

Summary Proof of Evidence of Ben Pycroft BA(Hons), Dip TP, MRTPI in relation to Housing Land Supply

For Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dean, N P Giles and A L C Broadberry | 23-47

Residential development of up to 230 dwellings at OS Parcel 1570 adjoining and west of Chilgrove Drive and north of Camp Road, Heyford Park (LPA refs: 21/04289/OUT and 23/00089/REF, PINS ref: APP/C3105/W/23/3326761)

**Project:** 23-472

**Site Address:** OS Parcel 1570 adjoining and west of Chilgrove Drive and north of Camp Road,  
Heyford Park

**Client:** Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dean, N P Giles  
and A L C Broadberry

**Date:** 06 November 2023

**Author:** Ben Pycroft

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# 1. Introduction

- 1.1 This summary proof of evidence is submitted on behalf of Richborough Estates, Lone Star Land Ltd, K and S Holford, A and S Dean, N P Giles and A L C Broadberry (i.e. the Appellants) in support of their appeal against the failure of Cherwell District Council to determine within the relevant timescales an outline planning application for:

“the erection of up to 230 dwellings, creation of new vehicular access from Camp Road and all associated works with all matters reserved apart from Access”

at OS Parcel 1570 adjoining and west of Chilgrove Drive and adjoining and north of Camp Road, Heyford Park (LPA refs: 21/04289/OUT and 23/00089/REF, PINS ref: APP/C3105/W/23/3326761).

- 1.2 This summary and my main proof of evidence address matters relating to the Council’s five year housing land supply (5YHLS). They should be read alongside the proof of evidence of David Bainbridge, which addresses all other planning matters in relation to this case.
- 1.3 I have addressed the Council’s 5YHLS within the context of the current Framework. Should a revised Framework be published prior to the determination of the appeal, then I respectfully request the opportunity to submit further evidence in relation to 5YHLS on behalf of the Appellants.
- 1.4 The base date of the Council’s current 5YHLS position is 1<sup>st</sup> April 2022. At the Case Management Conference (CMC) on 4<sup>th</sup> October 2023, the Council explained that it was working on a new 5YHLS position statement (base date 1<sup>st</sup> April 2023) but it was unlikely that this would be available until early 2024. The Council has not shared any of the information in relation to the draft Housing Land Supply Statement (HLSS) with the Appellant. I asked the Council for the completions data over the period 2022-23, but it declined to provide that information to me. Should the Council produce a new 5YHLS position statement before the appeal is determined then I respectfully request the opportunity to comment on it on behalf of the Appellants.

## Qualifications

- 1.5 I am Benjamin Michael Pycroft. I have a B.A. (Hons) and a postgraduate diploma in Town Planning from the University of Newcastle-upon-Tyne and am a member of the Royal Town Planning Institute. I am a Director of Emery Planning, based in Macclesfield, Cheshire.
- 1.6 I have extensive experience in dealing with housing supply matters and have prepared and presented evidence relating to five year housing land supply calculations at several Local Plan examinations and over 50 public inquiries across the country.



- 1.7 I understand my duty to the inquiry and have complied, and will continue to comply, with that duty. I confirm that this evidence identifies all facts which I regard as being relevant to the opinion that I have expressed, and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion. I believe that the facts stated within this proof are true and that the opinions expressed are correct and comprise my true professional opinions which are expressed irrespective of by whom I am instructed.
- 1.8 I provide this summary, my main proof of evidence and a set of appendices. I also refer to several core documents and the Statement of Common Ground (SoCG) in relation to housing land supply.

## Background

- 1.9 Until it published its Housing Land Supply Statement (HLSS)<sup>1</sup> in February 2023, the Council accepted that it could not demonstrate a 5YHLS by a significant margin. The 2021 Authority Monitoring Report (AMR)<sup>2</sup> explained that the 5YHLS at 1<sup>st</sup> April 2021 was 5,826 dwellings, which against the adopted housing requirement (for Cherwell without including any of Oxford's unmet needs) of 1,142 dwellings per annum, the shortfall against this figure since the base date of the plan period and a 5% buffer equated to 3.8 years. It projected that at 1<sup>st</sup> April 2022 the deliverable supply would be 5,460 dwellings (3.5 years). As a result, the Council accepted that the tilted balance to the presumption in favour of sustainable development as set out in paragraph 11d of the Framework applies.
- 1.10 The position at 1<sup>st</sup> April 2021 AMR followed the acceptance by the Council at 1<sup>st</sup> April 2019 and 1<sup>st</sup> April 2020 that it could not demonstrate a 5YHLS in those years either. Indeed, at 1<sup>st</sup> April 2018, the Council claimed it could demonstrate a deliverable supply of 5.0 years (a surplus of just 14 dwellings). Housing delivery and supply have been significantly lower than that expected in the Cherwell Local Plan 2011 – 31 Part 1 (adopted 2015)<sup>3</sup>.
- 1.11 In February 2023, the Council then produced a new HLSS, which claims that the deliverable supply at 1<sup>st</sup> April 2022 in Cherwell (excluding sites allocated in the Partial Review to meet Oxford's unmet needs) is 4,244 dwellings. Whilst this is significantly lower than the claimed supply at 1<sup>st</sup> April 2021 and the projected supply at 1<sup>st</sup> April 2022 as set out in the 2021 AMR, the HLSS claims this equates to 5.4 years. This is because the HLSS assessed its housing land supply against the local housing need figure, which is

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<sup>1</sup> Core document **I1**

<sup>2</sup> Core document **I6**

<sup>3</sup> Please see section 3 of my proof of evidence.



significantly lower than the plan-led housing requirement of 1,142 dwellings per annum. The HLSS explains the local housing need at 1<sup>st</sup> April 2022 is 742 dwellings per annum<sup>4</sup>.

- 1.12 In addition, the HLSS provides a separate calculation of the deliverable supply from 6 sites allocated in the Partial Review against the adopted housing requirement to meet Oxford's unmet housing need in Cherwell. At 1<sup>st</sup> April 2022, the Council claims that this equates to just 0.2 years against the stepped requirement plus shortfall and a 5% buffer. This position was significantly worse than that set out in the 2021 AMR, which also provided a separate calculation for Oxford's unmet housing need which equated to 3.3 years at 1<sup>st</sup> April 2021 and predicted 3.5 years at 1<sup>st</sup> April 2022. Again, housing delivery and supply have been significantly lower than expected in the Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need<sup>5</sup>.
- 1.13 For the avoidance of doubt, the HLSS is not an "Annual position statement" as defined in the Annex to the Framework on page 65. The Council's approach to its 5YHLS has not been "confirmed" by either of the routes to do so as set out in paragraph 75 of the Framework.
- 1.14 In May 2023, evidence was exchanged in relation to an appeal made by Firethorn Developments Ltd against the decision of Cherwell District Council failure to determine within the relevant timescales an outline planning application for up to 530 dwellings at land north west of Bicester, Charlotte Avenue, Bicester<sup>6</sup>. As part of its case, the Appellant challenged the Council's 5YHLS in relation to the deliverable supply and the Council's approach in providing two separate calculations (one for Cherwell and one for Oxford's unmet housing need). Evidence on 5YHLS was submitted by both the Appellant in that case and the Council.
- 1.15 The Council explained that had it determined the appeal application within the prescribed period, it would have refused permission for five putative reasons. However, prior to the opening of the Inquiry on 6<sup>th</sup> June 2023, the Council confirmed that it no longer wished to defend any of the putative reasons for refusal. The main parties agreed that for the purposes of that appeal, the Council could demonstrate a 5YHLS and the Inspector found no reason to take an alternative view<sup>7</sup>. The submitted 5YHLS evidence was therefore not tested at that public inquiry, and the appeal was allowed on 25<sup>th</sup> July 2023. Nevertheless, I refer to the Council's submitted evidence for that appeal in this proof of evidence.
- 1.16 There are several current appeals where the Council's 5YHLS has been challenged:

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<sup>4</sup> The Council has subsequently changed its position and considers the local housing need at 1<sup>st</sup> April 2022 is now 710 dwellings per annum as I discuss in section 6 of my proof of evidence

<sup>5</sup> Please refer to section 3 of my proof of evidence

<sup>6</sup> PINS ref: 3315849 – 25<sup>th</sup> July 2023 – core document **M17**

<sup>7</sup> Please see paragraph 128 of the appeal decision



- Hayfield Homes' appeal at land north of Banbury Road, Finmere (PINS ref: 3309489) – a hearing took place on 17<sup>th</sup> October 2023. I was not involved. I understand that at the hearing the Appellant concluded that the Council could demonstrate a 5.03 year supply. In doing so, it did not challenge either the local housing need figure or whether Oxford's unmet housing need should be included in the calculation;
- Stoic Roofing and Construction and Abbeymill Homes' appeal at land to the rear of no.12 and south of the dismantled railway, Heath Close, Milcombe (PINS ref: 3325113) – a hearing took place on 18<sup>th</sup> October 2023. I gave the evidence on behalf of the Appellant in that case in relation to 5YHLS and refer to the 5YHLS evidence presented by the Council at the hearing in my proof of evidence;
- Abbeymill Homes' appeal at land adjacent to Wise Crescent, Fringford (PINS ref: 3324251) – a hearing is due to take place on 25<sup>th</sup> and 26<sup>th</sup> October 2023. I have provided the evidence on behalf of the Appellant in that case ;
- Rainier Development's appeal at Hempton Road, Deddington (PINS ref: 3324704) – a hearing is due to take place on 14<sup>th</sup> November 2023;
- Archstone Ambrosden Ltd, Bellway Homes Ltd and Rosemary May's appeal at land east of Ploughley Road, Ambrosden (PINS ref: 3327213) – a public inquiry is due to open on 22<sup>nd</sup> November 2023; and
- Deeley Homes' appeal at land north of Ells Lane, Bloxham (PINS ref: 3327581) – a hearing is due to take place on 6<sup>th</sup> December 2023.



## 2. Summary

### The Council's case on 5YHLS

2.1 As set out in the HLSS, the Council provides two calculations in terms of its 5YHLS:

- One calculation for Cherwell. This includes the sites in Cherwell (excluding those allocated in the Partial Review to meet Oxford's unmet housing need) against the local housing need for Cherwell and a 5% buffer; and
- A separate calculation for Oxford's unmet housing need. This includes the deliverable supply of sites allocated in the Partial Review to meet Oxford's unmet housing needs against the housing requirement set out in the Partial Review, the shortfall against that requirement since 1<sup>st</sup> April 2021 and a 5% buffer.

2.2 In doing so, the Council refers to policy PR12a of the Partial Review: *"Delivering Sites and Maintaining Housing Supply"*, which states *"The Council will manage the supply of housing land for the purpose of constructing 4,400 homes to meet Oxford's needs. A separate five year housing land supply will be maintained for meeting Oxford's needs"*<sup>8</sup>.

2.3 For the calculation for Cherwell (excluding Oxford's unmet housing need), the Council's position has changed from that set out in the HLSS for two reasons:

- Firstly, the Council now considers the local housing need in Cherwell at 1<sup>st</sup> April 2022 (excluding Oxford's Unmet Housing Need) is 710 dwellings per annum rather than 742 dwellings as set out in the HLSS; and
- Secondly, the Council now considers that the deliverable supply in Cherwell (excluding the sites allocated in the Partial Review to meet Oxford's Unmet Housing Need) at 1<sup>st</sup> April 2022 is 4,008 dwellings rather than 4,244 dwellings as set out in the HLSS.

2.4 Consequently, the Council now considers that the 5YHLS in Cherwell (excluding Oxford's unmet housing need) at 1<sup>st</sup> April 2022 is 5.37 years.

2.5 The Council's position in relation to the deliverable supply of the Partial Review to meet Oxford's unmet housing need has not changed from that set out in the HLSS. It maintains that the 5YHLS for Oxford's Unmet Housing Need is just 0.2 years.

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<sup>8</sup> Please see paragraphs 6.13 to 6.22 of the Council's Statement of Case





2.6 The Council's position is set out in the following table.

**Table 2.1 – Cherwell Council's Claimed 5YHLS Positions at 1<sup>st</sup> April 2022**

		Council's position as set out in the HLSS for Cherwell excluding Oxford's Unmet Housing Need	Council's revised position for Cherwell excluding Oxford's Unmet Housing Need	Council's position on Oxford's Unmet Housing Need
	<b>Requirement</b>			
A	Annual requirement	742	710	380 <sup>9</sup>
B	Undersupply to be addressed in 5YHLS period	0	0	340
C	Total 5YHLS requirement (A X 5 + B)	3,710	3,550	2,240
D	Total 5YHLS requirement plus 5% buffer	3,896	3,728	2,352
E	Annual requirement plus 5% buffer	779	746	470
	<b>Supply</b>			
F	Claimed supply (as set out in HLSS)	4,244	4,008	80
G	Supply in years (F / E)	<b>5.45</b>	<b>5.37</b>	<b>0.17</b>
H	Over / under supply (F – D)	<b>348</b>	<b>280</b>	<b>-2,272</b>

2.7 As explained in paragraph 3.1 of its statement of case, the Council does not consider that the tilted balance to the presumption in favour of sustainable development set out in paragraph 11d) of the Framework applies.

2.8 The Council's Statement of Case does not refer to the tilted balance being engaged due to the absence of a 5YHLS for Oxford's unmet housing need.

<sup>9</sup> i.e. 340 dwellings per annum 2022-26 and 540 dwellings per annum in 2026/27 = 1,900 / 5 = 380



## The Appellants' Case on 5YHLS

- 2.9 My proof of evidence demonstrates the following.
- 2.10 Firstly, both the Cherwell Local Plan 2011 – 31 Part 1 and the Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford's Unmet Housing Need have significantly failed and will fail to deliver the number of homes required over the period 2011 to 2031. Even on the Council's figures in its trajectories set out in the HLSS<sup>10</sup>, there will be a shortfall of housing against the housing requirement set out in the Cherwell Local Plan of 2,657 dwellings by 2031. In addition to this, there will be a shortfall of 2,440 dwellings against the requirement set out in the Partial Review for Oxford's unmet housing need by 2031. Therefore, on the Council's figures there will be a very significant shortfall against the adopted housing requirement of the Local Plan as a whole of **5,097 dwellings**.
- 2.11 Secondly, the local housing need in Cherwell at 1<sup>st</sup> April 2022 is **742 dwellings per annum**. Whilst it has not updated its HLSS, the Council claims that the local housing need at 1<sup>st</sup> April 2022 is now 710 dwellings per annum because it uses the annual household growth over the 10-year period starting in 2023 rather than 2022 and the affordability ratio published in March 2023 rather than that published in March 2022.
- 2.12 However, the base date for the 5YHLS calculation is agreed as 1<sup>st</sup> April 2022. This is the date that both the requirement and supply should relate. Paragraph 74 of the Framework requires the Council to identify both the deliverable supply and (in this case) the local housing need, which the supply is to be assessed against. The Framework does not support an approach where the local housing need is updated but the deliverable supply is not. In addition, the use of the affordability ratio published in March 2023 would result in a skewed assessment. This is because the housing completions between 1<sup>st</sup> April 2022 and the end of September 2022 influenced the affordability ratio published in March 2023 and therefore the supply in 2022/23 will be included in both the supply and will have influenced the need.
- 2.13 I refer to three recent appeal decisions in Malvern Hills which considered this issue in detail and concluded that consistency is required between the need and supply and the application of the March 2023 affordability ratio to a 5YHLS position at 1<sup>st</sup> April 2022 would result in an unbalanced assessment<sup>11</sup>.
- 2.14 The consequence of applying the local housing need figure of 742 dwellings per annum means that the Council's supply figures equate to 5.15 years in Cherwell (excluding Oxford's unmet housing need) and 0.2 years for Oxford's Unmet Housing Need<sup>12</sup>.

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<sup>10</sup> Core document **I1** – pages 11 to 20 (Cherwell) and page 21 (Oxford's unmet housing need)

<sup>11</sup> Core documents **M21** (paragraphs 36 to 42), **M22** (paragraphs 21 to 30) and **M23** (paragraph 51)

<sup>12</sup> Please see Table A in appendix **EP1**



- 2.15 Thirdly, the Council’s approach of providing separate 5YHLS calculations is inconsistent with the 2023 Framework. It is the Framework which sets out what a 5YHLS is, how it should be calculated and what the consequences of failing to demonstrate one are.
- 2.16 The Cherwell Local Plan 2011 – 31 Part 1 and the Cherwell Local Plan 2011 – 2031 (Part 1) Partial Review – Oxford’s Unmet Housing Need were both adopted under the 2012 Framework. Paragraph 47 of the (archived) 2012 version of the Framework explained that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their “*housing requirements*” (plural).
- 2.17 The 2023 Framework and associated guidance in the PPG do not set out that there should be separate 5YHLS calculations as the Council proposes; one for the need of an area and one for the unmet need of a neighbouring authority. Instead, paragraphs 61 and 66 of the Framework require local planning authorities to identify “*a housing requirement for their whole area*” which includes the local housing need using the standard method set out in the PPG. In addition to the local housing need, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for. This is also reflected in the associated guidance at paragraph 2a-010 of the PPG<sup>13</sup>. This policy was not included in the 2012 version of the Framework.
- 2.18 Paragraph 74 of the 2023 Framework then sets out the minimum requirement for Local Planning Authorities to demonstrate a 5YHLS against their “*housing requirement*” set out in adopted strategic policies or against the local housing need where the strategic policies are more than five years old. Further guidance is included in the PPG. Paragraphs 68-001<sup>14</sup>, 68-002<sup>15</sup> and 68-003<sup>16</sup> refer to the 5YHLS being a calculation against “*the planned housing requirement*”, “*a housing requirement*” and “*the housing requirement*”.
- 2.19 The 2023 Framework therefore clearly envisages one housing requirement which includes the local housing need for the area and any unmet need from neighbouring areas and it is this figure which the 5YHLS should be measured against.

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<sup>13</sup> Paragraph: 010 Reference ID: 2a-010-20201216: “*When might it be appropriate to plan for a higher housing need figure than the standard method indicates?*”

<sup>14</sup> Paragraph: 001 Reference ID: 68-001-20190722: “*What policies are in place to encourage local authorities to promote a sufficient supply of land for housing and support delivery?*”

<sup>15</sup> Paragraph: 002 Reference ID: 68-002-20190722: “*What is a 5 year land supply?*”

<sup>16</sup> Paragraph: 003 Reference ID: 68-003-20190722: “*What is the purpose of the 5 year housing land supply?*”



- 2.20 It is of note that the approach of a single housing requirement which comprises the need for the area and Oxford's unmet housing need is taken in the South Oxfordshire Local Plan. This plan was examined and adopted under the current wording of the Framework<sup>17</sup>.
- 2.21 Similarly, Cherwell itself proposes to abandon its approach to separate housing requirements and 5YHLS calculations in its emerging Local Plan. The Local Plan Review (Regulation 18) version which was consulted on between September and November 2023<sup>18</sup> proposes a single housing requirement which includes the need for Cherwell and Oxford's unmet housing need. Paragraphs 3.159 and 3.160 of the Local Plan Review (Regulation 18)<sup>19</sup> refer to the same wording as set out in paragraph 61 of the Framework as referred to above.
- 2.22 To be consistent with the current Framework, a single 5YHLS calculation should be made. In this case, the strategic policies of the Cherwell Local Plan 2011 – 31 Part 1 adopted July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016) are more than five years old, have been reviewed and found to require updating. Therefore, the component of the housing requirement which relates to Cherwell's needs should be replaced by the local housing need (of 742 dwellings per annum). However, the policies of the Cherwell Local Plan 2011-31 (Part 1) Partial Review – Oxford's Unmet Housing Need, adopted September 2020 are less than five years old and therefore 380 dwellings<sup>20</sup> should be added to the 742 figure. Taking the two components together, the total housing requirement for the district for the purposes of the 5YHLS calculation is 1,122 dwellings per annum<sup>21</sup>.
- 2.23 The same approach is used in Vale of White Horse District Council (Oxfordshire) where the strategic policies in its Part 1 plan are more than five years old, have been reviewed and found to require updating but the strategic policies in its Part 2 plan, which relate to Oxford's unmet housing need are less than five years old. As a result, Vale of White Horse calculate their 5YHLS against the total housing requirement for the district comprising of the local housing need for Vale of White Horse and Oxford's Unmet Housing Need. This approach was found to be appropriate by Inspector Jonathan Bore in the land east of Grove, Grove decision<sup>22</sup>.
- 2.24 This approach is also consistent with the way the Government measures housing delivery in Cherwell through the Housing Delivery Test (HDT). The HDT was introduced in the 2018 Framework and was

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<sup>17</sup> The wording of paragraphs 61, 66 and 74 in the 2023 Framework are the same as that used in paragraphs 60, 65 and 73 of the 2018 Framework, which the South Oxfordshire Local Plan was examined under.

<sup>18</sup> Core document **H1**

<sup>19</sup> Page 72 of core document **H1**

<sup>20</sup> i.e. 340 dwellings per annum 2022-26 and 540 dwellings per annum in 2026/27 =  $1,900 / 5 = 380$

<sup>21</sup> i.e.  $742 + 380 = 1,122$

<sup>22</sup> PINS ref: 3310788 – 13<sup>th</sup> March 2023 – core document **M40**



therefore not considered in the examination of the Cherwell Local Plan Part 1 or the Partial Review. The HDT measures housing completions in Cherwell against a single housing requirement comprising of the minimum annual local housing need figure and Oxford's Unmet Housing Need. There is no separate HDT result for Oxford's Unmet Housing Need.

2.25 The same approach used in the HDT should also be taken with the 5YHLS. This is because whilst the HDT looks at past delivery and the 5YHLS looks at future supply, the two are intrinsically linked. The outcome of the HDT result determines which buffer should apply as part of the 5YHLS calculation. In accordance with paragraph 74 and footnote 41 of the Framework, if the HDT result is less than 85% then the 20% buffer applies *"to improve the prospect of achieving the planned supply"*. Therefore, as delivery in Cherwell is measured against the local housing need plus Oxford's Unmet Housing Need then *"the planned supply"* should be assessed on the same basis.

2.26 The Council's approach of providing separate 5YHLS calculations is also inconsistent with the Framework because it avoids the consequences of a failure of delivery and supply to meet Oxford's unmet housing need. No dwellings have been delivered on the Partial Review sites and even on the Council's figures, only 80 dwellings are considered deliverable by 31<sup>st</sup> March 2027 equating to 0.2 years against the requirement, shortfall and a 5% buffer. However, on the Council's case it avoids the following consequences:

- The Council's case is that the tilted balance does not apply because it can demonstrate a deliverable supply of 5.37 years (excluding Oxford's unmet housing need);
- Despite there being no delivery against the requirement to meet Oxford's unmet housing need, the Council avoids the application of the tilted balance through the HDT because housing delivery is measured against a single housing requirement for Cherwell as described above;
- The Council avoids the application of the 20% buffer because the trigger is the HDT result and that is measured against a single housing requirement for Cherwell; and
- The Council avoids the need to prepare a HDT Action Plan in accordance with paragraph 76 of the Framework because despite a lack of delivery and supply to meet Oxford's unmet housing need, the HDT is measured against a single housing requirement for Cherwell.

2.27 For these reasons, a single 5YHLS calculation should be made. The consequence of applying a single 5YHLS calculation is that even on the Council's supply figure, it can only demonstrate a 3.27 year supply<sup>23</sup>. The tilted balance to the presumption in favour of sustainable development therefore applies.

2.28 Fourthly, the tilted balance to the presumption in favour of sustainable development applies in any event. Footnote 8 of the Framework explains that the tilted balance to the presumption in favour of sustainable development applies for applications involving the provision of housing in *"situations where the local*

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<sup>23</sup> Please see Table B of appendix EP1



*planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74)”. On the Council’s case, the local planning authority can only demonstrate a 0.2 year supply against the requirement to meet Oxford’s Unmet Housing Need. Therefore, the presumption in favour of sustainable development is triggered.*

- 2.29 The Partial Review allocates 6 sites to meet Oxford’s Unmet Housing Need. It does not define a geographical area where other sites could come forward to address the shortfall in the 5YHLS and there are no reserve sites. There is no windfall allowance. The 6 allocated sites are also surrounded by the Green Belt and the existing urban areas. Consequently, to address the shortfall in the 5YHLS for Oxford’s unmet housing need, sites would need to come forward elsewhere in Cherwell.
- 2.30 Sites elsewhere in Cherwell are capable of meeting Oxford’s need because Oxfordshire operates as one Housing Market Area. This was set out in the 2014 Strategic Housing Market Assessment (SHMA)<sup>24</sup> and confirmed in the latest Housing and Economic Needs Assessment (HENA)<sup>25</sup>. Again, the Local Plan Review identifies a single housing requirement which includes Cherwell’s need and Oxford’s unmet housing need. The supply to meet that requirement is to be provided across the District.
- 2.31 Policy PR12b of the Partial Review: “Sites not allocated in the Partial Review” states that applications for planning permission for the development of sites to meet Oxford’s needs that are not allocated in the Partial Review will not be supported unless the criteria in the policy has been met. The first criterion is that the Council has taken a formal decision that additional land beyond that allocated in the Partial Review is required to ensure the requisite housing supply. However, the Council has not made a formal decision to this effect. Therefore, it is unclear how the Council intends to address the significant shortfall in the 5YHLS for Oxford’s unmet housing need.
- 2.32 Finally, I have reviewed the Council’s claimed deliverable supply figures and conclude that 443 dwellings should be removed from the Council’s 4,008 figure for Cherwell because the Council has not provided the “clear evidence” required for their inclusion and therefore these sites are not deliverable. I also conclude that the Council has not provided the “clear evidence” required for the inclusion of any of the Partial Review sites.
- 2.33 My supply figure of 3,565 dwellings against the housing requirement I have identified equates to **2.85 years** as shown in the following table. In any event, my supply figure also results in a shortfall in the 5YHLS against the other possible scenarios, including the Council’s case<sup>26</sup>.

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<sup>24</sup> Core document **I3**

<sup>25</sup> Core document **H13**

<sup>26</sup> Please see Table C of appendix **EP1**



Table 2.2 – 5YHLS in Cherwell at 1<sup>st</sup> April 2022

	Local housing need 742 dwellings p.a. plus Oxford's unmet need
Annual requirement	742 + 380 = 1,122
Shortfall	340
Five year requirement	5,950
Five year requirement plus 5% buffer	6,248
Annual requirement plus 5% buffer	1,250
5YHLS	3,565
Years supply	<b>2.85</b>
Under / oversupply	<b>-2,683</b>

2.34 The implication of this is addressed by David Bainbridge.



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