

Summary Proof of Evidence of Ben Pycroft BA(Hons), Dip TP, MRTPI re: Housing Land Supply

For Richborough | 24-637

Appeal for residential development – Land south of Warton Recreation Ground, Orton Road, Warton

LPA ref: PAP/2025/0155, PINS ref: APP/R3705/W/25/3371526

Project: 24-637
Site Address: Land south of Warton Recreation Ground, Orton Road, Warton
Client: Richborough
Date: 03 November 2025
Author: Ben Pycroft

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1. Introduction

- 1.1 This summary proof of evidence is submitted in support of an appeal made by Richborough (the Appellant) against the failure of North Warwickshire Borough Council to determine an outline planning application within the relevant timescales for:

“the construction of up to 110 dwellings, with access, landscaping, sustainable drainage features, and associated infrastructure. All matters are reserved except for primary vehicular access from Church Road.”

at land south of Warton Recreation Ground, Orton Road, Warton (LPA ref: PAP/2025/0155, PINS ref: APP/R3705/W/25/3371526).

- 1.2 This summary and my main proof of evidence address the Council’s Five Year Housing Land Supply (5YHLS). They should be read alongside the proof of evidence of Neil Cox, which addresses all other planning matters in relation to the appeal.
- 1.3 My proof of evidence addresses the Council’s 5YHLS at 1st April 2025 as set out in the Council’s Statement on Five-Year Housing Land Supply Calculations, which was provided to the Appellant on Thursday 16th October 2025, along with the Council’s housing trajectory.

Qualifications

- 1.4 I am Benjamin Michael Pycroft. I have a B.A. (Hons) and a postgraduate diploma in Town Planning from the University of Newcastle-upon-Tyne and am a member of the Royal Town Planning Institute. I am a Director of Emery Planning, based in Macclesfield, Cheshire.
- 1.5 I have extensive experience in dealing with housing supply matters and have prepared and presented evidence relating to five year housing land supply calculations at several Local Plan examinations and over 80 public inquiries across the country.
- 1.6 I understand my duty to the inquiry and have complied, and will continue to comply, with that duty. I confirm that this evidence identifies all facts which I regard as being relevant to the opinion that I have expressed, and that the Inquiry's attention has been drawn to any matter which would affect the validity of that opinion. I believe that the facts stated within this proof are true and that the opinions expressed are correct and comprise my true professional opinions which are expressed irrespective of by whom I am instructed.



1.7 I provide this summary and my main proof of evidence and a set of appendices. I also refer to several core documents. I am working with the Council on a Statement of Common Ground (SoCG) in relation to housing land supply.

Background

1.8 Until recently, the Council's latest 5YHLS position had a base date of 1st April 2024. It was published within the Council's Annual Monitoring Report 2023/2024 (AMR)¹. The AMR states that the Council considered it had a deliverable supply at 1st April 2024 of 3,874 dwellings.

1.9 Table 17 of the AMR (page 27) explains that the Council measures both the shortfall and the 5YHLS against the "stepped" housing requirement. Unlike the Council's current position, a calculation against the annual average requirement is not shown.

1.10 Against the (stepped) requirement, the addition of 274 dwellings to account for the shortfall and a 5% buffer, the AMR concludes that the 5YHLS at 1st April 2024 equates to 5.07 years (a surplus against the 5YHLS requirement including a 5% buffer of 53 dwellings). The 1st April 2024 position statement did not provide any evidence to support the inclusion of sites in the supply, including the sites which are within category b) of the definition of "deliverable". For these sites, the onus is on the Council to provide "clear evidence" of deliverability.

1.11 On 16th October 2025, the Council provided the Appellant with the following documents:

- Statement on Five-Year Housing Land Supply Calculations²; and
- Appendix A Single Site Housing Information 2024/25 – this is the housing trajectory for the 5YHLS period³.

1.12 The Council has not provided any evidence to support the inclusion of sites in the supply, including the sites which are within category b) of the definition of "deliverable".

1.13 The Council's case is now that it has a deliverable supply at 1st April 2025 of 2,207 dwellings. This is 1,667 fewer dwellings (43%) than at 1st April 2024. The main reason for this is because the Council has removed

¹ Core document **10.1**

² Core document **10.6**

³ Core document **10.6.1**



1,514 dwellings from its claimed deliverable supply on allocated sites⁴. The Council's case is now that the 5YHLS should be measured against:

- The adopted housing requirement as an annual average plus the shortfall at 1st April 2025 and a 20% buffer. The Council's supply figure of 2,207 dwellings against this is **1.5 years**; and
- The stepped adopted housing requirement, plus the shortfall at 1st April 2025 and a 20% buffer. The Council's supply figure of 2,207 dwellings against this equates to **2.2 years**.

1.14 The Council's case is therefore that it has a deliverable supply of between 1.5 and 2.2 years at 1st April 2025.

⁴ Please see table 2.1 of my proof of evidence



2. Summary

2.1 The following matters in relation to 5YHLS are agreed:

- The base date is 1st April 2025 and the 5YHLS period is to 31st March 2030;
- The 5YHLS should be measured against the adopted housing requirement. I conclude that this should be against the stepped housing requirement, whereas as above, the Council measures the 5YHLS against both the annual average adopted requirement and the stepped housing requirement;
- The shortfall should be addressed in full in the 5YHLS period (i.e. the 'Sedgefield' method);
- A 20% buffer should be applied to the 5YHLS calculation; and
- A 5YHLS cannot be demonstrated.

2.2 The following matters in relation to 5YHLS are not agreed:

- Firstly, the extent of the past shortfall at 1st April 2025. The Council considers that this is either:
 - 3,620 dwellings against the adopted requirement as an annual average; or
 - 439 dwellings against the stepped requirement.

The Appellant considers that the shortfall at 1st April 2025 is 544 dwellings. This is because I conclude that the 5YHLS should be measured against the stepped housing requirement and because I do not agree with the adjustment the Council makes to its actual recorded completions in 2019/20 and 2020/21 due to the covid pandemic as set out in section 6 of my proof of evidence.

- Secondly, the deliverable supply is not agreed. As above, the Council considers that it has a deliverable supply at 1st April 2025 of 2,207 dwellings. This is 2,241 dwellings before the Council then removes 34 dwellings due to a lapse rate. I conclude that the deliverable supply at 1st April 2025 is 848 dwellings. The reason for the difference (of 1,393 dwellings with the 2,241 figure) is because I dispute the inclusion of:
 - 470 dwellings on 4 sites without planning permission or an application pending determination. For these sites, I conclude that the Council has not provided "clear evidence" of deliverability for their inclusion in the 5YHLS;
 - 183 dwellings on 3 sites without planning permission but a planning application pending determination. For these sites, I conclude that the Council has not provided "clear evidence" of deliverability for their inclusion in the 5YHLS;



- 300 dwellings on 1 site with outline planning permission. For this site, I conclude that the Council has not provided “clear evidence” of deliverability for its inclusion in the 5YHLS;
- 320 dwellings on 3 sites with planning permission. For these sites, I conclude that the Council has not provided “clear evidence” of deliverability for their inclusion in the 5YHLS; and
- 120 dwellings as there is no justification for the inclusion of a windfall allowance in the 5YHLS in addition to known windfall sites which are already included in the 5YHLS.
- 34 dwellings deducted to take account of a lapse rate.

2.3 I therefore conclude that the deliverable supply at 1st April 2025 equates to **0.82 years** as shown in the following table.

Table 2.1 – North Warwickshire Council’s 5YHLS at 1st April 2025

		Council Annual Average requirement	Council Stepped requirement	Appellant Stepped requirement
A	Five year requirement	2,395	3,750	3,750
B	Shortfall at 1 st April 2025	3,620	439	544
C	Shortfall to be addressed in 5 year period	3,620	439	544
D	Total five year requirement (A + C)	6,015	4,189	4,294
E	Requirement plus 20% buffer	7,218	5,027	5,154
F	Annual housing requirement (E / 5 years)	1,444	1,005	1,031
	Supply			
G	Deliverable supply at 1 st April 2025	2,207	2,207	848
H	Supply in years (G / F)	1.53	2.20	0.82
I	Undersupply against the five year requirement including buffer (G – E)	-5,011	-2,820	-4,306

2.4 The policy implication of this is addressed by Neil Cox.



