

Statement of Common Ground re: 5YHLS

Appellant: Hallam Land Management Limited | 26-108

Outline planning application for a mixed-use development including up to 600 dwellings and 60 units of elderly accommodation – Land north of A507, west of A10, Buntingford
LPA ref: 3/24/0966/OUT, PINS ref: 6008238

Project: 26-108
Site Address: Land north of A507, west of A10, Buntingford
Appellant: Hallam Land Management Limited
Date: Thursday, July 9, 2026
Authors: Ben Pycroft on behalf of the Appellant and Neil Button on behalf of East Hertfordshire District Council

Contents

1.	Introduction	1
2.	Matters in agreement	2
3.	Matters in dispute	5
4.	Five Year Housing Land Supply calculations	6

1. Introduction

1.1 This topic specific Statement of Common Ground (HLS SoCG) sets out common ground and areas of dispute on the single issue of housing land supply between the Appellant (Hallam Land Management) and the Local Planning Authority (East Hertfordshire) for an appeal relating to land north of A507, west of A10, Buntingford.

1.2 It sets out the following:

- Matters in agreement (Section 2);
- Matters not agreed (Section 3);
- Five year housing land supply calculations (Section 4).

1.3 This final version of the HLS SoCG is jointly agreed by:

Ben Pycroft

Ben Pycroft

Senior Director, Emery Planning on behalf of the Appellant

Date: 09/07/2026



Neil Button

Team Leader – Strategic Sites Development Management

East Hertfordshire District Council

Date: 09/07/2026

2. Matters in agreement

2.1 The following matters are agreed by both parties.

The base date and the 5YHLS period

2.2 It is agreed that the base date for calculating the 5YHLS for this appeal is 1st April 2025 and the 5YHLS period is to 31st March 2030. Sites that are considered to be ‘deliverable’, subsequent to 1st April 2025 have not been included in the 5YHLS.

2.3 In accordance with its on-going monitoring responsibilities, the Council is working on a new position statement (with a base date of 1st April 2026), which has not been published. If it is published before the determination of the appeal, then the Appellant will adduce evidence on it. The Appellant will thoroughly scrutinise that evidence in the way it has done below for the 2025 figure, and reserves its right to make submissions to the Inspector on this evidence should it consider necessary.

The figure the 5YHLS should be measured against

2.4 It is agreed that in accordance with paragraph 78 and footnote 39 of the Framework, the 5YHLS should be measured against the local housing need calculated using the standard method set out in the PPG.

2.5 It is agreed that it is 1,237 dwellings per annum.

The buffer

2.6 It is agreed that the 5% buffer applies.

Changes to the Council’s supply figure

2.7 The Council’s trajectory shows a deliverable supply at 1st April 2025 of 4,553 dwellings.

2.8 It is agreed that the Council does not hold clear evidence to demonstrate that 889 dwellings on the following 10 sites in the trajectory are “deliverable”. Therefore, the Council agrees that they will not be included in the 5YHLS. The order of the sites in the table below follows that set out in the Council’s trajectory (which the Council has agreed will not be included in the 5YHLS for the purposes of the calculation).:

Table SOCG1 – Sites in the Council’s trajectory without clear evidence to demonstrate that they are deliverable for the supply period up to 31st March 2030.

#	Reference	Site Address	Council’s trajectory	Council’s 5YHLS	Appellant’s 5YHLS
1	3/17/2588/OUT	Bishops Stortford Goods Yard, Station Road (BISH7)	318	0	0
2	3/18/2798/FUL	Bluecoat House	15	0	0
3	3/19/1045/OUT	Land North of the Stort Valley and A414 (Villages 1 - 6)	100	0	0
4	3/21/2615/FUL	27-29 High Street, Ware	17	0	0
5	3/20/0502/OUT	Land and buildings to the east of Netherfield Lane, Stanstead Abbots	20	0	0
6	3/18/2764/OUT	Hertfordshire County Council Depot, Station Road, Watton At Stone	14	0	0
7	BISH7	The Goods Yard, Bishop’s Stortford	105	0	0
8	BISH8	The Causeway	100	0	0
9	HERT3	West of Hertford (North) (HERT3A)	150	0	0
10	EWEL1	Land east of Welwyn GC	50	0	0
	Total		889	0	0

- 2.9 The Council also considers the build out rate on the following site should be reduced from that set out in the trajectory:

Table SOCG2 – Council’s revised trajectory for BISH3 (ASRs1-4)

Reference	Site Address	Council’s trajectory	Council’s 5YHLS	Difference
3/13/0804/OP	ASR’s 1-4 (BISH3) Land at Bishop’s Stortford North	1,054	1,010	44

- 2.10 The build out rate on this site is disputed by the Appellant as set out in Table SOCG3 in section 3 of this SoCG.
- 2.11 Finally, the Council considers that 118 dwellings at HERT4 should be added to the 5YHLS at 1st April 2025. Whilst this site is not listed in the Council's trajectory, full planning permission was granted for 118 dwellings on this allocated site before the base date on 21st February 2025 (LPA ref: 3/23/1642/FUL). The Appellant agrees that the site was deliverable at 1st April 2025 and 118 dwellings should be included in the 5YHLS.
- 2.12 Therefore, the Council considers that its deliverable supply at 1st April 2025 is 3,738 dwellings (i.e. $4,553 - 889 - 44 + 118 = 3,738$).

The Council cannot demonstrate a 5YHLS

- 2.13 It is agreed that the Council cannot demonstrate a 5YHLS. The Council's figure of 3,738 dwellings equates to 2.88 years (a shortfall of 2,756 dwellings in the 5YHLS).
- 2.14 The extent of the shortfall is disputed as set out in the following section of this SoCG.

The Bracket

- 2.15 The Appellant and the Council agree that the Council is unable to demonstrate a five-year supply of deliverable housing land and the supply is between 2.21 – 2.88 years on the 31 March 2025 base date. The parties agree that it is not necessary for the Inspector to determine where in the bracket the supply falls as it is agreed that the benefits of providing housing, including affordable housing and self/custom build housing should attract substantial weight, and that the 'tilted balance' is engaged, by virtue of the Council's inability to demonstrate a 5YHLS.

3. Matters in dispute

The deliverable supply

- 3.1 The Council considers the deliverable supply is 3,738 dwellings. The Appellant considers the deliverable supply is 2,871 dwellings. The difference (of 867 dwellings) is set out in the following table with the appellant's summary reason for the dispute:

Table SOCG3 – Disputed sites

#	Reference	Site Address	Council's 5YHLS	Appellant's 5YHLS	Difference	Summary reason for dispute	Council Position
1	3/23/1447/OUT	Land east of the A10, Buntingford	240	75	165	The site only has outline permission. A reserved matters application is pending but has not yet been determined. The lead-in time should be extended and build-rate should be reduced to 50dpa.	Clear evidence provided by Vistry/Countryside (The applicant) (accepted by Inspector at Appeal in 2024) confirmed that 240 homes were deliverable in the 5YHLS noting multiple outlets and the developer is national housebuilder with ability to build out at higher rate.
2	3/22/1030/OUT	Neale Drive And Phillips Way, Buntingford	58	0	58	The site only has outline permission. A reserved matters application is pending determination; however, it is subject to outstanding objections from Highways and	Clear evidence provided includes delivery proforma from previous site owner, adopted masterplan, outline planning permission, reserved matters to be determined in July 2026, Denbury Homes housebuilder are new owners and previous

#	Reference	Site Address	Council's 5YHLS	Appellant's 5YHLS	Difference	Summary reason for dispute	Council Position
						LLFA. No clear evidence for inclusion.	appeal evidence accepting the site was clearly deliverable in 2024 (pre-RM and Denbury acquiring site).
3	3/13/0804	ASR's 104 (BISH3)	1,010	840	170	The Council applies a build out rate of 202 dwellings per annum. The Appellant considers that the average build rate achieved on site should be applied. This is 168 dwellings per annum.	Previous Inspector accepted 202 was the appropriate build out rate. All housing RMs approved on the BISH3 site with 4 housebuilders on site. No change in circumstance to suggest build rates are slowing.
4	3/18/2465/OUT 3/23/2034/VAR	Land east of Marshgate Drive, Hertford	275	195	80	The site is under construction; however, the developer states that first dwellings will be available in Q1 of 2028. Therefore, the Council's	Developer (Berkeley Homes) confirmed in writing (January 2026) that 280 homes are deliverable in 5YHLS period. First sales targets are not an indicator for pushing back overall site

#	Reference	Site Address	Council's 5YHLS	Appellant's 5YHLS	Difference	Summary reason for dispute	Council Position
						trajectory should be pushed back by 1 year.	delivery with the developer being a national housebuilder with a track record of delivery on brownfield sites.
5	3/19/2124/OUT	Land Off Church Lane A414 (Village 7)	60	0	60	The site only has outline permission. A reserved matters application was submitted after the base date. This is a large site with a long lead-in time and no clear evidence for inclusion.	Delivery rates provided by developer (Taylor Wimpey) in 2025 proposed 420 homes in the supply period. RMs and conditions have subsequently been approved in Village 7, including for the strategic infrastructure masterplanning. The Council pushed back the supply and this resulted in a more cautious number (60 dwellings) being included in the trajectory, notwithstanding the developer's intention

#	Reference	Site Address	Council's 5YHLS	Appellant's 5YHLS	Difference	Summary reason for dispute	Council Position
							to build out at quicker rate.
		Windfall allowance	400	66	334	A windfall allowance of 75dpa should be applied as per the Council's evidence for the Local Plan examination and known windfall sites should be removed to avoid double counting.	The Council have enough evidence over at least 8 years (since DP was adopted) to show the Council are delivering at least 100 dwellings per year as part of a Windfall calculation). It was agreed in the previous appeal in 2024 that 75 dwellings Windfall allowance was acceptable at that time). The evidence indicates that the Windfall allowance should be higher. The Council's completion records for the past 5 years range from 798 to 1410 homes per annum between 2020-2025. This indicates a healthy supply of Windfall sites in addition to a

#	Reference	Site Address	Council's 5YHLS	Appellant's 5YHLS	Difference	Summary reason for dispute	Council Position
							consistent housing delivery.
		Total			867		

4. Five Year Housing Land Supply calculations

- 4.1 The respective five year housing land supply calculations for the Local Planning Authority and the Appellant are set out in the table below.

Table SOCG4 – 5YHLS calculations

	Requirement	Council	Appellant
A	Annual local housing need figure	1,237	
B	Five year requirement	6,185	
C	5% buffer	309	
D	Total five year requirement including 5% buffer	6,494	
E	Annual housing requirement including 5% buffer	1,299	
	Supply		
F	Deliverable supply at 1 st April 2025	3,738	2,871
G	Supply in years (F / E)	2.88	2.21
H	Undersupply against the five year requirement (F – D)	-2,756	-3,623