
**LAND AT MANCHESTER ROAD
TUNSTEAD MILTON
HIGH PEAK
DERBYSHIRE**

Rebuttal Proof of Evidence

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Prepared on the instructions of

**High Peak Borough Council
Market Place
Buxton
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Appeal Ref: APP/H1033/W/16/3147726

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SECTION 1.0

INTRODUCTION

1.0 INTRODUCTION

- 1.1 I, Andrew Gerald Massie, prepared a Proof of Evidence dated 8 November 2016 which considered and commented upon the High Peak Borough Council's identified deliverable supply of **3,544 dwellings** in High Peak as at 1 October 2016. The Proof was prepared in the context of an Appeal Reference: APP/H1033/W/16/3147726 by Mr Garie Bevan against the decision by High Peak Borough Council to refuse to grant outline planning permission for residential development at land at Manchester Road, Tunstead Milton.
- 1.2 At **para 2.18** of my Proof I noted that the appellant considered the deliverable supply figure of 3,544 dwellings to be overstated. However at the time of writing my report no information had been provided by the appellant to identify their assessment of the housing land supply figure nor any reference made by them to the sites within the housing land supply that were in dispute.
- 1.3 With reference to **table 8.2** of my proof and **para 8.7**, I concluded that the deliverable supply figure was **3,392 dwellings** which equated to an adjusted land supply position of **6.7 years**.
- 1.4 On behalf of the appellant Mr Ben Pycroft of Emery Planning has submitted a Proof of Evidence into the Appeal dated 6 November relating to the Housing Land Supply. I have now been instructed by High Peak Borough Council to provide a Rebuttal Report in response to Mr Pycroft's proof, specifically dealing with delivery from the sites that are in dispute and Mr Pycroft's overall conclusion that the 5 year supply from 1 October 2016 to 31 March 2021 is **1,852 dwellings**. Based on this the 5 year supply based on the Liverpool method is **3.65 years**.

SECTION 2.0

SUMMARY OF SUPPLY POSITIONS

2.0 SUMMARY OF SUPPLY POSITIONS

- 2.1 To assist the Inquiry I have provided **table 2.1** which contains a summary of the deliverable supply position taken from **table 8.2** of my Proof and compares with the deliverable supply position contained at **table 24** of Mr Pycroft's proof. For ease of reference in considering Mr Pycroft's proof I have adopted the format contained within his table 24.

	No of dwellings		
	AGM	BP	Difference
Sites with planning permission			
(a) Sites Under Construction	294	272	-22
(b) Small Sites with Planning Permission	229	170	-59
(c) Large Sites with Planning Permission	1,949	1,201	-748
Sites without planning permission			
(d) Allocations	675	68	-607
(e) Small Sites Windfall Allowance	211	106	-105
(f) PDNPA Contribution	34	35	+1
Total	3,392	1,852	-1,540

Table 2.1: Supply Position Comparison

- 2.2 The difference between our respective supply assessments is **1,540 dwellings**.

SECTION 3.0

STATEMENT OF COMMON GROUND

3.0 STATEMENT OF COMMON GROUND

- 3.1 A Draft Statement of Common Ground has been prepared between the parties in relation to the calculation of the Housing Land Supply. With reference to this the following matters in relation to housing land supply calculation are agreed:
- the base date for the assessment is 30 September 2016;
 - the five year period is 1 October 2016 to 30 September 2021;
 - the annual housing requirement is 350 net new dwellings and therefore the five year requirement is 1,750 dwellings (i.e. 350 X 5 years);
 - the backlog is to be addressed over the plan period to 2031 (i.e. the 'Liverpool' method);
 - a 20% buffer has been applied to the 5 year supply and the shortfall.
- 3.2 With reference to the Draft Statement of Common Ground the following matters are not agreed:
- 3.3 (a) The extent of the accumulated backlog over the period 1 April 2011 to 30 September 2016;
- 3.4 The Council has identified a shortfall of **1,045 dwellings** and Mr Pycroft has a shortfall of **1,064 dwellings**.
- 3.5 (b) The extent of the deliverable supply
- 3.6 As identified at **table 2.1** I have assessed the deliverable supply within my proof as **3,392 dwellings** and Mr Pycroft's assessment is **1,852 dwellings**.
- 3.7 As a consequence of these differences I have calculated the 5 year housing supply position to be **6.7 years** and Mr Pycroft has **3.65 years**. On either party's case, therefore, there is a greater than 3 year supply, which I understand to be relevant to the application of the recent Written Ministerial Statement (a matter addressed by the supplementary proof of Mr White).
- 3.8 This Rebuttal report responds to the site specific comments made by My Pycroft at Sections 12 and 13 of his proof relating to delivery. In addition I have also liaised with the Council regarding the differences in the accumulated backlog and addressed this accordingly.

SECTION 4.0

ACCUMULATED BACKLOG

4.0 ACCUMULATED BACKLOG (1 APRIL 2011 TO 30 SEPTEMBER 2016)

- 4.1 The Council's assessment of the accumulated backlog (-1,045 dwellings) has been calculated as identified in **table 7** of Mr Pycroft's proof (page 19). Mr Pycroft's assessment is contained at **table 11** (-1,064 dwellings on page 22). For ease of reference I have prepared table 4.1 below which contains details of the annual net requirement, and the completions data provided by both the Council and Mr Pycroft.

Year	Requirement (net dwellings pa)	HPBC Completions (net)	Ben Pycroft Completions (net)
2011/12	350	102	102
2012/13	350	207	207
2013/14	350	36	36
2014/15	350	137	140
2015/16	350	160	173
1/4/16- 30/9/16	175	238	203
Total	1,925	880	780

Table 4.1: Comparison of Completions Data

- 4.2 I have noted that the total net completions figure calculated by Mr Pycroft which is contained in table 11 of his proof and is repeated above as 780 dwellings is actually incorrect and has been miscalculated. His total figure should in fact be **861 dwellings** based on his annual completions figures. Indeed, in assessing the backlog Mr Pycroft has actually used the total of 861 dwellings to arrive at his shortfall figure of 1,064 dwellings (ie. $1,925 - 861 = 1,064$ dwellings).
- 4.3 Mr Pycroft at **table 8** of his proof has identified a discount of **17 dwellings** from small sites completions during the period 1 April to 30 September 2016. The Council have reviewed the completions data from small sites and **this adjustment can be agreed.**
- 4.4 Mr Pycroft at **tables 9** and **10** also identifies some adjustments to the completions data for the sites in Chapel known as Octavia Gardens (Manchester Road) **(+7)** and Becketts Brow (Octavia Gardens) **(-25)**. The adjustments for these two sites together with the small sites **(-17)** are a total of **35 dwellings** rather than 19 as contained in Mr Pycroft's calculation (ie. $880 - 861 = 19$).

- 4.5 Based on NHBC completions data received by the Council and also contained at **Appendix 2** of my proof there have been 58 completions at Octavia Gardens hence no adjustment is required to the total completions figure of 58 for this site. In relation to Becketts Brow the total number of completions based on NHBC data is 95 and hence an adjustment of **-26** is required to the completions figure for this site of 121.
- 4.6 In relation to the site at North Road, Glossop (site 14 in Mr Pycroft's proof). It has been noted that 2 dwellings have incorrectly been included in the completions figures for 2015/16. I have therefore adjusted the Council completions total to remove these **2 dwellings**.
- 4.7 As noted later at **para 6.206**, a total of 10 dwellings have been completed on the Local Plan allocation at Hardwick Square, Buxton (Site 47 based on Mr Pycroft's referencing) at the base date. These dwellings do not currently appear in the Council's completions total and hence I have also adjusted the completions total to take into account these additional 10 dwellings. Table 4.2 contains details of the adjusted total net completions figure.

HPBC Total Completions (net)		880
	Adjustments	
Small Sites	-17	
Octavia Gardens, Chapel	0	
Becketts Brow, Chapel	-26	
North Road, Glossop	-2	
Hardwick Square, Buxton	+10	
Total Adjustment	35	
Revised Total Completions (net)		845

Table 4.2: Adjusted Total Completions (net)

- 4.8 The adjusted completions figure is therefore **845 dwellings** in comparison with a net requirement of 1,925 dwellings. This results in a revised shortfall of **1,080 dwellings**.

SECTION 5.0

ASSESSMENT OF DELIVERY

5.0 ASSESSMENT OF DELIVERY

5.1 Criteria

At **paras 3.3 to 3.5** of our respective proofs Mr Pycroft and I consider the main requirements of the NPPF dealing with the supply of land for housing. In particular I have assessed the deliverability of sites against the criteria identified in Footnote 11, and specifically have considered in relation to each site in the supply:-

- 1) Is it available now?
- 2) Does it offer a suitable location for development now?
- 3) Is the site viable?
- 4) Is it achievable with a realistic prospect that housing on the site will be delivered within 5 years?

5.2 In accordance with Footnote 11: sites with planning permission have been considered deliverable unless I have identified clear evidence that schemes will not be implemented within 5 years.

5.3 The Planning Practice Guidance provides further guidance about what constitutes a deliverable site in the context of housing policy. As outlined at **para 3.6** of my proof (para 11.2 of Mr Pycroft's) it states that deliverable sites could include sites with planning permission (outline or full) and also sites allocated for housing in the development plan, unless there is clear evidence that schemes will not be implemented within 5 years. In addition, planning permission or an allocation within the local plan is not a pre-requisite of deliverability. The deliverable supply may also include sites that do not have permission or are not allocated so long as there are no significant constraints to overcome and they are capable of being delivered within the 5 year timescale.

5.4 In arriving at my assessment of deliverable sites, I have therefore also considered allocations within the Local Plan and other suitable sites against the criteria in footnote 11 to determine whether they should be included in the 5 year land supply. Mr Pycroft however has simply disregarded the relevant guidance and excluded these sites within the supply on the basis that the Council has not provided "robust up to date evidence" to support deliverability of the sites. He also makes reference to there being no significant constraints to overcome in relation to such sites, but based on his assessment it is not clear how and if he has actually taken this into account. As a result Mr Pycroft discounts all but two of the Allocations (and other sites without permission) leaving a contribution of only 68 dwellings in the 5 year supply. In simply dismissing all of these sites Mr Pycroft provides no evidence himself as to why he considers that these sites won't be delivered.

5.5 The evidence in relation to these allocations has been subject to Examination and the Inspector considered deliverability of these sites against the NPPF, the criteria from which he summarised at **Para 55** of his report. His Report was only published in March 2016 ie. 6 months before the base date. Based on the evidence in relation to these sites (including consideration of any constraints) the Inspector at **Para 269** reached an overall conclusion that the *"Strategic Development Sites and other allocations in each sub-area are justified and deliverable."* Deliverability of allocations within the Local Plan was considered in *St Modwen Developments Limited v SSoCLG and East Riding of Yorkshire Council (CD6.4)* and *Wainhomes (South West) Holdings Limited v SSoCLG and Wiltshire Council (CD6.3)*.

5.6 **Delivery Timetable/Residential Market/Delivery Rates**

As outlined at **para 3.6** of my proof, the PPG notes that the size of sites will be an important factor in identifying whether a housing site is deliverable within the first 5 years. It also states that plan makers need to consider the time it will take to commence development and build out rates to ensure a robust 5 year housing supply.

5.7 Having established whether a site is deliverable against the tests contained in the NPPF and supporting guidance in the PPG, I have then considered in relation to each deliverable site what constitutes an appropriate lead in time for delivery and subsequent build out rates.

5.8 A rapid decline in the residential property market commenced after 2007 and was followed by a long period of stagnation. Such factors led to a decline in residential property values, sales rates and delivery programmes. The impact of this decline in house building can be demonstrated in High Peak with reference to table 4.1 below. This table incorporates the net completion rates for new dwellings in High Peak over the period from 1 April 2006 to 31 March 2014 taken from table 4 of the Housing Topic Paper **(CD3.10)** together with the data from the Council's Annual Monitoring reports for the 12 month periods to 31 March 2015 and 2016. In addition the table includes data from Land Registry in relation to annual average houses prices and annual sales volumes in High Peak over the same period. It should be noted that this Land Registry data relates to both new build and second hand property sales.

Year	Dwelling Completions (Net)	Annual Average House Price	Annual Sales Volume
2006/2007	599	£165,743	2,270
2007/2008	360	£171,881	1,720
2008/2009	167	£159,845	778
2009/2010	137	£151,185	970
2010/2011	157	£152,224	994
2011/2012	102	£153,801	1,085
2012/2013	207	£152,060	1,101
2013/2014	36	£153,909	1,356
2014/2015	137	£161,626	1,562
2015/2016	160	£168,121	1,766

Table 5.1: Net Dwelling Completions, Annual Average House Prices and Sales Volumes

- 5.9 Over the period from April 2006 to the low point in March 2010, the annual average house price in High Peak fell by 8.8%. Over the same period the corresponding fall in the annual volume of sales was approximately 57%. The impact of these changes was a reduction in dwelling completions in High Peak with a fall in annual completions of 77% from 599 in 2006/7 to 137 in 2009/10.
- 5.10 As a consequence of these difficulties in the housing market there have been few large new build housing developments commenced in High Peak over this period from which comparator evidence can be obtained as to lead in time and delivery rates. During this period, planning consent has been granted in relation to a number of sites however due to a lack of confidence in the housing market these consents have not been implemented.
- 5.11 Market confidence has only really started to return in High Peak since 2013/14 with a marked increase in annual average house prices from £153,909 in 2013/14 to £168,121 in 2015/16 - an increase of 9.2%. There has also been a corresponding increase in sales volumes over the period of 30%. The annual average house price in 2015/16 is still below the high in 2007/08, although the level of sales volumes is slightly above that in 2007/08, but not yet back to 2006/07 levels.
- 5.12 Due to the lack of supply there is significant pent up demand for new houses in the Borough. This is evidenced by the completion rates from new developments that have commenced as confidence has returned to the housing market.
- 5.13 With reference to the March 2013 Monitoring Report **(CD5.3)** the development of the site known as **Harpur Hill Road, Buxton** shows completions during the 12 month period of **50** dwellings.
- 5.14 The March 2015 Monitoring Report **(CD.5.5)** shows that development of the Federal Mogul site in Chapel started during this period along with the development at **Long Lane, Chapel** by Seddon Homes. In relation to the later **44** completions took place during this 12 month period.
- 5.15 **Table 4.4** of my proof contains details of annual completions for the site at **Federal Mogul** from NHBC. This shows that during the first full year 2015/16 **58 dwellings** were completed. At table 4.6 I have also provided details of completions rates for the **Octavia Gardens** site at Manchester Road. This shows that there have been **58** completions over the 14 month period from September 2015 (which is 50 dwellings pro rata'd over a 12 month period).

- 5.16 In preparing my assessment of the housing supply I have considered the delivery rates that have been adopted by the Council which are contained at **table 10** of the Housing Topic Paper (**CD3.10**) and are replicated at **table 4.10** of my proof. The delivery rates per annum are 15 for sites less than 50 homes, 30 dwellings for sites of 50-199 homes and 50 dwellings for sites of 200-499 homes. In my view having regard to the available evidence of delivery rates on new build housing schemes in High Peak in recent years these assumptions as to delivery rates are robust, and I have adopted them for the purpose of assessing delivery. In a number of cases I have also adjusted the rates from the smaller developments of less than 50 homes to 30 dwellings per annum.
- 5.17 Mr Pycroft in assessing delivery rates has in the majority of cases adopted a rate of 30 dwellings per annum for all large sites above 50 dwellings. However in one case (Site 01) he assumes a rate of only 10 dwellings per annum and in a further 2 cases (Sites 06 and 07) he adopts 20 dwellings per annum. He does not provide any evidence however to justify the significantly reduced delivery rates that have been adopted. Similarly in relation to the 3 larger sites over 200 dwellings he assumes a delivery rate of only 30 dwellings per annum which no evidence to support this assumption.
- 5.18 The vote to leave the EU initially created some uncertainty in the housing market. However a number of recent interim results and statements released by the major house builders show that improvements in the market are continuing.
- 5.19 Redrow's Annual report for the year to 30 June 2016 showed group revenue up by 20% driven by a 17% increase in legal completions and a 7% increase in average selling price. The sale rate per week from each outlet rose to 0.72 (37 per annum) from 0.68 (35 per annum) in 2015. The relevant extract from the report is contained at **Appendix 1**.
- 5.20 Barratt Plc, Taylor Wimpey and Persimmon have all recently released trading statements that are contained at **Appendix 2, 3 and 4** respectively. Barratt report a sales rate of 0.74 net private reservations per active outlet per average week (38 per annum). Sales rates in the Northern and Central regions are noted as strongly outperforming the year prior.
- 5.21 Taylor Wimpey reports that trading during the second half of 2016 has been strong. Despite the vote to leave the EU the housing market has remained robust and trading has remained resilient. Sales rates for the year to date have remained strong at 0.75 sales per outlet per week (39 per annum) and for the second half of the year they are at 0.70 sales (36 per annum).

- 5.22 Persimmon in their third quarter trading statement report that private sales have been 19% ahead of last year, representing a continuation of stronger sales rate experienced during the summer weeks. They are sold up during the current year and have £757m of forward sales reserved.
- 5.23 In my view, driven by the improvement in the property market, development in High Peak will accelerate with the annual rate of dwelling completions and sales volumes improving and overall development programmes reducing accordingly.
- 5.24 **Lead In Times**
At **para 4.58 to 4.61** of my proof I consider the lead in times from the grant of outline consent/full consent for the large new housing developments in High Peak that are currently being constructed, namely the sites at North Road, Federal Mogul and Manchester Road. As noted there is a variation of lead in times due to the specific circumstances of the site, the landowner or the developer.
- 5.25 The site at **North Road** is greenfield and following the grant of outline consent on Appeal in June 2014, the site was sold to Taylor Wimpey and development commenced in April 2016. As noted at para 4.59 the first completions have taken place just over 2 years since the grant of outline consent.
- 5.26 In relation to the brownfield site at **Federal Mogul** full consent was granted in November 2013 with the first completions in September 2014. By comparison the site at **Manchester Road** had a longer lead in time with outline consent granted on appeal in August 2012 and the first completions not taking place until September 2015, some 3 years later.
- 5.27 With reference to those sites with outline planning consent that are disputed by Mr Pycroft, he has assumed a period of 3 years until delivery of the first houses on the three of the four greenfield sites (Sites 12, 18 and 18) and for the fourth (Site 19) a period of 3.5 years. This is notwithstanding the progress that has been made towards delivery of these sites. This ignores the evidence of North Road.
- 5.28 In relation to the brownfield sites (Site 01 and 15) Mr Pycroft has assumed lead in periods of 3 and 2.5 years respectively. This again does not take into the account the current circumstances of these sites. In preparing my assessment I have had regard to the lead-in periods contained in table 10 of the Council's Housing Topic Paper (**CD3.10**) (which was part of the Local Plan evidence base) and repeated at **table 4.10** of my proof. I have made certain adjustments however to these generic assumptions to reflect site specific factors and my knowledge of the particular circumstances of the site.

SECTION 6.0

DELIVERABLE SUPPLY

6.0 DELIVERABLE SUPPLY

6.1 I have considered the comments made at Sections 12 and 13 of Mr Pycroft's proof regarding delivery from the various sites that make up the 5 year housing land supply. For ease of reference I have provided my comments below adopting the format and site numbering contained in Mr Pycroft's Proof.

6.2 Sites with Planning Permission

6.3 (a) Sites under Construction

6.4 With reference to **table 8.2** of my proof I note that there is a contribution of **294 dwellings** to the 5 year housing land supply from sites under construction. Mr Pycroft at table 17 of his proof makes a deduction of 22 dwellings from this figure.

6.5 He contends that a total of 21 dwellings should be removed from the development at **Manchester Road, Chapel (Octavia Gardens)**. I considered this site at **para 4.25 to 4.34** of my proof and noted the AMR position in relation to the site at **table 4.5** which is reproduced below for ease of reference.

Completions Sept 2016	Under Construction	Not Started	Total	5 Year Supply
33	60	11	104	11

Table 6.1: Manchester Road, Chapel-en-le-Frith (table 4.5 in my proof)

6.6 I have reviewed the figures in relation to this site. The Council's completions data is provided by NHBC and is contained at **Appendix 2** of my proof. Based on NHBC completions over the period 25 dwellings were completed in 2015/16 and 33 in 2016/17 to the base date giving a total of **58 completions**. This leaves a balance of 46 (ie. 104-58) dwellings either under construction or not started. The NHBC data shows 92 dwellings had commenced. The adjusted figures are:

Under construction $92 - 58 =$ **34 dwellings**
Not started $104 - 92 =$ **12 dwellings**

- 6.7 I have therefore reduced the total dwellings under construction by **26** (ie. from 60 to 34) and added **1** dwelling to the 5 year supply calculation. The revised position is contained in table 6.2.

Completions to Sept 2016	Under Construction	Not Started	Total	5 Year Supply
58	34	12	104	12

Table 6.2: Manchester Road, Chapel-en-le-Frith Adjusted Supply Position

- 6.8 I agree to the removal of 1 dwelling in relation to the site at **Chapel Street**.
- 6.9 Table 6.3 below contains a summary of my adjusted figures for the supply from large sites under construction. For completeness I have added a column that summarises Mr Pycroft's deductions and adjusted total.

	AGM	BP
Under Construction	294	294
Manchester Road, Chapel	-26	-21
Chapel Street, Glossop	-1	-1
Adjusted Under Construction	267	272

Table 6.3: Supply from Large Sites under Construction

- 6.10 I have therefore amended the supply figure from sites under construction to **267 dwellings**.
- 6.11 **(b) Small sites with Planning Permission**
- 6.12 With reference to **para 7.6** of my proof, the Council have noted that there is an anomaly in the Housing Trajectory in that the **229** figure for small sites' commitments should in fact be applied to the first 3 years not over the 5.5 year period shown in the Trajectory. A total of **229** not 206 should therefore be included in the 5 year housing land supply calculation based on small sites with planning consent.
- 6.13 Mr Pycroft at table 18 of his proof has made a deduction of 36 units from the supply from small sites with permission. He has adopted a figure of 206 from the small sites and from this deducted 36 giving 170 dwellings.
- 6.14 I have liaised with the Council and the **deduction of 36 units can be agreed**. My revised total for the supply from small sites with planning permission is therefore $229 - 36 = \mathbf{193}$ dwellings.

6.15 **(c) Large Sites with Planning Permission**

6.16 At section 5 of my proof of evidence I considered delivery from the large sites with planning permission in the Council's 5 year housing land supply. As noted at **table 8.2** of my proof I concluded that based on my assessment of delivery from these sites they would contribute a total of **1,949 dwellings** to the 5 year housing land supply. This figure was inclusive of delivery from the allocated site at Gamesley Sidings, Glossop which is to be developed in conjunction with the adjacent Samas Roneo Site (which has planning consent). Mr Pycroft at **table 20** of his proof has arrived at a figure of **1,201 dwellings – a difference of 748**.

6.17 No information has previously been provided by the appellant to indicate which of these sites was in dispute. Following submission of Mr Pycroft's proof of evidence I have now been able to ascertain which sites he believes are disputed. I have provided my comments and assessment below relating to those sites which he considers are in dispute. For ease of reference I have adopted the same site numbering as Mr Pycroft.

6.18 **Site 01 - Samas Roneo, Glossop Road, Gamesley**

My assessment of this site is contained at **para 5.108 to 5.116** of my proof. The site currently has outline consent with an indicative capacity of **93 dwellings**. A sale of the site is currently being progressed with an associated reserved matters application for this site and the adjacent Gamesley Sidings allocation (**38 dwellings**). I provided at **Appendix 12** of my proof an email from BNP Paribas who are agents for the site confirming that a disposal of was being progressed and a reserved matters application would be submitted shortly.

6.19 Mr Pycroft considers that 20 dwellings will be delivered from this site.

6.20 For completeness I have provided at **Appendix 3** a plan of the site together with adjacent Gamesley Sidings allocation. **Appendix 3** also contains an email update from Alex Willis at BNP Paribas, dated 3 January 2017. This confirms that the developer has submitted a pre application enquiry to the Council based on a layout for 130 dwellings on this land with outline planning permission (Ref. HPK/2014/0665) and the land to the west of this allocated under Policy H2 of the Local Plan.

6.21 Mr Willis also notes that it is hoped that a meeting will be held and feedback received from the Council this month, with the developer's full planning application and commencement of development then expected to follow this.

6.22 The Council have confirmed that a pre-application request was received before Christmas to discuss drawings, technical documents and section 106 matters with a view to submitting a full application. A pre-application meeting is due to take place in the next couple of weeks.

- 6.23 This site and the adjacent greenfield allocation are currently available, offer a suitable location for development now and a house builder is progressing a reserved matters application.
- 6.24 Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however disputes the lead in time for delivery on this site and the associated delivery rate. Mr Pycroft has allowed 3 years from the base date for delivery and assumed a delivery rate of 10 dwellings.
- 6.25 Having regard to the present circumstances of the site I believe that 3 years to delivery is excessive. In my assessment I believe it is reasonable to assume a lead in period of 18 months to submit and approve an application for reserved matters and deal with the requirements for demolition and site preparation.
- 6.26 Mr Pycroft has not provided any evidence to support his delivery rate of 10 dwellings per annum. In my experience it is unrealistic to assume a delivery rate of 10 dwellings per annum. Based on this it would take over 13 years for a developer to complete this site and the adjacent Gamesley sidings allocation. I have adopted a more realistic delivery rate for this site of 30 dwellings per annum. Evidence of delivery rates elsewhere in High Peak suggests that annual rates in excess of this can be achieved however this is reflective of the assumptions made by the Council in their Housing Topic Paper and in my view represents a robust position on which to assess delivery.
- 6.27 Mr Pycroft in his proof makes reference to viability considerations in relation to this site. In preparing the High Peak Local Plan Viability Test Incorporating Site Viability and Deliverability Appraisal (VTR) **(CD 3.14)** I considered development viability in relation to a wide range of Residential Development sites. These were typical of the development sites likely to be developed in High Peak in the future. In particular I have considered viability in the context of both previously developed and greenfield sites. I have prepared viability assessments for developments from 12 up to over 300 dwellings.

- 6.28 My general conclusion reached from undertaking this extensive viability assessment was that residential development in High Peak was generally viable at that time. At **Para 83** of his report the Inspector considers the VTR and its conclusions. He states that "*Overall the conclusions of the VTR and Addendum are robust*". In my view with the improvement in housing market the viability position in the Borough has improved since the time of the VTR which was published in April 2014. As part of the VTR I considered the viability of the allocation at Gamesley Sidings and concluded that it was viable, expect for one marginal result at 30% affordable provision with the higher costs associated with Code Level 4. The Inspector considered all available evidence in relation to the allocation at Gamesley Sidings including viability. At para 207 of his report he concluded that "There are no overriding constraints on development here and the allocation is sound".
- 6.29 At para 5.116 of my proof I included a contribution of **105 dwellings** to the 5 year supply from this site and the adjacent allocation at Gamesley Sidings. In my opinion at the base date this is a reasonable assessment.
- 6.30 **Site 02 - Chapel Street, Glossop**
As noted at para 4.56 of my proof 37 dwellings had been included in the under construction figure and also the supply figure. I have therefore already removed 37 dwellings from the 5 year supply. **This deduction has therefore already been agreed.**
- 6.31 Contribution to the 5 year supply – **0 dwellings.**
- 6.32 **Site 03 – Shepley Street, Glossop**
At para 4.10 to 4.16 of my proof I deal with this site and note that 10 dwellings are under construction and that **34** not 41 dwellings should be included in the supply figure. I therefore agree with Mr Pycroft that 7 dwellings should be removed from the supply.
- 6.33 Contribution to the 5 year supply – **34 dwellings.**
- 6.34 **Site 04 - Hole House Mill, Chisworth**
At para 5.9 to 5.18 of my proof I deal with this site. Based on the present circumstances of the site I do not include any dwellings in the supply figure. **I therefore agree that 22 dwellings should be removed from the supply.**
- 6.35 Contribution to the 5 year supply – **0 dwellings.**

6.36 **Site 05 – Waterswallows, Buxton**

My assessment of this site is contained at **para 5.144 to 5.154** of my proof and I have included 150 dwellings in the 5 year supply. A plan of the site is included at **Appendix 6** of this rebuttal and for completeness I have also provided a plan which shows the land ownership position on this site.

6.37 Mr Pycroft considers that no dwellings will be provided on this site in the 5 year period notwithstanding the fact that there is extant outline consent. In his view no further phases are deliverable without details of how or when the link road will be paid for. He also discounts delivery due to the long history of the site. As outlined in my proof at para 5.147 Town and Village Green applications have stymied development on this site for a number of years and were only resolved satisfactorily in April 2013 when the Growth and Infrastructure Act came into force. Not 2010 as stated by Mr Pycroft.

6.38 As noted in my proof the site is in 4 ownerships and Miller Homes are one of the Landowners. To recover the monies that have been expended by them in acquiring the site in the first instance they will need to develop the site. In this connection I have provided at **Appendix 6** an email received from Andy Noton at Miller Homes. With reference to this he states that Miller along with all landowners involved wish to bring this site forward for development as soon as possible. Terms have previously been agreed with the other landowners, apart from High Peak Council. He also notes that the site is viable and capable of coming forward relatively quickly.

6.39 From my recent conversation with Andy Noton I understand that they are comfortable that they can deliver the link road and that this is not a constraint to development. Also with clarity over HPBC land sale, Miller would move to submitting reserved matters this year and start on site as soon as possible thereafter.

6.40 I have been instructed to progress negotiations on behalf of the Council for a disposal of their land interest to Miller and will be able to provide an update in relation to negotiations at the Inquiry.

6.41 In my assessment of this site I have assumed that given the size of the site it is likely to be taken forward by two developers, with a delivery rate of 50 dwellings per annum. Furthermore I have allowed a period of 2 years to allow for reserved matters approval, completion of the acquisition of the remaining parts of the land and mobilisation.

6.42 At para 5.154 of my proof I included a contribution of **150 dwellings** to the 5 year supply from this site. In my opinion at the base date this is a reasonable assessment having regard to the present circumstances of the site.

6.43 **Site 06 – Land to the rear of Hallsteads, Dove Holes**

My assessment of this site is contained at **para 5.125 to 5.135** of my proof and I have included **104 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 14** of my proof.

6.44 Mr Pycroft considers that 80 dwellings will be delivered from this site.

6.45 The site currently has reserved matters consent for phase 1 of 21 dwellings and reserved matters application for phase 2 of 83 dwellings on the balance of the site is currently being considered. I understand that the Council has timetabled this for January Committee subject to receipt of some outstanding information from the applicant.

6.46 I have provided at **Appendix 7** an email from Michael Green as agent for applicant. This notes that the issues have been narrowed in relation to the phase I conditions discharge, and the phase II reserved matters application is now heading for Committee possibly this month, with a few minor issues to address. The Site preparation works are continuing including some of the required upgrade works to the adjacent roads.

6.47 Mr Green notes that the developers are very committed to an immediate phase I build out, the success of which will influence the development programme for phase II although this still requires approval of reserved matters and any conditions' discharge approvals and the purchase of the Council's land.

6.48 At **Appendix 7** of my original proof I provided a letter from Dai Lerner at the Council that commented on the sale of part of this site to the applicant. Mr Lerner has provided an update on the circumstances relating to this site, which I have included at **Appendix 8** to this rebuttal. He confirms that *"the Council have been having positive discussions with the developer for the sale of the site"*.

6.49 This is a greenfield site which is available, viable and under the control of a house builder. It offers a suitable location for development now and a house builder is currently progressing site preparation works in relation to phase 1 with a reserved matters application due to be determined in relation to phase 2.

6.50 Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however allows a slightly longer lead in time for delivery on this site (6 months). **The main point of dispute is the delivery rate.** Mr Pycroft has allowed 20 dwellings per annum to allow for competition between this site and Site 07 Land at Hallsteads, Dove Holes. I have adopted a delivery rate of 30 dwellings per annum.

- 6.51 Mr Pycroft does not provide any evidence to support his reduction to the delivery rate on this site. Dove Holes is situated on the A6 and also has its own railway station on the Manchester Piccadilly to Buxton Line. It is 2.5 miles from the Town of Chapel and 4 miles from Buxton. It is therefore well placed for communications by road and rail.
- 6.52 The two sites within Dove Holes are both located with frontage to the A6 and are therefore highly prominent for marketing purposes. In nearby Chapel, 3 major new housing developments have been on-going over a similar period (Long Lane, Manchester Road and Federal Mogul) and this has not impacted on sales rates which have been at over 30 dwellings per year for each site. As noted above at para 5.14 to 5.15 annual completions from these sites in Chapel have been higher than this and well above my assumed rate of 30 dwellings per annum.
- 6.53 In my view 30 dwellings represents a robust position on which to assess delivery from this site.
- 6.54 At para 5.135 of my proof I included a contribution of **104 dwellings** to the 5 year supply from this site. In my opinion at the base date this is a reasonable assessment.
- 6.55 **Site 07 – Land off Hallsteads, Dove Holes**
My assessment of this site is contained at **para 5.136 to 5.143** of my proof and I have included **83 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 9** to this rebuttal proof.
- 6.56 Mr Pycroft considers that 70 dwellings will be delivered from this site based on a lead in time of 18 months and a delivery rate of 20 dwellings.
- 6.57 Mr Pycroft notes that an application for reserved matters for the first 25 dwellings is currently pending determination. The application is in fact for 83 dwellings and I have provided also at **Appendix 9** a copy of the site layout plan. I am advised by the Council that they are confident that the application will now go to January Committee. I have also provided a brief email at **Appendix 9** from the applicant's agent. They confirm that the *"site is proceeding towards sale and construction"*.

- 6.58 This is a greenfield site which has outline consent with a reserved matters application for 83 dwellings likely to be determined very shortly. It is available, suitable and viable. Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however allows a slightly longer lead in time for delivery on this site (18 months rather than 12 months in my assessment). As per Site 06 above **the main point of dispute is the delivery rate**. Mr Pycroft has allowed 20 dwellings per annum to allow for competition between the two sites. For the reasons identified in **paras 6.51 to 6.52** I disagree with this and have adopted a delivery rate of 30 dwellings per annum which I consider to be more reasonable in the circumstances.
- 6.59 I have therefore retained **83 dwellings** from this site in the 5 year land supply calculation.
- 6.60 **Site 08 – ‘Octavia Gardens’, Manchester Road, Chapel-en-le-Frith**
At **para 4.34** of my proof I have included **11 dwellings** from this site in the 5 year supply. Mr Pycroft considers that this site will not contribute any dwellings to the supply. As detailed in **table 6.2** above following a review of the figures for dwellings under construction I have now included **12 dwellings** from this site in the 5 year supply.
- 6.61 **Site 09 – Forge Works, Chinley**
My assessment of this site is contained at **para 4.35 to 4.44** of my proof and I have included **149 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 10** to this rebuttal proof.
- 6.62 Wainhomes are currently developing 91 dwellings on this site with 19 of these dwellings included in the “under construction” figures. A reserved matters application for the second phase of 91 dwellings has been submitted (HPK/2016/0313) and I am advised by the case officer that they are aiming to take a report to Development Control Committee later this month. I have provided the site layout plan for the reserved matters application at **Appendix 10**. I understand that the application has been made by the landowner Innovation Forge and that the developer is Cooperleaf Homes who are a connected company. I have spoken to Mark Whyllie who is a Director of both Cooperleaf Homes and Innovation Forge who confirms that they intend to progress the development of phase 2 themselves with a start on site as soon as possible following approval of the reserved matters application.
- 6.63 Mr Pycroft considers that as well as the 19 dwellings under construction a further 72 dwellings will be delivered from this site representing the balance of the phase currently being developed by Wainhomes.

- 6.64 **Mr Pycroft has removed from the supply any delivery from phase 2** of the application which is currently subject to a pending reserved matters application. He dismisses phase 2 on the basis that it has not been sold to a house builder and will be harder to develop than phase 1. He suggests it won't be delivered until after phase 1.
- 6.65 This is a brownfield site with phase 1 (91 dwellings) under construction and phase 2 (91 dwellings) currently subject to a reserved matters application from a housebuilder which is a connected company to the landowner. The site is available, suitable and viable. Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however discounts any delivery from phase 2. I have assessed delivery from this site on the basis of 30 dwellings per annum. This would mean that the balance of phase 2 (72 dwellings) would be completed in approximately 2.5 years. In my opinion, particularly as phase 2 is already at reserved matters stage, this would leave ample time within which to deal with any matters arising due to the brownfield nature of the development.
- 6.66 I have therefore retained **149 dwellings** from this site in the 5 year land supply calculation.
- 6.67 **Site 10 – Federal Mogul, Chapel-en-le-Frith ('Becketts Brow)**
I have considered the adjustments required to the number of completions from this site at **Para 4.5**. I have included **95** completions from this site. Based on the AMR there are **54 dwellings** under construction. The assessment in my proof was based on a total of 164 dwellings on this site. Mr Pycroft's assessment is based on 160 dwellings. I have checked the position and have provided at **Appendix 11** the decision notice and layout plan for the site based on the most recent application HPK/2015/0513. This shows that the site has consent for 170 dwellings. Based on completions and units under construction this leaves a balance of **21 dwellings** to be added to the 5 year supply figure.
- 6.68 **Site 11 – Long Lane, Chapel-en-le-Frith**
It is agreed that **105 dwellings** should be added to the supply from this site.
- 6.69 **Site 12 – Dinting Road, Dinting**
My assessment of this site is contained at **para 5.90 to 5.98** of my proof and I have included **113 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 12** to this rebuttal proof.
- 6.70 Mr Pycroft considers that only 60 dwellings could be delivered from this site in the 5 year period. At **para 12.70** he comments that

"Emery Planning are the agents for this site. Whilst the site has outline planning permission, it is not known when the site will be sold to a developer, who the developer will be and what their timescales and build out rates will be".

6.71 Notwithstanding the fact that this is a greenfield site in an attractive location, close to the railway station and in a good market area he then allows 3 years from the base date for the site to be sold, a reserved matters application to be approved and a start on site made. Based on a delivery rate of 30 dwellings per annum this means that according to Mr Pycroft only 60 dwellings would be delivered on this site.

6.72 Emery Planning represented the applicant at the appeal in relation to the original outline application. At para 7.8 of their Proof of Evidence they state that:

*"This is a proposal by a local house builder, Loxley Developments Ltd. The Appellant has developed numerous schemes throughout High Peak and the North West. A letter from Loxley setting out that they intend to develop the site as soon as possible is included at Appendix EPP19. The site is deliverable and there are no constraints to the site coming forward **in full** within the next 5 years."* (Emphasis added)

6.73 The relevant extract from this Proof of Evidence and the letter from Loxley Developments is provided as **Appendix 12** to this rebuttal. Based on the evidence provided by the Emery Planning and the appellant in relation to site 12, the Council are entitled to assume that the site will come forward in full over the next 5 years.

6.74 Loxley Homes have now submitted an Application to vary condition 41 (Affordable Housing) on planning permission HPK/2015/0692 (HPK/2016/0548) as a result of discussions with Registered Providers regarding the tenure of affordable dwellings on the site. A copy of the application form is also contained at **Appendix 12**.

6.75 Most recently Emery Planning have submitted on behalf of Loxley Homes an application for outline planning permission with all matters reserved (except access) for construction of up to 37 dwellings (HPK/2016/0648). I have provided a copy of the application form, site layout plan and Planning, Design and Access Statement at **Appendix 12**.

6.76 Within the Introduction to this statement at para 1.2, Emery state that:

"The site forms part of a wider area that benefits from outline planning permission for 113 dwellings (ref. HPK/2015/0692), however the current application seeks a new access point from Dinting Road and would allow a phase 1 to be commenced, completed and occupied in advance of the wider parcel of land. The intention is that the Loxley Homes would develop and build this scheme for up to 37 units without delay (alongside a further 10 unit scheme to the south of Shaw Lane application ref. HPK/2016/0614), with proposals for the remainder of the site being brought forward separately by a major house builder."

- 6.77 The information provided by Emery in both the Proof of Evidence for the site and the subsequent Statement supporting the present planning application are clearly at odds with Mr Pycrofts comments that: *"it is not known when the site will be sold to a developer, who the developer will be and what their timescales and build out rates will be"*.
- 6.78 In the context of the present outline application there is clearly a developer for part of the site and an intention for Loxley Homes to commence development of the site without delay. The remainder will be sold to one of the major housebuilders. Their build out rates can be reasonably estimated (as above) as being at least 30 dwellings per annum.
- 6.79 This is a greenfield site which has outline consent. It is available and in fact under the control of a house builder. It is also suitable and viable. Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply, however, he allows lead in times for delivery on this site of 3 years. In my assessment I have assumed 12 months to allow for reserved matters approval and mobilisation. We have both assumed delivery at 30 dwellings per annum. Given the ownership position and previous comments from Emery it is reasonable to assume a 12 month period for delivery on the site. Even if Loxley Homes only then developed 37 homes on the site, this would effectively leave a period of just over 2 years to sell the remainder of the site, obtain reserved matters approval and enable mobilisation. This is more than sufficient time for a major housebuilder.
- 6.80 I have therefore retained **113 dwellings** from this site in the 5 year land supply calculation.
- 6.81 **Site 13 – Panhandle Site, Graphite Way, Hadfield**
It is agreed that **44 dwellings** should be added to the supply from this site.
- 6.82 **Site 14 - North Road, Glossop**
I have noted at **Para 4.6** that 2 dwellings have incorrectly been included in the completions figures for 2015/16. I have therefore adjusted the Council completions total to remove these 2 dwellings. This means that the total of **125 dwellings** should be retained in the 5 year supply.
- 6.83 **Site 15 – Charlestown Works, Glossop**
My assessment of this site is contained at **para 5.80 to 5.89** of my proof and I have included **97 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 13** to this rebuttal proof.
- 6.84 Mr Pycroft considers that 75 dwellings will be delivered from this site based on a lead in time of 2.5 years and a delivery rate of 30 dwellings.

- 6.85 The site is currently under offer to a house builder and a reserved matters application for 97 dwellings has been submitted. I understand from the case officer that an extension of time has been agreed with the Council in particular to consider the Viability Assessment that has been submitted by the applicant which is seeking a relaxation of S106 contributions.
- 6.86 This is a brownfield site which has outline consent with a reserved matters application for 97 dwellings likely to be determined very shortly. **Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however allows a longer lead in time for delivery on this site (2.5 years rather than 18 months in my assessment).** Allowing for a 3 month extension of time to deal with Committee Approval and adjusting the lead in period to 21 months, then this would leave 3.25 years to deliver the site. Based on the delivery rate at 30 dwellings per annum this would mean that 98 dwellings would be delivered on this site within the 5 year period.
- 6.87 I have therefore retained **97 dwellings** from this site in the 5 year land supply calculation.
- 6.88 **Site 16 – Site at Burlow Road, Buxton**
My assessment of this site is contained at **para 5.155 to 5.162** of my proof and I have included **150 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 14** to this rebuttal proof.
- 6.89 This is a greenfield site that is split into two separate parts on either side of Burlow Road. The site is being promoted by High Peak Land/Harpur Homes and is being marketed for sale either as a whole or in two parts. I have also provided at **Appendix 14** a copy email received from Alex Willis at BNP Paribas who are agents for the site. This confirms that they have interest in the land and hope to receive subject to planning offers during this month, with planning application(s) and residential development expected to follow. In addition I understand that the Council is in active discussions with the site promoters planning consultant regarding a first phase reserved matters application during the next few months.
- 6.90 In my experience it would be usual for the development of a site of this size to be taken forward by more than one house builder. Indeed, given the configuration of the site it lends itself to two developers and is being marketed accordingly.
- 6.91 My Pycroft suggests that there has been no progress on the site since the Local Plan was examined. This is clearly not the case. The site has been marketed, and the agents dealing with the disposal are expecting offers for the site during the course of this month.

- 6.92 This is a greenfield site which has outline consent for 275 dwellings. It is available, suitable and viable. **Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however allows a longer lead in time for delivery on this site.** I have assumed 2 years from the base date whilst Mr Pycroft has allowed 3 years. In my opinion 2 years is a reasonable assumption to enable completion of a sale, reserved matters approval and mobilisation. This is also a slightly longer period to delivery than allowed for by the Council in the Housing Topic Paper (CD3.10) that formed part of the evidence base for the Local Plan.
- 6.93 In terms of the delivery rate (then as outlined at **para 5.13** the March 2013 Monitoring Report (**CD5.3**)) the nearby development of the site known as Harpur Hill Road, Buxton had completions during the first 12 month period of **50 dwellings** and this was developed by a single house builder. In the absence of recent new build development in Buxton this demonstrates that there is significant pent up demand and hence my assumption of 50 dwellings per year assuming two sales outlets is robust in the circumstances.
- 6.94 I have therefore retained **150 dwellings** from this site in the 5 year land supply calculation.
- 6.95 **Site 17 – Land at Manchester Road, Chapel-en-le-Frith**
It is agreed that **47 dwellings** should be included in the supply from this site.
- 6.96 **Site 18 – Foxlow Farm, Harpur Hill Road, Buxton**
My assessment of this site is contained at **para 5.163 to 5.171** of my proof and I have included **150 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 15** to this rebuttal proof.
- 6.97 Mr Pycroft considers that 60 dwellings will be delivered from this site based on a lead in time of 3 years and a delivery rate of 30 dwellings.
- 6.98 At **Appendix 17** of my original proof of evidence I provided an email from Katie Dean of Hallam Land Management who are the site promoters. This confirmed that a developer was on board and currently in legals with a reserved matters application due spring 2017. Hallam also confirmed that we could assume that the figures contained in the Council's Housing Land Supply are correct.

6.99 Subsequent to this a pre-application meeting has now taken place with the Council. It is understood that Keepmoat would be the developer for the site and a reserved matters application is expected to be submitted in late March 2017. Subject to approval, Keepmoat would look to start on site in December 2017.

6.100 I have also included at **Appendix 15** to this rebuttal copy correspondence received from Graham Love who is the lead Planning Consultant appointed to act on this site. He confirms that they intend to submit a single reserved matters application for the whole site and details to discharge conditions precedent by the end of March 2017. They have also agreed to complete a Planning Performance Agreement with the Local Planning Authority so Reserved Matters is approved in 13 weeks and site works will be mobilised in late autumn 2017 with construction starting in December 2017. Graham Love advises that the delivery rate is expected to be 40 dwellings per annum so supply should be;

Year 1 - 0

Year 2 - 33

Year 3 - 40

Year 4 - 40

Year 5 - 33

This is a total of 146 dwellings.

6.101 This is a greenfield site which has outline consent for 375 dwellings and a residential/retirement facility for up to 70 units. It is available, suitable and viable and there is now a house builder for the site. Pre-application discussions have also taken place with a view to submitting a reserved matters application by the end of March 2017.

6.102 **Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply however allows a longer lead in time for delivery on this site. I have assumed 2 years from the base date whilst Mr Pycroft has allowed 3 years.** In my opinion 2 years is a robust assumption to enable completion of the sale, reserved matters approval and mobilisation. Indeed based on the house builder's timetable it is likely that delivery could take place sooner.

6.103 Based on the circumstances of the development the site is anticipated to make contribution of around 146 dwellings to the 5 year supply. This is in line with my assessment of 150 dwellings and I have therefore retained **150 dwellings** from this site in the 5 year land supply calculation.

6.104 **Site 19 - Macclesfield Road, Whaley Bridge**

My assessment of this site is contained at **para 5.117 to 5.124** of my proof and I have included **107 dwellings** in the 5 year supply. A plan of the site is contained at **Appendix 16** to this rebuttal proof.

6.105 Mr Pycroft considers that 45 dwellings will be delivered from this site based on a lead in time of 3.5 years and a delivery rate of 30 dwellings. He provides no evidence to support this significant extension to the lead in period.

6.106 As outlined in my proof the site has outline consent for 107 dwellings. It is a greenfield site and is being promoted by Gladman Developments Limited, who are experienced strategic land promoters. My proof at **Appendix 13** contains an email from Julian Hamer at Gladman confirming that they anticipate concluding a sale of the site to a major national house builder in Q1 2017. The email notes that the buyer is comfortable with the access. I have included a further email at **Appendix 16** to this rebuttal from Mr Hamer confirming that the sale of the site is still progressing in accordance with his previous advice.

6.107 This is a greenfield site which has outline consent although access is reserved and will need to be addressed. It is available and in fact a sale is currently progressing to a national house builder. It is also suitable and viable.

6.108 Mr Pycroft in his proof accepts that delivery from this site should be included in the 5 year supply at a rate of 30 dwellings per annum however allows a lead in time for delivery on this site of 3.5 years. In my view this is excessive in the circumstances. In my assessment I have assumed 18 months to allow for reserved matters approval, completion of the sale and mobilisation and to deal with any issues related to access. In my view this is a reasonable assessment at the base date.

6.109 I have therefore retained **107 dwellings** from this site in the 5 year land supply calculation.

6.110 **Site 20 – Land at Redcourt, Hollins Cross Lane, Glossop**

It is agreed that **22 dwellings** should be included in the supply from this site.

6.111 **Site 21 – Batham Gate Road, Peak Dale**

It is agreed that **27 dwellings** should be included in the supply from this site.

6.112 **Site 22 – Church Lane, New Mills**

It is agreed that **17 dwellings** should be included in the supply from this site. A further 4 dwellings are contained in the under construction total.

6.113 **Site 23 – Woods Mill, Glossop**

It is agreed that **57 dwellings** should be included in the supply from this site.

6.114 **Site 24 – Dinting Road/Dinting Lane, Glossop**

It is agreed that **65 dwellings** should be included in the supply from this site.

6.115 **Site 25 – Paradise Street, Hadfield**

I deal with this site at **para 4.45 to 4.49** of my proof and have noted here the point made by Mr Pycroft regarding a reduction of 4 dwellings to the supply. It is therefore agreed that **8 dwellings** should be included in the supply from this site based on the existing planning permission and I consider the balance of this Local Plan allocation at **Para 6.136 - 6.139**.

6.116 **Site 26 – Land at Brown Edge Road, Buxton**

It is agreed that **53 dwellings** should be included in the supply from this site.

6.117 **Site 27 – Surrey Street, Glossop**

I have reduced the 5 year supply figure to from 52 to **51 dwellings** to reflect the re-submission of the application on this site.

6.118 Having considered the comments made by Mr Pycroft in his proof I have reproduced his table 20 below, to reflect our respective assessments of the supply from large site with planning permission. I have also amended the status of the site and the developer position as appropriate.

6.119 SUMMARY OF LARGE SITES WITH PLANNING PERMISSION - TABLE 20

Site Ref	Address	Status	Developer	No of dwellings in the five year period in addition to those under construction		
				AGM	BP	Difference
01	Samas Roneo (inc Gamesley Sidings allocation)	Outline	Under Offer	105	20	-85
02	Chapel Street	U/C	McCarthy & Stone	0	0	0
03	Shepley Street	U/C	Wiggett	34	34	0
04	Hole House Mill	RM	-	0	0	0
05	Waterswallows	Outline	Miller Homes	150	0	-150
06	Rear of Hallsteads	RM	Hopwood	104	90	-14
07	South of Hallsteads	RM	-	83	70	-13
08	Octavia Gardens	U/C	Barratt	12	0	-12
09	Forge Works	U/C	Wainhomes	149	72	-77
10	Federal Mogul	U/C	Barratt	21	10	-11
11	South of Long Lane	RM	Seddon	105	105	0
12	Dinting Road	Outline	Loxley Homes	113	60	-53
13	Panhandle Site	Outline	-	44	44	0
14	North Road	U/C	Taylor Wimpey	125	136	+11
15	Charleston Works	Outline	Sherwood Homes	97	75	-22
16	BurLOW Road	Outline	-	150	60	-90
17	Manchester Road	RM	Lovell	47	47	0
18	Foxlow Farm	Outline	Under offer	150	60	-90
19	Macclesfield Road	Outline	Under offer	107	45	-62
20	Redcourt	Full	-	22	22	0
21	Batham Gate Road	Full	-	27	27	0
22	Church Lane	Full	Treville	17	17	0
23	Woods Mill	Full		57	57	0
24	G19 Dinting Road	Outline	-	65	65	0
25	G2 Paradise Street	Full		8	8	0
26	Brown Edge Road	Full	DCC/Keepmoat	53	53	0
27	Surrey Street	Full		51	52	+1
Total				1,896	1,201	-695

- 6.120 Within my original assessment of 1,949 dwellings from large sites with permission I also included the site at Hawkshead Mill. As outlined at para 5.175 of my proof, there is delegated Authority to approve the application subject to receipt of satisfactory reptile and newt survey and a S106 Agreement. If this is included based on 31 dwellings then on a like for like basis my revised total delivery is **1,927 dwellings**.
- 6.121 I have noted an anomaly in Mr Pycroft's total in table 20. The overall total actually adds up to **1,229 dwellings**. However, in relation to the site at North Road I anticipate that an incorrect figure may have been included and this should actually be 123 dwellings. This reduction of 13 would make Mr Pycroft's assessment of delivery from large sites a total of **1,216 dwellings**.
- 6.122 **(d) Sites without Permission – Local Plan Allocations and Other Sites**
At section 6 of my proof of evidence I considered delivery from Local Plan Allocations and Other Identified Sites contained in the Council's 5 year housing land supply. As noted at **table 8.2** of my proof I concluded that based on my assessment of delivery from these sites they would contribute a total of **675 dwellings** to the 5 year housing land supply. This figure was exclusive of delivery from the allocated site at Gamesley Sidings, Glossop which is to be developed in conjunction with the adjacent Samas Roneo Site (which has planning consent). It also excluded the site at Hawkshead Mill noted at **para 6.150** as there was delegated authority to grant consent on this site. Mr Pycroft at **table 21** of his proof has arrived at a figure of **68 dwellings** being delivered from allocated sites in the Local Plan and other identified sites.
- 6.123 No information has previously been provided by the appellant to indicate which of the sites in this category were in dispute. Following submission of Mr Pycroft's proof of evidence I have now been able to ascertain which sites he believes are disputed.
- 6.124 In relation to almost all of the allocations that are included in the 5 year supply Mr Pycroft simply dismisses any delivery from these sites on the basis that he says that '*no progress has been made on this site since the Local Plan examination over a year ago*'. As noted in my proof of evidence at Section 6 this is simply not the case and there has been progress on many of the allocations even in the short period since the local plan was adopted on 14 April 2016.

- 6.125 Mr Pycroft also makes reference to the fact that according to his analysis it takes an average of 3.75 years from validation of the first application to delivery of the first units so any delivery would be at the end of the 5 year period. Notwithstanding the fact that he considers delivery could take place on these allocations towards the end of the 5 year period he still discounts all of the sites on the basis that there had been no progress. Having reviewed his Appendix EP 3 it is not clear how Mr Pycroft has used this assessment to inform his delivery timetable for allocated sites, particularly as with the exception of two sites he doesn't include any sites that don't currently have planning consent within his assessment of the 5 year supply.
- 6.126 With reference to EP3 there are a number of sites where special circumstances exist. For example Site 05 Waterswallows is included based on a timeframe of 16 years. This is obviously not representative of allocated sites within the supply as its delivery has been impacted on by village green applications and this point is addressed at Para 6.37 above and para 5.144 to 5.154 of my original proof. Similarly site 04 Holehouse Mill has been included however as noted at 5.9 to 5.18 of my proof this site has not been delivered as the current occupier has not been able to identify suitable premises to relocate too.
- 6.127 Initial applications in relation to a number of the sites were initiated in very different market circumstances and with reference to Para 5.8 and 5.9 above it is to be expected that this has influenced delivery on these sites. The market circumstances are now very different whilst the Local Plan was also adopted in April 2016. With the improvement in market circumstances and the certainty associated with being allocated in the Local Plan it is realistic to assume that sites that currently do not have planning consent will achieve delivery as suggested.
- 6.128 Delivery in relation to a number of more recent planning applications reflects this improvement in circumstances for example Site 26 Brown Edge Road, where development of the site commenced within 2 years of the reserved matters application in August 2014. Similarly site 27 Surrey Street was subject to a reserved matters application in February 2015 and is also now on site.

6.129 Footnote 11 of the NPPF states that:

"To be considered deliverable, sites 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 and in particular that development of the site is viable."

6.130 The Local Plan Inspector considered the evidence submitted into the Local Plan Examination regarding each of these allocated sites against these tests in footnote 11. He concluded that based on this evidence the allocations were justified and deliverable. The Inspector's Report which was published on 24 March 2016 is at **CD3.1** (6 months prior to the base date) and I have made reference to his comments as appropriate in relation to the allocations at Section 6 of my proof.

6.131 The Planning Practice Guidance at Paragraph: **031 Reference ID: 3-031-20140306** provides further guidance about 'What constitutes a 'deliverable site' in the context of housing policy?' It states that:

"Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years."

6.132 Contrary to Mr Pycroft's comment at **Para 13.1** there is therefore no reason why sites that are allocated for housing in the development plan cannot be considered deliverable and included in the 5 year supply unless there is clear evidence that the schemes will not be implemented within 5 years.

6.133 In quoting the second paragraph of the Planning Practice Guidance at: **031 Reference ID: 3-031-20140306** Mr Pycroft has added his own emphasis and in doing so has taken the reference out of context. The relevant paragraph states

"However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe."

6.134 In my view this paragraph deals with sites that do not have planning permission or are not allocations. It is saying that such sites can be considered to be deliverable and included in the 5 year supply but the Council will need to provide evidence to support the delivery of these sites. If however there are no significant constraints to delivery, sites that are not allocated in the development plan or do not have planning permission can be considered capable of being delivered within the 5 year timeframe.

6.135 I have considered the comments made by Mr Pycroft regarding the sites that he disputes and have provided my comments and assessment below. For ease of reference I have adopted the same site numbering as Mr Pycroft.

6.136 **Site 28 - Paradise Street, Hadfield**

I consider the balance of this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 17**. The total allocation is for 28 dwellings of which permission has been granted for 12. Of the balance of 16, **four dwellings** are contained in the supply with delivery identified in the final 6 months of the period.

6.137 The layout of the consented development makes provision for future road access into the balance of the site, which is in Council ownership. I have provided a layout plan for the consented scheme also at **Appendix 17**.

6.138 This is a greenfield site and the majority of the balance of the allocation is in Council ownership. It is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. A house builder is currently progressing development on part of the allocation with access reserved into the remainder of the site. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented on the balance within 5 years. At **para 203** of his report the Local Plan Inspector noted that this site *"is well located in relation to local services and there is no evidence of significant infrastructure or viability issues."* He therefore considered it was appropriate for inclusion in the Local Plan.

6.139 Mr Pycroft has removed all of the remaining supply from this site. I disagree with his assessment and I have retained **4 dwellings** from this site in the 5 year land supply calculation.

6.140 **Site 29 - Roughfields, Hadfield**

I deal with this site at **para 6.45 to 6.49** of my proof. I have provided a plan of the site at **Appendix 18**. The total allocation is for 102 dwellings. **45 dwellings** are contained in the supply with delivery identified in the final 18 months of the period.

- 6.141 The site is in Council ownership and is part of the Housing Delivery Programme. Full details regarding the Housing Delivery Programme are contained in the Report to the Council's Executive Committee dated 22 September 2016 which was contained at **Appendix 7** of my original proof. It is proposed to create a comprehensive package of measures to accelerate housing delivery in the Borough through an 'Accelerated Housing Delivery Programme'. One of the measures is the pro-active delivery of Council owned sites for housing. Adopting a portfolio approach to accelerate delivery (cross-subsidising) and working with delivery partners (public and private sectors) for sharing risks and expertise.
- 6.142 I have provided at **Appendix 8** a letter from Dai Lerner, Executive Director (Place) which provides an update to the letter contained at **Appendix 7** of my original proof. A decision about whether the site will be developed in house or marketed will be taken in May 2017 and a planning application made in the Summer. Mr Pycroft at Para 13.10 comments that no progress has been made on the site. This is obviously not correct.
- 6.143 This is a greenfield site which is in Council ownership and is part of the Housing Delivery Programme. It is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. The Inspector at **Para 201** of his report considered that this site is "both justified and developable". The Council's delivery assumption of 45 dwellings in the final 18 months of the 5 year period is reasonable and robust.
- 6.144 Mr Pycroft has removed all of the supply from this site I disagree with his assessment and I have retained **45 dwellings** from this site in the 5 year land supply calculation.
- 6.145 **Site 30 - Bute Street, Glossop**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 19**. The total allocation is for 30 dwellings. **23 dwellings** are contained in the supply with delivery identified in the final 18 months of the period.
- 6.146 This is a greenfield site that is situated adjacent to the site of Hawkshead Mill which benefits from a resolution to grant outline permission. The site is in an attractive market location and in my view given the outline consent in relation to the adjacent site it is highly likely that this site will be developed in early course possibly in conjunction with Hawkshead Mill.

- 6.147 The site is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. A resolution to grant consent had just been made in relation to the adjoining site. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented on the balance within 5 years.
- 6.148 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 18 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.
- 6.149 I have therefore retained **23 dwellings** from this site in the 5 year land supply calculation.
- 6.150 **Site 31 - Hawkshead Mill, Glossop**
It is agreed that **31 dwellings** should be included in the supply from this site.
- 6.151 **Site 32 - Woods Mill, Glossop**
As noted at **Para 5.35** of my original proof I have omitted the **15 units** included on the 5 year supply for the allocation on this site. I therefore have agreed with Mr Pycroft's assessment.
- 6.152 **Site 33 - Dinting Lane, Glossop**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 20**. The total allocation is for 50 dwellings. **13 dwellings** are contained in the supply with delivery identified in the final 6 months of the period.
- 6.153 This is a greenfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. As part of the development it is likely that Dinting Lane will need to be widened within the site. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. There have been a number of recent permissions granted and developer interest in relation to nearby sites off Dinting Road. The site is in private ownership and was promoted by the Landowner through the Local Plan process.
- 6.154 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 6 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.

6.155 I have therefore retained **13 dwellings** from this site in the 5 year land supply calculation.

6.156 **Site 34 - Melandra Castle Road, Glossop**

I deal with this site at **para 6.50 to 6.55** of my proof. I have provided a plan of the site at **Appendix 21**. The total allocation is for 35 dwellings. All **35 dwellings** are included in the supply and based on my assessment I have allowed a period of 2 years for the Council to secure a disposal, all necessary planning consents to be obtained and enable mobilisation.

6.157 The site is in Council ownership and is part of the Housing Delivery Programme. I have provided at **Appendix 8** a letter from Dai Larnar, Executive Director (Place) which provides an update to the letter contained at **Appendix 7** of my original proof. The site forms part of the Council's Housing Delivery Programme and they have been in discussions with the HCA about possible starter homes funding. Mr Pycroft at **Para 13.23** comments that no progress has been made on the site. This is obviously not correct.

6.158 This is a greenfield site which is in Council ownership and is part of the Housing Delivery Programme. It is available now, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. As noted by the Local Plan Inspector (Para 206) there is some uncertainty as to viability with higher levels of affordable housing and he recommends that the Council monitor the position. Policy H5 in relation to affordable housing includes flexibility by accepting reduced affordable provision where this is supported by a financial appraisal. In any event based on the evidence in relation to this site the Inspector was satisfied that this site was an appropriate site for housing and considered the allocation to be sound.

6.159 There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. My delivery assumption of 35 dwellings starting after 2 years is reasonable.

6.160 Mr Pycroft has removed all of the supply from this site I disagree with his assessment and I have retained **35 dwellings** from this site in the 5 year land supply calculation.

6.161 **Site 35 - Gamesley Sidings, Glossop**

I deal with this Local Plan allocation at **Para 5.108 to 5.116** of my proof in conjunction with Site 01 Former Samas Roneo Site, Glossop Road. I also consider the site above at **Para 6.18 to 6.29**. The sale and development of this allocation is being progressed with Samas Roneo. A developer is progressing a planning application and a pre-application request has been received by the Council. Mr Pycroft's statement that no progress has been made in relation to this site since the Local Plan Examination is therefore not correct.

6.162 **Site 36 - Adderley Place, Glossop**

I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 22**. The total allocation is for 130 dwellings. **15 dwellings** are contained in the supply with delivery identified in the final 6 months of the period.

6.163 This is a part greenfield and part brownfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. As part of the development a satisfactory access will be required into the site. There is no evidence to suggest that a scheme of development won't be implemented on the balance within 5 years. Part of the site is owned by the Council and the balance of the site was promoted through the Local Plan Examination by Richborough Estates who are experienced strategic land promoters. The promotion of the site through the Local Plan process shows a commitment to disposal and delivery on the part of the landowners. I understand that now that the Local Plan has been adopted the Council has already been contacted by the other landowner with a view to progressing discussions and delivery in relation to this site.

6.164 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 6 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.

6.165 I have therefore retained **15 dwellings** from this site in the 5 year land supply calculation.

6.166 **Site 37 - Bridge Mills, Tintwistle**

I deal with this site at **para 6.12 to 6.20** of my proof. I have provided a plan of the site at **Appendix 23**. **36 dwellings** are contained in the supply with delivery identified in the final 18 months of the period.

6.167 Mr Pycroft has removed all of the dwellings from this site from the supply on the basis that the previous planning consent has expired and there is no evidence to support deliverability of this site. I disagree with this view. The 5 year supply may include sites that do not have permission or are not allocations so long as there are no significant constraints to overcome and they are capable of being delivered.

- 6.168 As outlined in my proof BXB Land Solutions have now exchanged contracts to purchase the site unconditionally. Their timetable for submitting an outline application for the site was December and this was submitted on 21 December. The application reference is HPK/2016/0691 and it seeks outline planning permission for up to 165 dwellings with associated works, public open space and vehicular and pedestrian access off New Road. The application is yet to be validated. I have provided at **Appendix 23** further updates from Gary Goodman at BXB within which he states that in terms of timescales for delivery he would hope to secure a disposal of the land in the summer of 2017 and also confirms that a planning application has now been submitted.
- 6.169 This is a brownfield site which is in control of a site promoter experienced in the delivery of such sites. It is available now with discussions ongoing with house builders, and offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. The Council's delivery assumption of 36 dwellings in the final 18 months of the 5 year period is reasonable and robust.
- 6.170 Mr Pycroft has removed all of the supply from this site I disagree with his assessment and I have retained **36 dwellings** from this site in the 5 year land supply calculation.
- 6.171 **Site 38 - Woolley Bridge, Glossop**
I deal with this site at **para 6.21 to 6.26** of my proof. I have provided a plan of the site at **Appendix 24**. **31 dwellings** are contained in the supply with delivery identified in 2018/19 and 2019/20.
- 6.172 Mr Pycroft has removed all of the dwellings from this site from the supply on the basis that the previous planning consent has expired and there is no evidence to support deliverability of this site. I disagree with this view. The 5 year supply may include sites that do not have permission or are not allocations so long as there are no significant constraints to overcome and they are capable of being delivered.
- 6.173 As outlined in my proof BNP Paribas have been marketing this site for sale and I have provided at **Appendix 24** a further update from Alex Willis at BNP Paribas within which he states that they expect the developer purchaser to submit a planning application for residential development during Q1 2017 and development to commence once permission is granted (hopefully later this year).
- 6.174 This is a brownfield site which is available now with discussions ongoing with a developer, and offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development. The Council's delivery assumption of 31 dwellings after 18 months of the 5 year period is reasonable.

6.175 Mr Pycroft has removed all of the supply from this site I disagree with his assessment and I have retained **31 dwellings** from this site in the 5 year land supply calculation.

6.176 **Site 39 - Derby Road, New Mills**

I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 25**. The total allocation is for 107 dwellings. **15 dwellings** are contained in the supply with delivery identified in the final 6 months of the period.

6.177 This is a greenfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. The site is in private ownership and was promoted through the Local Plan Examination by the landowner's agent. The promotion of the site through the Local Plan process shows a commitment to disposal and delivery on the part of the landowner. The Local Plan Inspector at **Para 219** concluded that based on the evidence in relation to this site that it was both justified and developable.

6.178 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 6 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.

6.179 I have therefore retained **15 dwellings** from this site in the 5 year land supply calculation.

6.180 **Site 40 - Land East of New Mills**

I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 26**. The total allocation is for 239 dwellings. A modest **13 dwellings** are contained in the supply with delivery identified in the final 6 months of the period.

6.181 This is a greenfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. Part of the site is in private ownership and part is owned by Jones Homes who have recently contacted the Council regarding the acquisition of the balance of the site.

6.182 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 6 months of the 5 year period and this is more than sufficient time to dispose of the site (or acquire the balance), secure planning consent and enable mobilisation.

- 6.183 I have therefore retained **13 dwellings** from this site in the 5 year land supply calculation.
- 6.184 **Site 41 - Woodside Street, New Mills**
I consider this site at table 6.7 of my proof and agree with Mr Pycroft that based on the present circumstances of the site **25 dwellings** should be removed from the housing land supply figure.
- 6.185 **Site 42 - Buxton Road, Chinley**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 27**. The total allocation is for 13 dwellings which are contained in the supply with delivery identified after 12 months.
- 6.186 This is a small, level greenfield site on the edge of the village. The site is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented on the balance within 5 years. The Local Plan Inspector at **Para 238** considered this site to be "both justified and deliverable".
- 6.187 Contrary to Mr Pycroft's comments there has been progress on this site and I provided at Appendix 22 of my original proof correspondence from the landowner confirming their intention to shortly submit an outline application for the site. This application was submitted on 21 December 2016 and has been given reference HPK/2016/0692. It is an outline application for Proposed Residential Development (All matters reserved). The application is awaiting validation.
- 6.188 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. There is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation on this site to ensure delivery of 13 dwellings within 5 years.
- 6.189 I have therefore retained **13 dwellings** from this site in the 5 year land supply calculation.
- 6.190 **Site 43 - Britannia Mill, Buxworth**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 28**. The total allocation is for 50 dwellings. **50 dwellings** are contained in the supply with delivery identified after 18 months.

- 6.191 The site was promoted by the Land owner's agent through the Local Plan process and I understand that contrary to Mr Pycroft's comments about a lack of progress there have since been pre-application discussions regarding the site.
- 6.192 The site includes the remains of former mill buildings and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. This is a brownfield site with matters of clearance and remediation that will need to be dealt with. These are not unusual nor a significant constraint to delivery particularly in relatively high value areas such as this. The Inspector at Para 224 concluded that the VTR provided "*a robust case that 50 units would be viable*". As far as the Council is aware there have not been any previous site investigations in relation to this site and in the event that intrusive detailed site investigations resulted in increased abnormal costs, then there is sufficient flexibility in the affordable housing policy to respond to this issue. The landowner appears to be progressing matters and there is no evidence to suggest that the site won't come forward for development in the next 5 years.
- 6.193 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. There is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation on this site to ensure delivery of 50 dwellings within 5 years.
- 6.194 I have therefore retained **50 dwellings** from this site in the 5 year land supply calculation.
- 6.195 **Site 44 - Furness Vale A6**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 29**. The total allocation is for **39 dwellings** which are all contained in the 5 year supply.
- 6.196 This is a greenfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years.

- 6.197 I have provided a copy email at **Appendix 29** of this proof from Simon Plowman of Plan:8 Town Planning Ltd. This confirms that the landowners are in discussions with house builders about a purchase of the site. They are weighing up options but hope to sell the site early this year.
- 6.198 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not for at least 12 months and even if there is some slippage then given the size of the site there is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.
- 6.199 I have therefore retained **39 dwellings** from this site in the 5 year land supply calculation.
- 6.200 **Site 45 - New Mills, Newtown**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 30**. The total allocation is for 15 dwellings. **4 dwellings** are contained in the supply with delivery identified in the final 6 months of the period.
- 6.201 This is a brownfield site adjacent to New Mills, Newtown Railway Station and is available now, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years.
- 6.202 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site is not identified until the last 6 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent and enable mobilisation.
- 6.203 I have therefore retained **4 dwellings** from this site in the 5 year land supply calculation.
- 6.204 **Site 46 - Marsh Lane, New Mills**
It is agreed that **37 dwellings** should be included in the supply from this site.
- 6.205 **Site 47 - Hardwick Square South, Buxton**
I consider this site at **table 6.7** of my proof. The total allocation is for **30 dwellings** which are all contained in the supply with delivery identified after 12 months.

- 6.206 I have undertaken further discussions with the Council to clarify the status of this site and verify the allocation's boundary. I have provided a plan of the site allocation at **Appendix 31**. With reference to this and contrary to the comments that are contained in my table 6.7., the recent conversion did in fact relate to this site. I have provided also at **Appendix 31** a copy of the decision notice and plan relating to DET/2015/0013 for prior notification of conversion of offices to 10 flats. The 10 flats are contained within this allocation and have been completed. However they are not currently included in the completions figures, and have therefore been added into my assessment of the shortfall contained at **table 4.2** above. This leaves a balance of 20 dwellings to be delivered from this allocation. As noted at table 6.7 demolition works are currently being undertaken. There is a clear commitment by the landowner to develop the site.
- 6.207 The site is available now and is already under the control of a developer who has begun delivery on the site. It is viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that the balance of a scheme of development won't be implemented within 5 years. The Local Plan Inspector at **Para 258** comments that the re-development is supported by the Landowner and justified as an appropriate re-use of previously developed land.
- 6.208 Mr Pycroft has removed all of the supply from this site from his calculation. I disagree with his assessment. Delivery on this site has already commenced and there is more than sufficient time to dispose of the site (if required), secure planning consent and enable mobilisation on the balance of the site within 5 years.
- 6.209 I have therefore included 10 dwellings in the completions figures and include the balance of **20 dwellings** from this site in the 5 year land supply calculation.
- 6.210 **Site 48 - Market Street Depot, Buxton**
I deal with this site at **para 6.56 to 6.60** of my proof. I have provided a plan of the site at **Appendix 32**. The total allocation is for **24 dwellings** which are all contained in the 5 year supply.
- 6.211 The site is in Council ownership and I have provided at **Appendix 8** a letter from Dai Lerner, Executive Director (Place) which provides an update to the letter contained at **Appendix 7** of my original proof. This site is earmarked on the Councils Asset Register to be disposed of this year and there has already been developer interest in the site. Mr Pycroft at Para 13.10 comments that no progress has been made on the site, this is obviously not correct.

- 6.212 This is a brownfield site which is in Council ownership. It is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. The Local Plan Inspector at **Para 256** noted that this site is owned by the Council which should assist with its delivery and overall is a sound allocation.
- 6.213 Mr Pycroft has removed all of the supply as he suggests that there has been no progress on the site since the Local Plan Examination. I disagree with his assessment and I have retained **24 dwellings** from this site in the 5 year land supply calculation.
- 6.214 **Site 49 - Dukes Drive, Buxton**
I consider this site at **table 6.7** of my proof. I have provided a plan of the site at **Appendix 33**. The total allocation is for 338 dwellings. **50 dwellings** are contained in the supply with delivery identified in the final 12 months of the period.
- 6.215 This is a greenfield site and is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. The Local Plan Inspector (Para 252) noted that there were school capacity and access issues to be resolved however the landowner was supportive of development and the VTR indicated that the proposed allocation was likely to be viable. He was therefore persuaded (recently) that the allocation was "sound".
- 6.216 As outlined in my original proof the landowner has confirmed that they are likely to undertake further feasibility work looking at traffic/drainage etc in the next year with a view to progressing an application thereafter.
- 6.217 There no evidence to suggest that a scheme of development won't be implemented within 5 years.
- 6.218 Mr Pycroft has removed all of the supply from this site from his calculation as he states that no progress has been made on the site. I disagree with his assessment. Delivery on this site is not identified until the last 12 months of the 5 year period and this is more than sufficient time to dispose of the site, secure planning consent, deal with any access issues and enable mobilisation.
- 6.219 I have therefore retained **50 dwellings** from this site in the 5 year land supply calculation.

6.220 **Site 50 - Harpur Hill Campus, Buxton**

I deal with this site at **para 6.35 to 6.41** of my proof. I have provided a plan of the site at **Appendix 34**. The total allocation is for 105 dwellings. I have included **105 dwellings** within my assessment of the supply with delivery identified after 18 months of the period.

6.221 Mr Pycroft has discounted this site on the basis that no progress has been made since the Local Plan Examination. As outlined in proof this is not the case and pre-application discussions have taken place during the summer and autumn of 2016 between the Council and a house builder with an application due shortly. The application is likely to be a full application as the site is allocated and the housebuilder knows the scheme and the standard house types that they want to build. This will result in a shorter lead in period.

6.222 This site is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There is a clear commitment to develop the site and interest from a housebuilder. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. The Local Plan Inspector noted at **Para 259** in relation to the site that "the landowner is promoting its redevelopment with a development partner. Overall this is a sound allocation."

6.223 Mr Pycroft has removed all of the supply from this site I disagree with his assessment. Given the circumstance of the site and the progress that has been made I believe that it is reasonable to assume delivery on this site after 18 months have I retained **105 dwellings** from this site in the 5 year land supply calculation.

6.224 **Site 51 - Station Road, Buxton**

This site is identified as delivering **19 dwellings** in the final 12 months of the 5 year period.

6.225 Mr Pycroft has discounted delivery from this site from his assessment as he suggests that there has been a lack of progress since the Local Plan Examination. As noted at table 6.7 of my proof this is a brownfield site allocated for mixed use development encompassing a wide range of uses and including an element of residential development. There has been progress on this site with discussions ongoing post Local Plan adoption with Nestle the landowner who are interested in bringing this site forward.

6.226 The Council have assumed that delivery of this site will commence in 4 years which given the circumstances of the site is realistic and would sufficient to enable access proposals to be confirmed and all necessary planning consents to be achieved.

6.227 I retained **19 dwellings** from this site in the 5 year land supply calculation.

6.228 **Site 52 - Granby Road, Buxton**

I deal with this site at **para 6.27 to 6.33** of my proof. I have provided a plan of the site at **Appendix 35**. There are **74 dwellings** are contained in the supply with delivery identified in the final 18 months of the period.

6.229 The site is in Council ownership and is part of the Housing Delivery Programme. I have provided at **Appendix 8** a letter from Dai Lerner, Executive Director (Place) which provides an update to the letter contained at **Appendix 7** of my original proof.

6.230 The Council agreed on 20 October 2016 to enter into a contract to sell the site to a developer with HCA funding. This is a greenfield site which is in Council ownership and is part of the Housing Delivery Programme. It is available now, viable, offers a suitable location for development and is achievable with a realistic prospect that housing on the site will be delivered within 5 years. There are no constraints to development and no evidence to suggest that a scheme of development won't be implemented within 5 years. The Council's delivery assumption of 74 dwellings within 2.5 years is tight. However it reflects the availability of HCA funding to the developer of the site and is considered to be realistic, given the support of the Council for development.

6.231 Mr Pycroft has removed all of the supply from this site on the basis that previous planning consent has expired and there is no up to date evidence to support the deliverability of this site. There clearly is evidence to support deliverability on this site and I disagree with his assessment.

6.232 I have retained therefore retained **74 dwellings** from this site in the 5 year land supply calculation.

6.233 Having considered the comments made by Mr Pycroft in his proof I have reproduced his table 21 below, to reflect our respective assessments of the supply from allocated sites.

6.234 **SUMMARY OF ALLOCATED SITES – TABLE 21**

Site Ref	Address	Developer	No of dwellings in the five year period		
			AGM	BP	Difference
28	G2 – Paradise Street	-	4	0	-4
29	G3 – Roughfields	-	45	0	-45
30	G12 – Bute Street	-	23	0	-23
31	G13- Hawkshead Mill	-	31	31	0
32	G16 – Woods Mill	-	0	-	0
33	G20 – Dinting Lane	-	13	0	-13
34	G25 – Melandra Castle Road	-	35	0	-35
35	G26 – Gamesley Sidings (inc in table 20 with Samas Roneo)	-	0	0	0
36	G32 – Adderley Place	-	15	0	-15
37	Bridge Mills, Tintwistle	-	36	0	-36
38	Woolley Bridge	-	31	0	-31
39	C3 – Derby Road, New Mills	-	15	0	-15
40	C5, C6, C17, C18	-	13	0	-13
41	C7 – Woodside Street, New Mills	-	0	0	0
42	C13 – Buxton Road, Chinley	-	13	0	-13
43	C15 – Britannia Mill	-	50	0	-50
44	C16 – Furness Vale A6	-	39	0	-39
45	C20 – New Mills, Newtown	-	4	0	-4
46	Marsh Lane	-	37	37	0
47	B6 – Hardwick Square South (10 now in completions)	-	20	0	-20
48	B7 – Market Street Depot	-	24	0	-24
49	B10 – Dukes Drive	-	50	0	-50
50	B27 – Harpur Hill Campus	-	105	0	-105
51	B31 – Station Road	-	19	0	-19
52	Granby Road, Buxton	-	74	0	-74
Total			696	68	-628

6.235 The Local Plan (CD2.1) at **5.142** makes provision for 2,850 additional dwellings on allocated sites over the plan period. The Inspector at Para 269 of his Report in March 2016 concluded that *"the Strategic Development Sites and other allocations in each Sub-Area are justified and deliverable"*. Notwithstanding this at the base date some 6 months later Mr Pycroft expects only 68 units to be delivered from all of these recently allocated sites, without providing any positive evidence to explain such a total failure to deliver. This is entirely inconsistent with the recent findings of the Local Plan Inspector who plainly expected such sites to meet the housing requirement.

6.236 **(e) Small Sites and Windfall Allowance**

I deal with this matter at **Para 7.7** of my proof. The Council have included an allowance for windfall sites based on an overall allowance of 1,200 dwellings over the plan period. Over the balance of the 11.5 year period this equates to an annual figure of approximately 105 dwellings. The Council have therefore based their assessment of windfall in the final 2 years of the plan period on this figure and have arrived at a total contribution from windfall of **211 dwellings**. At noted the Inspector at Para 60 of his report concluded that he was satisfied that the evidence "is sufficiently compelling that a windfall allowance should be made as proposed in the 5 year housing land supply".

6.237 **(f) Peak District National Park Authority**

It is agreed that **34 dwellings** can be included in the 5 year supply calculation from the Peak District National Park Authority Windfall Allowance.

SECTION 7.0

CONCLUSIONS AND OVERALL SUMMARY POSITION

7.0 CONCLUSIONS AND OVERALL SUMMARY POSITION

- 7.1 I have considered the comments made in the Proof of Evidence prepared by Mr Pycroft and dated 6 November. Prior to submission of this document no information had been submitted by the applicant to identify which sites within the Council's 5 year housing land supply were in dispute and the reasons for this. I have therefore considered the comments made within Mr Pycroft's Proof and prepared this rebuttal report accordingly. Having regard to the conclusions reached within my rebuttal report I have made any adjustments to the delivery assessments for the respective sites that I consider appropriate. For ease of reference I have re-provided below tables that deal with my revised assessment.
- 7.2 Tables 7.1 deal with the adjustments that the Council consider are appropriate to the housing completions figures, and hence are used to calculate the shortfall. Table 7.2 contains the Council's calculation of the 5 year housing requirement for the Borough, based on the adjustments made to the completions calculations.
- 7.3 Tables 7.3 to 7.8 summarise the deliverable housing supply position based on the various constituent parts, whilst table 7.9 contains the overall summary of the deliverable supply.
- 7.4 **SHORTFALL – ADJUSTMENTS TO COMPLETIONS**
- 7.5 The original completions figure contained in the 5 year housing land supply figure at the base date was 880 dwellings. With reference to the adjustments identified in para 4.5 – 4.7 the adjusted figure is contained at table 7.1.

HPBC Total Completions (net)		880
	Adjustments	
Small Sites	-17	
Octavia Gardens, Chapel	0	
Becketts Brow, Chapel	-26	
North Road, Glossop	-2	
Hardwick Square, Buxton	+10	
Total Adjustment	35	
Revised Total Completions (net)		845

Table 7.1: Adjusted Total Completions (net)

7.6 The adjusted completions figure is therefore 845 dwellings in comparison with a net requirement of 1,925 dwellings. This results in a revised shortfall (backlog) of **1,080 dwellings**.

7.7 REQUIREMENT

7.8 Based on the adjustments made to the total completions in table 7.1 above the Council's revised requirement position is shown in table 7.2. For completeness I have also included a column showing Mr Pycroft's requirement position on a like for like basis taken from table 25 of his proof (based on the Liverpool Method).

	Requirement	Council	BP
A	Net annual requirement (2011 to 2031)	350	350
B	Five year requirement (A x 5 years)	1,750	1,750
C	Backlog 1 April 2011 to 30 September 2016	1,080	1,064
D	Backlog to be made up in five years (C/14.5 X 5 years)	372	367
E	Total five year requirement (B+D)	2,122	2,117
F	Buffer (20% of E)	424	423
G	Five year supply that must be demonstrated (E + F)	2,546	2,540
H	Annual average (G / 5 years)	509	508

Table 7.2: Housing Requirement

7.9 DELIVERABLE SUPPLY

7.10 Tables 7.3 to 7.8 below contain details of my adjusted assessment of the deliverable supply from the various elements and also include Mr Pycroft's assessment of these deliverable supply figures. Mr Pycroft's figures have not been adjusted to take into account any anomalies that I have noted elsewhere within this rebuttal.

(a) Large Sites under Construction

	AGM	BP
Under Construction	294	294
Manchester Road, Chapel	-26	-21
Chapel Street, Glossop	-1	-1
Adjusted Under Construction	267	272

Table 7.3: Supply from Large Sites under Construction

(b) Small Sites with Planning Permission

	AGM	BP
Total In Proof	229	206
Agreed adjustment	-36	-36
Adjusted total	193	170

Table 7.4: Supply from Small Sites with Planning Permission

(c) Large Sites with Planning Permission

Site Ref	Address	Status	Developer	No of dwellings in the five year period in addition to those under construction		
				AGM	BP	Difference
01	Samas Roneo (inc Gamesley Sidings allocation)	Outline	Under Offer	105	20	-85
02	Chapel Street	U/C	McCarthy & Stone	0	0	0
03	Shepley Street	U/C	Wiggett	34	34	0
04	Hole House Mill	RM	-	0	0	0
05	Waterswallows	Outline	Miller Homes	150	0	-150
06	Rear of Hallsteads	RM	Hopwood	104	90	-14
07	South of Hallsteads	RM	-	83	70	-13
08	Octavia Gardens	U/C	Barratt	12	0	-12
09	Forge Works	U/C	Wainhomes	149	72	-77
10	Federal Mogul	U/C	Barratt	21	10	-11
11	South of Long Lane	RM	Seddon	105	105	0
12	Dinting Road	Outline	Loxley Homes	113	60	-53
13	Panhandle Site	Outline	-	44	44	0
14	North Road	U/C	Taylor Wimpey	125	136	+11
15	Charleston Works	Outline	Sherwood Homes	97	75	-22
16	BurLOW Road	Outline	-	150	60	-90
17	Manchester Road	RM	Lovell	47	47	0
18	Foxlow Farm	Outline	Under offer	150	60	-90
19	Macclesfield Road	Outline	Under offer	107	45	-62
20	Redcourt	Full	-	22	22	0
21	Batham Gate Road	Full	-	27	27	0
22	Church Lane	Full	Treville	17	17	0
23	Woods Mill	Full		57	57	0
24	G19 Dinting Road	Outline	-	65	65	0
25	G2 Paradise Street	Full		8	8	0
26	Brown Edge Road	Full	DCC/Keepmoat	53	53	0
27	Surrey Street	Full		51	52	+1
Total				1,896	1,201	-695

Table 7.5: Supply from Large Sites with Planning Permission

(d) Sites without Planning Permission (Local Plan Allocations and Other Sites)

Site Ref	Address	Developer	No of dwellings in the five year period		
			AGM	BP	Difference
28	G2 – Paradise Street	-	4	0	-4
29	G3 – Roughfields	-	45	0	-45
30	G12 – Bute Street	-	23	0	-23
31	G13- Hawkshead Mill	-	31	31	0
32	G16 – Woods Mill	-	0	-	0
33	G20 – Dinting Lane	-	13	0	-13
34	G25 – Melandra Castle Road	-	35	0	-35
35	G26 – Gamesley Sidings (inc in table 20 with Samas Roneo)	-	0	0	0
36	G32 – Adderley Place	-	15	0	-15
37	Bridge Mills, Tintwistle	-	36	0	-36
38	Woolley Bridge	-	31	0	-31
39	C3 – Derby Road, New Mills	-	15	0	-15
40	C5, C6, C17, C18	-	13	0	-13
41	C7 – Woodside Street, New Mills	-	0	0	0
42	C13 – Buxton Road, Chinley	-	13	0	-13
43	C15 – Britannia Mill	-	50	0	-50
44	C16 – Furness Vale A6	-	39	0	-39
45	C20 – New Mills, Newtown	-	4	0	-4
46	Marsh Lane	-	37	37	0
47	B6 – Hardwick Square South (10 now in completions)	-	20	0	-20
48	B7 – Market Street Depot	-	24	0	-24
49	B10 – Dukes Drive	-	50	0	-50
50	B27 – Harpur Hill Campus	-	105	0	-105
51	B31 – Station Road	-	19	0	-19
52	Granby Road, Buxton	-	74	0	-74
Total			696	68	-628

Table 7.6: Supply from Local Plan Allocations and other Sites

(e) Small Sites Windfall Allowance

AGM	BP	Difference
211	106	-105

Table 7.7: Supply from Small Sites Windfall Allowance

(f) PDNPA Contribution

AGM	BP	Difference
34	35	+1

Table 7.8: Supply from PDNPA Contribution

(g) OVERALL TOTAL DELIVERABLE SUPPLY

For completeness I have provided table 7.9 which taking into account the comments and adjustments made in this rebuttal report, summaries my assessment of the total deliverable supply in High Peak. The table incorporates the total number of dwellings from tables 7.3 to 7.8 above. I have also added Mr Pycroft's assessment for comparison taken from table 25 of his proof. I have not sought to adjust his figures to deal with any anomalies that I have identified within this rebuttal.

	No of dwellings		
	AGM	BP	Difference
Sites with planning permission			
(a) Sites Under Construction	267	272	+5
(b) Small Sites with Planning Permission	193	170	-23
(c) Large Sites with Planning Permission	1,896	1,201	-695
Sites without planning permission			
(d) Allocations	696	68	-628
(e) Small Sites Windfall Allowance	211	106	-105
(f) PDNPA Contribution	34	35	+1
Total	3,297	1,852	-1,445

Table 7.9: Summary of Overall Deliverable Supply

Based on the my revised deliverable supply of **3,297 dwellings** and adopting the annual requirement of **509 dwellings** contained in table 7.2, the adjusted land supply position is **6.48 years**.

SECTION 8.0

DECLARATION

8.0 DECLARATION

- 8.1 I confirm that my report includes all facts which I regard as being relevant to the opinions which I have expressed and that attention has been drawn to any matter which would affect the validity of those opinions.
- 8.2 I confirm that my duty to the Inquiry as an expert witness overrides any duty to those instructing or paying me, that I have understood this duty and complied with it in giving my evidence impartially and objectively, and that I will continue to comply with that duty as required.
- 8.3 I confirm that I am not instructed under any conditional fee arrangement.
- 8.4 I confirm that I have no conflicts of interest of any kind other than those already disclosed in my report.
- 8.5 I confirm that insofar as the facts stated in my report are within my knowledge I have made clear which they are and I believe them to be true, and that the opinions I have expressed represent my true and complete professional opinion. My report complies with the requirements of The Royal Institution of Chartered Surveyors as set down in "Surveyors acting as Expert Witnesses: Practice Statement".

Signed:



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A G Massie BSc (Hons) MRICS IRRV MCI Arb

Dated: 10 January 2017

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