutinised the Council's deliverable supply, it is concluded that the Council's five-year housing land supply position is **3.1 years**.
- 6.12 The matter of giving weight to the benefit of new housing development in reducing or overcoming a shortfall against the requirement for a five-year supply of housing land, remains one of planning judgement.

6.13 It is concluded that the magnitude of this shortfall and the associated benefits to the provision of new housing development, which would help to reduce the Council's shortfall in the five-year housing land supply, should be afforded **substantial weight**.

DRAFT