

Statement of Common Ground re: 5 Year Housing Land Supply

Between Boningale Developments Ltd and Shropshire Council

Appeal on non-determination for the residential development of 70 dwellings - Land to the east of Tilstock Road, Tilstock, Whitchurch, Shropshire
LPA ref: 24/04176/FUL, PINS ref: 3362414

References: LPA ref: 24/04176/FUL, PINS ref: 3352414

Address: Land to the east of Tilstock Road, Tilstock, Whitchurch, Shropshire

Appellant: Boningale Developments Ltd

Date: 06 October 2025

Authors: Ben Pycroft on behalf of Boningale Developments Ltd and Shropshire Council

Contents

1.	Introduction	2
2.	Matters in Agreement	3
3.	Matters not agreed	8

1. Introduction

1.1 This topic specific Statement of Common Ground (SoCG) relates to the Council's 5 Year Housing Land Supply (5YHLS) position. It sets out the following:

- Matters in agreement re: 5YHLS (Section 2); and
- Matters not agreed re: 5YHLS – the deliverable supply (Section 3).

1.2 This final version of the updated SoCG is jointly agreed by:

Signed *Ben Pycroft*

Date 6 October 2025

NAME Ben Pycroft

Director, Emery Planning on behalf of the Appellant

Signed *Daniel Corden*

Date 6 October 2025

NAME Daniel Corden

Principal Planning Policy Officer – Planning Policy, Shropshire Council

2. Matters in Agreement

The Requirement to Assess the Extent of Deliverable Supply in Accordance with National Policy

- 2.1 The parties agree that National Planning Policy and associated guidance sets out what a 5YHLS is, how it should be calculated and the implications when a local planning authority cannot demonstrate a five year supply of deliverable housing sites.
- 2.2 The parties agree that the most recent version of the National Planning Policy Framework was published on 12th December 2024 (with minor updates on 7th February 2025).

Base Date and Five-Year Period

- 2.3 The Council's most recent assessment of the 5YHLS is set out in the *"Shropshire Council – Five Year Housing Land Supply Assessment 2024"*. The base date of the 5YHLS assessment within that document is 1st April 2024. It is, therefore, agreed that the relevant base date for calculating the 5YHLS for the purposes of this appeal is 1st April 2024, and the five-year period runs to 31st March 2029.

The requirement the 5YHLS should be measured against

- 2.4 Both parties agree that in accordance with paragraph 78 and footnote 39 of the Framework, the 5YHLS should be calculated against local housing need, calculated using the standard method set out in national planning practice guidance (NPPG).
- 2.5 Both parties agree that the Council's most recent assessment *"Five Year Housing Land Supply Assessment 2024"* is undertaken in the context of local housing need, and this was the correct figure at the time the *"Five Year Housing Land Supply Assessment 2024"* was published. Whether this calculation should be updated to take account of subsequent updates to data inputs, in isolation to the assessment of deliverable housing land supply, is not agreed.
- 2.6 Both parties agree that a 5% buffer applies.

Dwellings that should not be included in the Council's Five Year Housing Land Supply Assessment 2024

- 2.7 Both parties agree that the specified number of dwellings detailed in the “*Agreed Reduction to Capacity in the 5YHLS (reflecting 10% non-delivery allowance)*” column of Table SOCG1 on the following 12 sites listed in the 5YHLS in the “*Five Year Housing Land Supply Assessment 2024*” should not be included in the 5YHLS:

Table SOCG1 – Dwellings on sites included in the “Five Year Housing Land Supply Assessment 2024” which are agreed should not be included within the 5YHLS

Site ref	Address	Total capacity in the 5YHLS (net)	<i>Adjusted Capacity in the 5YHLS (reflecting 10% non-delivery allowance)</i>	Agreed Reduction to Capacity in the 5YHLS (reflecting 10% non-delivery allowance)
21/03378/REM	Proposed Care Home, Shillington Drive, Shrewsbury	70 bedrooms	63	30
14/03184/FUL	Brogyntyn Hall	69	62	4
DNP005	Land NW of South Road, Ditton Priors	20	18	18
SKH001	Land at Rosehill Road, Stoke Heath	14	13	13
SHR211	Land at Hollydene, Shrewsbury	14	13	13
CLT, Sutton Upon Tern	Sutton Upon Tern	14	13	13
FR, Dorrington The Farris	Falklands Road, Dorrington	10	9	9
HNN016	Land south of Oak Street, Highley	72	65	65
WRP001VAR	Land west of Trehowell Lane, Weston Rhyn	35	32	32
WRP017	Land off Station Road, Weston Rhyn	15	14	14

Site ref	Address	Total capacity in the 5YHLS (net)	<i>Adjusted Capacity in the 5YHLS (reflecting 10% non-delivery allowance)</i>	Agreed Reduction to Capacity in the 5YHLS (reflecting 10% non-delivery allowance)
WEM025	Land off Trentham Road, Wem	30	27	27
PRE002-011-012	Land west of Shrewsbury Street, Prees	22	20	20
	Total			258

- 2.8 Shropshire Council also agrees that deductions to the number of deliverable dwellings on 3 other sites in the *“Five Year Housing Land Supply Assessment 2024”* are appropriate, although the extent of the deduction is not agreed with the appellant. Specifically, on these sites the Council considers deductions totaling 266 dwellings are appropriate; whilst the appellant considers deductions totaling 685 dwellings are appropriate (these figures reflect the 10% non-delivery allowance applied in the Council’s housing land supply). This is documented in Tables SOCG4-SOCG8 and the Scott schedule.

Dwellings that should be included in the Council’s Five Year Housing Land Supply Assessment 2024

- 2.9 Both parties agree that the specified number of dwellings detailed in Table SOCG2 on the following 9 sites listed in the 5YHLS in the *“Five Year Housing Land Supply Assessment 2024”*, which were previously challenged by the appellant, are deliverable and should be included in the 5YHLS:

Table SOCG2 – Dwellings on sites included in the “Five Year Housing Land Supply Assessment 2024” which are agreed should be included within the 5YHLS

Site ref	Address	Agreed Capacity in the 5YHLS (subject to 10% non-delivery rate) (net)
22/04360/FUL	Land west of Tilstock Road, Whitchurch	350
21/05743/OUT	Land off Ellesmere Road, Hencote	204

Site ref	Address	Agreed Capacity in the 5YHLS (subject to 10% non-delivery rate) (net)
21/05981/FUL	North of London Road, Shrewsbury	131
17/05189/FUL	Land south of Rocks Green, Ludlow	61
16/02491/REM	The Leasowes, Sandford Avenue, Church Stretton	43
SHREW002, SHREW035, SHREW083, SHREW128, ELR64, ELR67 & ELR68	Shrewsbury West Sustainable Urban Extension	91
SHR057 & SHR177	Land north of Mytton Oak Road, Shrewsbury	152
BUR002	Land adjoining Lineage Farm on A456, Burford	40
HR, Highley	North of Hazelwells Road, Highley	24

Approach to any deductions to the Council's Five Year Housing Land Supply Assessment 2024

- 2.10 Both parties agree that in circumstances where it is determined that dwellings on sites included in the Council's Five Year Housing Land Supply are not deliverable, an adjustment is required to the reduction to reflect the 10% non-delivery allowance that the Council applies to dwellings in all disputed components of the housing land supply.

The Council cannot demonstrate a 5YHLS

- 2.11 It is agreed that the Council cannot currently demonstrate a 5YHLS. The extent of the deliverable supply is not agreed, as set out in the following section of this SoCG.
- 2.12 The respective positions are set out in the following table:

Table SOCG3 – 5YHLS at 1st April 2024 – both parties

	Requirement	Council	Appellant
A	Annual local housing need figure	1,994	2,025
B	Five year housing requirement without buffer (A X 5 years)	9,970	10,125
C	5% buffer (5% of B)	499	506
D	Five-year supply to be demonstrated (B + C)	10,469	10,631
	Supply		
F	Five-year supply at 1 st April 2024	9,378	7,586
G	Supply in years	4.48	3.56
H	Undersupply against the five-year requirement plus buffer	-1,091	-3,045

3. Matters not agreed

The local housing need

The Council's case

- 3.1 The Council considers the 5YHLS should be measured against a figure of 1,994 dwellings per annum. This is the local housing need calculated using the standard method set out in national planning practice guidance, correct at the time the *"Five Year Housing Land Supply Assessment 2024"* was published. The Council considers that this is consistent with:
- a. Paragraph 4 of the NPPG on Housing and Economic Needs Assessment (ID2a) which details the standard methodology, as this local housing need assessment utilised the latest available housing stock and affordability ratio data **at publication** of the *"Five Year Housing Land Supply Assessment 2024"*.
 - b. Paragraph 78 of the NPPF and the NPPG on Housing Supply & Delivery (ID68), which requires Local Authorities to *"identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old"* (our emphasis). Neither the NPPF or NPPG require updates to the housing land supply assessment more frequently than annually or in circumstances where the data that informs the LHN assessment updates – the Council consider such a requirement would be unrealistic.
- 3.2 Shropshire Council considers it inappropriate to update the 'need' side of the assessment of housing land supply without doing the same to the 'supply' side. The Council considers this view to be consistent with the appellants stated position regarding 'supply' in paragraph 4.4 and the various appeal decisions referenced in paragraphs 4.5-4.8 of this same hearing statement. The Council also notes that in paragraph 4.9 of the appellants hearing statement on the five year housing land supply they had previously agreed the 5YHLS should be measured local housing need of 1,994 dwellings per annum – this position was published after additional affordability ratio data had become available.

The Appellant's case

- 3.3 The Appellant considers the 5YHLS should be measured against a figure of 2,025 dwellings per annum. This is the local housing need calculated using the 2024-based housing stock and the mean average affordability over the period 2019 to 2024. This is for the reasons set out in section 5 of Ben Pycroft's Proof of Evidence.

The deliverable supply

- 3.4 The Council considers that the deliverable supply at 1st April 2024 is 9,378 dwellings. The Appellant considers that the deliverable supply at 1st April 2024 is 7,586 dwellings. The reason for the difference is because the Appellant disputes the inclusion of 1,792 dwellings on the following sites – these will be further addressed within a Scott Schedule to inform this appeal:

Table SOCG4 – Disputed sites which were proposed allocations in the withdrawn plan

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
SHR060, SHR158 & SHR161	Land between Mytton Oak Road and Hanwood Road, Shrewsbury	1,500	171*	0	-257
BRD030	Tasley Garden Village, Bridgnorth	1,050	113*	0	-203
SHR173	Land west of Ellesmere Road, Shrewsbury	450	135*	0	-225
WHT037 & WHT044	Land north of Chester Road, Whitchurch	200	95	0	-95
ALB017 & ALB021	Land north of Kingswood Road and Beamish Lane, Albrighton	180	97	0	-97
MDR006	Land adjoining Adderley Road, Market Drayton	125	68	0	-68
MDR039 & MDR043	Land at Longford Turning, Market Drayton	120	68	0	-68
SHF022 & SHF023 (part)	Land between Windmill View and The Monument on A464, Shifnal	100	65	0	-65
BUR004	Land adjoining Boraston Drive on A456, Burford	100	54	0	-54

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
SHA019	Land between the A53 and Poynton Road, Shawbury	80	45	0	-45
FRD011	Land adjoining But Lane on A458, Ford	75	32	0	-32
WHT014	Land at Liverpool Road, Whitchurch	70	63	0	-63
SHR054a	Land south of Sundorne Road, Shrewsbury	60	54	0	-54
LYH007	Land east of Barley Meadows, Llanymynech	50	45	0	-45
BNP024	Land west of Shrewsbury Road, Baschurch	35	32	0	-32
MIN018	Land west of A488, Minsterley	20	18	0	-18
BIT022	Land east of Villa Farm, Bicton	15	14	0	-14
		Totals	1,435	0	-1,435

* Shropshire Council also agrees deductions to the number of deliverable dwellings on these sites in the “Five Year Housing Land Supply Assessment 2024” are appropriate (deductions are reflected in the table), although the extent of the deduction is not agreed with the appellant.

Table SOCG5 – Disputed allocated sites (adopted)

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
ELL003a & ELL003b	Land south of Ellesmere	250	151	0	-151
CMI	Land at Ludlow Road, Cleobury Mortimer	120	97	0	-97
ALB002	Land at White Acres, Albrighton	90	81	0	-81
OSW024	Eastern Gateway Sustainable Urban Extension, Oswestry	50	45	0	-45
HO2	Land off Avenue Road, Broseley	20	18	0	-18
		Totals	392	0	-392

Table SOCG6 – Disputed sites with planning permission

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
20/05065/OUT	Flax Mill, Spring Gardens	120	108	0	-108
21/01136/FUL	Land to the south of Chirbury	40	36	13	-23
19/02385/FUL	Stoke Heath Camp, Warrant Road	38	34	0	-34
		Totals	178	13	165

Table SOCG7 – Disputed SLAA site

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
WEM018	Land behind 18-34 Aston Road, Wem	38	34	0	34
		Totals	34	0	-34

Table SOCG8 – Disputed affordable housing sites

Ref	Site	Total capacity (net)	LPA 5YHLS (reflecting 10% non-delivery allowance)	Appellant 5YHLS (reflecting 10% non-delivery allowance)	Difference
SC, Wem	West of Swain Close, Wem	21	19	0	-19
NS, Wem	New Street, Wem	14	13	0	-13
		Totals	32	0	-32