

## 1 INTRODUCTION

- 1.1 This Supplementary Statement has been prepared on behalf of MAN Energy Solutions UK Ltd (“the Appellant”) in respect of an appeal (PINS Ref: APP/C4235/W/23/3325351) against Stockport Metropolitan Borough Council’s (“the Council’s”) decision to refuse outline planning permission for a residential development for up to 200 dwellings, with associated landscaping, site infrastructure and the provision of new public open space (“the Development”) at Mirrlees Fields, Stockport (“the Appeal Site”).
- 1.2 A revised National Planning Policy Framework (“revised NPPF”) came into force on 19 December 2023. On 20 December 2023, the Inspector invited all parties to consider whether the revised NPPF has relevance to their case.
- 1.3 This Supplementary Statement sets out the Appellant’s response to the revised NPPF having regard to the main issues of the appeal, which are set out below, as well as other matters:
1. *“The effect of the proposal on the supply of open space.*
  2. *The supply of housing land;*
  3. *Whether or not any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits (the planning balance). It is common ground that this proposal should be determined in accordance with the tilted balance in NPPF (11)(d)(ii).”*

1.4 This Supplementary Response has been prepared by Mr Jon Suckley (Asteer Planning) with input from:

1. Mr Ben Pycroft (Emery Planning) - Housing Land Supply.
2. Mr Neil Tatton (Resolve106) - Affordable Housing.
3. Mr Jack Jewell (Tyler Grange) - Arboriculture and Veteran Trees.

1.5 To assist the Inspector, the Appellant and the Council have agreed common ground following the publication of the revised NPPF on:

1. The Council is still required to demonstrate a five-year housing land supply. The only change to the five-year housing land supply calculation compared to the position presented at the Public Inquiry is that a buffer does not need to be applied to the calculation. The respective positions are: the Council - 4.29 year supply of deliverable housing land and the Appellant - 2.77 year supply of deliverable housing land supply. The updated calculation is provided in Section 3 of this Statement under Matter 2: Housing Land Supply at paragraphs 3.5-3.7.
2. The only change to paragraph 99 in the revised NPPF is that the paragraph number has been updated to paragraph 103. Other than the change in paragraph number, there has been no further changes to the paragraph text.
3. The presumption in favour of sustainable development is still engaged owing to the Council's lack of five-year housing land supply.

1.6 The agreed common ground is set out in an email exchange between the Appellant and the Council dated 11 January 2024, which is provided at **Appendix 1** of this Statement.

## 2 MAIN ISSUE 1: OPEN SPACE

2.1 The reason for refusal states that (with my emphasis in **bold**):

*“The application is contrary to saved Policies UOS1.2 ‘Protection of Strategic Open Space’ and NE3.1 ‘Protection and Enhancement of Green Chains’ of the Stockport UDP Review, Policy CS8 ‘SAFEGUARDING AND IMPROVING THE ENVIRONMENT’ of the Stockport Core Strategy DPD, **and paragraph 99 of the National Planning Policy Framework**. The adverse impacts of the granting the development, resulting in the loss of a large area of high quality Strategic Open and natural green space in an area of open space deficiency, would significantly and demonstrably outweigh the benefits proposed by the development, when assessed against relevant policies of the adopted development plan and the NPPF when taken as a whole.”*

2.2 The only change to paragraph 99 in the revised NPPF is that the paragraph number has been updated to paragraph 103. Other than the change in paragraph number, there has been no further changes to the paragraph text. There is, therefore, no material change to national policy, in this regard.

2.3 Therefore, the Appellant’s case in relation to the loss of open space remains unaltered by the revised NPPF, and as presented in Mr Suckley’s Planning Proof of Evidence (October 2023) (CD9.1.2 and CD9.1.3) and Mr Cannock KC’s Closing Submission (14 November 2023) (AP8), the proposed Development accords with paragraph 103, criteria b) and c) of the revised NPPF.

### 3 MAIN ISSUE 2: HOUSING LAND SUPPLY

3.1 The section considers:

1. The Development Plan.
2. Boosting the Supply of Housing.
3. The Council's Housing Land Supply.
4. Affordable Housing Supply.

#### The Development Plan

3.2 A key change to the revised NPPF is the priority importance that it places on preparing and maintaining up to date plans to meeting the objective of providing sufficient housing in a sustainable manner. Revised NPPF, paragraph 1 states (with my emphasis in ***bold***)

1. *"The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied<sup>1</sup>. ***It provides a framework within which locally-prepared plans can provide for sufficient housing and other development in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective***".*

3.3 A set out in Mr Suckley's Planning Proof of Evidence (October 2023) (CD9.1.2 and CD9.1.3) and Mr Cannock KC's Closing Statement (14 November 2023) (AP8), there has been a total failure of the plan led system in Stockport. In summary, the position is:

1. The evidence base on which the UDP and Core Strategy has been produced (the Regional Spatial Strategy etc) has been revoked and is out of date (whether or not there is a 5 year supply and, in this case, there is not – please see below).
2. The UDP and Core Strategy are not based on any assessment of Objectively Assessed Need or Local Housing Need.

3. The UDP is out of date and inconsistent with the NPPF (per **Gallagher**).
4. The Core Strategy is out of date and inconsistent with the NPPF (per **Gallagher**).
5. The Plans are based on a proposals map from 1998 to 2011.
6. There have been no new allocations since 1998.
7. There has been no review of site specific designations since 2006.
8. A new Plan has been required since 2004.
9. This was made clear by the SoS in 2009.
10. This became even more important with the publication of the new NPPF (2012) and the introduction of LHN in NPPF (2018) with a housing requirement >1000 dpa. It has now become even more important as paragraph 1 of the revised NPPF states that: preparing and maintaining up-to-date plans should be seen as a priority in meeting the objective of providing sufficient housing in a sustainable manner.
11. There has been a failure to adopt a plan in the last twenty years.
12. No progress is currently being made with a new Plan.
13. There is no reasonable prospect of Plan being adopted in the next 3-4 years. There is no reasonable prospect of a Plan meeting the *minimum* housing requirement of 1,125 dwellings per annum in the short term at all.

### **Boosting the Supply of Housing**

- 3.4 The approach of the NPPF to significantly boost the supply of new housing remains in the revised NPPF. The additional words in paragraph 60 make it clear that the overall aim should be "*to meet as much of an area's identified housing need as possible*". Revised NPPF, paragraph 60 states (with my emphasis in **bold**):

60. **"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are**

**addressed and that land with permission is developed without unnecessary delay.**

*The overall aim should be to meet as much of an area’s identified housing need as possible, including with an appropriate mix of housing types for the local community”.*

### **The Council’s Housing Land Supply**

3.5 The revised NPPF confirms that Stockport must continue to demonstrate a five year housing land supply (5YHLS) against the local housing need calculated using the standard method set out in the PPG (paragraphs 75-77). The only change to the calculation compared to the position presented at the inquiry is that a buffer does not need to be applied to the calculation. The respective positions are shown in the following table:

#### **Respective Land Supply Positions**

		<b>Council</b>	<b>Appellant</b>
	<b>Requirement</b>		
A	Annual housing requirement	1,125	1,125
B	Five year housing requirement (A X 5 years)	5,625	5,625
	<b>Supply</b>		
D	5YHLS at 1 <sup>st</sup> April 2023	4,821	3,112
E	Supply in years (D / A)	<b>4.29</b>	<b>2.77</b>
F	Shortfall against 5YHLS requirement (D-B)	<b>-804</b>	<b>-2,513</b>

3.6 For the avoidance of doubt:

1. Whilst paragraph 61 of the revised NPPF states that, *“The outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area”*,

this is in reference to plan-making. The 5YHLS should still be calculated against the local housing need as set out in paragraph 77 and footnote 42.

2. Whilst paragraph 75 of the revised NPPF states that, “*Local planning authorities should monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies*”, this is for monitoring and not whether a 5YHLS can be demonstrated in accordance with paragraph 77, which is relevant for the purposes of footnote 8 of the revised NPPF. In any case, the Core Strategy period only runs to 2026 and Stockport has not produced a trajectory which identifies the supply across each year of the 5YHLS period 2023 to 2028. As we have explained above, the housing requirement set out in adopted strategic Policy CS2 is out of date and is very significantly below the local housing need.
3. Whilst paragraph 76 of the revised NPPF explains that LPAs are not required to identify a 5YHLS if their adopted plan is less than five years old and that adopted plan identified a 5YHLS at the time the examination concluded, this does not apply to Stockport as the Core Strategy was adopted almost 13 years ago. In any case, footnote 79 of the revised NPPF explains that the policy contained in paragraph 76 should only be taken into account as a material consideration when dealing with applications made on or after the date of publication of the revised NPPF.
4. Whilst paragraphs 77 and 226 of the revised NPPF explain that, “certain local planning authorities will only be required to identify and update annually a supply of specific deliverable sites sufficient to provide a *“minimum of four years’ worth of housing”*”, this policy does not apply to Stockport because it does not have an emerging Local Plan with both a policies map and proposed allocations towards meeting housing need.
5. Accordingly, Stockport must demonstrate a 5YHLS in accordance with paragraph 77 of the revised NPPF.
6. The 2022 Housing Delivery Test (“HDT”) results were published on 19<sup>th</sup> December 2023. The result for Stockport was over 85% (it was 87%) and, therefore, the 20% buffer does not apply.

7. Because the HDT result was less than 95%, Stockport must again produce an action plan “to assess the causes of under-delivery and identify actions to increase delivery in future years” (Paragraph 79(a) of the revised NPPF).

3.7 It therefore remains the case that, on either party's evidence, the LPA has failed to demonstrate the *minimum* requirement of national policy, which is to demonstrate a 5YHLS, against a *minimum* housing requirement. The shortfall is significant and the tilted balance (NPPF 11) remains engaged.

### **Affordable Housing**

3.8 Paragraph 6 of the revised NPPF, whilst reiterating the content of the previous NPPF that, “Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission”, also incorporates an additional sentence which confirms that:

*“This includes the Written Ministerial Statement on Affordable Homes Update (24 May 2021) which contains policy on First Homes.”*

3.9 There can be no doubt, therefore, that the content of the Written Ministerial Statement represents a material consideration to which significant weight should be attached in the determination of planning applications for residential development.

3.10 In addition, whilst the revised NPPF does not amend the definition of affordable housing in Annex 2, a new footnote (81) has been added which states;

*“This definition should be read in conjunction with relevant policy contained in the Affordable Homes Update Written Ministerial Statement published on 24 May 2021.”*

3.11 The content of the footnote, therefore, confirms that ‘First Homes’ represent a form of affordable housing provision which satisfies the definition in Annex 2.

3.12 Taken as a whole, these revisions to the NPPF do constitute a change in policy, as the Written Ministerial Statement of 24 May 2021 on First Homes did not comprise national planning policy; rather it was guidance and a material consideration to which significant



weight should be applied in the determination of a planning application for residential development. The amendments now make explicit that compliance with the provisions of the Written Ministerial Statement of 24 May 2021 is expected, as a matter of national policy. This further strengthens the Appellant's submissions and renders the LPA's position even more untenable.

- 3.13 Following receipt of the Council's Supplementary Statement (dated 12<sup>th</sup> January 2024), it is noted that the Council does not refer to the additional sentence introduced in paragraph 6 of the revised NPPF that specifically references the WMS in respect of First Homes. Additionally, the Council does not mention the footnote that has been added to the definition of Affordable Housing in Annex 2 of the revised NPPF.

## **4 OTHER MATTERS**

### **Veteran Trees**

- 4.1 The revised NPPF does not alter the approach, evidence, policy requirements or conclusions presented at the Public Inquiry by Mr Jewell or Mr Suckley, in respect of veteran trees.

### **Density**

- 4.2 Paragraph 130 has been added to the revised NPPF and states:

*130. "In applying paragraphs 129a and b above to existing urban areas, significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. Such circumstances should be evidenced through an authority-wide design code which is adopted or will be adopted as part of the development plan".*

- 4.3 The Appeal Site is situated within an urban area and it is common ground between the Council and the Appellant that the proposed density of development is acceptable. Indeed, the density of the housing was increased at the specific request of the Council. The Design Statement of Common Ground (CD8.2) states that (emphasis added):

4.2 *"The Council refused outline planning permission for the principle of development on this site. It is however accepted that if the site is to be developed the density of 45dph is the most appropriate density of development on the Appeal Site. A development of up to 200 dwellings is in accordance with Policy CS3 of Core Strategy (40-45dph outside of central locations). Chapter 11 'Making effective use of land', of the NPPF, at paragraph 119 states "Planning policies and decisions should promote an effective use of land in meeting need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions". The Officer' Assessment in Committee Report (C/D 3.1) reads "...although the density could be regarded as being low it is considered that other factors, including design consideration and constraints identified in the developable area, mean that 200 houses at 45dph is acceptable in this instance" (p140). This is reflective of pre-application discussions whereby the Appellant was asked by Officers to explore an increase in units from 150 to 200 to ensure that the density of housing development was maximised".<sup>1</sup>*

4.4 There is no reason to reach a different conclusion on the basis of the revisions to the NPPF.

## **Design**

4.5 Paragraph 133 has been updated in the revised NPPF and is presented at Paragraph 138 which states:

138 *"Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. The primary means of doing so should be through the preparation and use of local design codes, in line with the National Model Design Code. For assessing proposals there is a range of tools including workshops to engage the local community, design advice and review arrangements, and assessment frameworks such as Building for a Healthy Life<sup>54</sup>. These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing*

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<sup>1</sup> CD8.2, paragraph 4.1 of the Design SoCG

*applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels”.*

4.6 Matters of detailed design will be considered at the reserved matters stage and can/will address the updated NPPF. Whilst the Council has not adopted an authority wide design code (Revised NPPF, paragraph 30), a design code was prepared and submitted by the Appellant which sets out the key design parameters and various matters which will inform future reserved matters applications should this appeal be allowed. The Design Statement of Common Ground (CD8.2) states that:

*4.5. It is agreed that the Design Code sets out key design parameters and various matters which will inform future reserved matters application should this Appeal be allowed. Matters of detailed design, would need to be agreed as part of any subsequent reserved matters application and / or by condition.<sup>2</sup>*

## **Conditions**

4.7 Paragraph 135 has been updated in the revised NPPF and is presented at Paragraph 140 which states:

*140. “Local planning authorities should ensure that relevant planning conditions refer to clear and accurate plans and drawings which provide visual clarity about the design of the development, and are clear about the approved use of materials where appropriate. This will provide greater certainty for those implementing the planning permission on how to comply with the permission and a clearer basis for local planning authorities to identify breaches of planning control. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)”.*

4.8 The Appellant and the Council agreed a suite of conditions should the appeal be allowed on a without prejudice basis (JT5). The conditions accord with revised NPPF, paragraph 40 and, in particular, condition 3 sets out the approved plans and condition 4 relates to

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<sup>2</sup> CD8.2, paragraph 4.5 of the Design SoCG

good design and requires a Masterplan for the site to be submitted which accords with the Land Use and Building Heights Parameter Plan and Design Code.

## **5 MAIN ISSUE 3: THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT**

5.1 The presumption in favour of sustainable development continues to be presented at paragraph 11 in the revised NPPF. There are no changes to the text in paragraph 11, however, footnote 8 has been updated and states:

*8 “This includes, for applications involving the provision of housing, situations where: (a) the local planning authority cannot demonstrate a five year supply (or a four year supply, if applicable, as set out in paragraph 226) of deliverable housing sites (with a buffer, if applicable, as set out in paragraph 77) and does not benefit from the provisions of paragraph 76; or (b) where the Housing Delivery Test indicates that the delivery of housing was below 75% of the housing requirement over the previous three years.*

5.2 As set out above, it is the Appellant’s position that:

1. The Council cannot demonstrate a five year supply of deliverable housing sites. This is on both the Appellant’s and the Council’s figures without a 20% buffer.
2. The Council does not have a Local Plan adopted in the last 5 years.
3. In accordance with paragraph 226, the 4 year housing land supply test is not applicable. In any event, even on the Appellant’s figures, the Council cannot demonstrate a four year supply of deliverable housing sites.

5.3 In light of the above, the presumption in favour of sustainable development is engaged. The Appellant’s case in relation to the assessment of the proposed Development against the presumption in favour of sustainable development as set out in Mr Suckley’s Proof of Evidence (CD9.1.2 and CD9.1.3) and Mr Cannock’s Closing Statement (AP8) remains unaltered by the revised NPPF.

5.4 In applying the presumption in favour of sustainable development, the Appeal Scheme is acceptable because:

1. In accordance with paragraph 11(d)(i), the site is not defined as an area or asset of particular importance in accordance with footnote 7 of the NPPF providing a clear reason for refusing the development proposed; and,
2. In accordance with paragraph 11(d)(ii) the adverse impacts of granting planning permission (which have been assessed as limited) would not significantly and demonstrably outweigh the benefits (which have been assessed as significant), when assessed against the policies in the NPPF taken as a whole.

## **6 CONCLUSION**

6.1 In conclusion, whilst the revised NPPF is a relevant material consideration, the changes made to national planning policy in the revised NPPF do not materially change the Appellant's case and its conclusion that, in accordance with paragraph 11(d)(ii) of the NPPF, this Appeal should be allowed, and planning permission should be granted because the adverse impacts of doing so would not significantly and demonstrably outweigh the economic, social and environmental benefits, when assessed against the policies in the NPPF taken as a whole.

**12 January 2024**

**Appendix 1: Agreed common ground (Email exchange dated 11 January 2024)**

**From:** Alice Routledge <[alice.routledge@asteerplanning.com](mailto:alice.routledge@asteerplanning.com)>  
**Sent:** 11 January 2024 15:47  
**To:** Suzanne Broomhead <[suzanne.broomhead@stockport.gov.uk](mailto:suzanne.broomhead@stockport.gov.uk)>; Emma Curle <[emma.curle@stockport.gov.uk](mailto:emma.curle@stockport.gov.uk)>; Steve Johnson (Planning Policy) <[steven.johnson@stockport.gov.uk](mailto:steven.johnson@stockport.gov.uk)>; Chris Smyton <[chris.smyton@stockport.gov.uk](mailto:chris.smyton@stockport.gov.uk)>  
**Cc:** Georgina Blackburn <[georgina.blackburn@asteerplanning.com](mailto:georgina.blackburn@asteerplanning.com)>; Jon Suckley <[Jon.Suckley@asteerplanning.com](mailto:Jon.Suckley@asteerplanning.com)>  
**Subject:** External: Mirrlees Appeal - NPPF

Thanks for confirming Sue.

Best wishes,

Alice

**Alice Routledge**

Partner

 +44 (0)7724240441

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**From:** Suzanne Broomhead <[suzanne.broomhead@stockport.gov.uk](mailto:suzanne.broomhead@stockport.gov.uk)>  
**Sent:** Thursday, January 11, 2024 3:57 PM  
**To:** Alice Routledge <[alice.routledge@asteerplanning.com](mailto:alice.routledge@asteerplanning.com)>; Emma Curle <[emma.curle@stockport.gov.uk](mailto:emma.curle@stockport.gov.uk)>; Steve Johnson (Planning Policy)

<[steven.johnson@stockport.gov.uk](mailto:steven.johnson@stockport.gov.uk)>; Chris Smyton <[chris.smyton@stockport.gov.uk](mailto:chris.smyton@stockport.gov.uk)>  
**Cc:** Georgina Blackburn <[georgina.blackburn@asteerplanning.com](mailto:georgina.blackburn@asteerplanning.com)>; Jon Suckley  
<[Jon.Suckley@asteerplanning.com](mailto:Jon.Suckley@asteerplanning.com)>  
**Subject:** RE: External: Mirrlees Appeal - NPPF

Afternoon all,

Many thanks for your email. Having considered the information included within your email below I can confirm that the Council concurs with your assessment of the changes to the NPPF, including the information included within the table.

The Council is therefore happy to agree these points.

Kind regards  
Sue

**From:** Alice Routledge <[alice.routledge@asteerplanning.com](mailto:alice.routledge@asteerplanning.com)>  
**Sent:** 11 January 2024 15:47  
**To:** Emma Curle <[emma.curle@stockport.gov.uk](mailto:emma.curle@stockport.gov.uk)>; Steve Johnson (Planning Policy) <[steven.johnson@stockport.gov.uk](mailto:steven.johnson@stockport.gov.uk)>; Suzanne Broomhead <[suzanne.broomhead@stockport.gov.uk](mailto:suzanne.broomhead@stockport.gov.uk)>; Chris Smyton <[chris.smyton@stockport.gov.uk](mailto:chris.smyton@stockport.gov.uk)>  
**Cc:** Georgina Blackburn <[georgina.blackburn@asteerplanning.com](mailto:georgina.blackburn@asteerplanning.com)>; Jon Suckley <[Jon.Suckley@asteerplanning.com](mailto:Jon.Suckley@asteerplanning.com)>  
**Subject:** External: Mirrlees Appeal - NPPF

Hi all,

We are currently preparing a response to the Inspector's request (dated 20<sup>th</sup> December 2023) for the Appellant to consider whether the revised National Planning Policy Framework (NPPF) (2023) has relevance to the appeal at Mirrlees Fields.

To aid the Inspector, and based on what was previously agreed between the Appellant and the LPA, we would like to agree the points below with you prior to submitting our response to PINS:

1. The Council is still required to demonstrate a five-year housing land supply. The only change to the five-year housing land supply calculation compared to the position presented at the inquiry is that a buffer does not need to be applied to the calculation. The respective positions are presented in the following table:



		<b>Council</b>	<b>Appellant</b>
	<b>Requirement</b>		
A	Annual housing requirement	1,125	1,125
B	Five year housing requirement (A X 5 years)	5,625	5,625
	<b>Supply</b>		
D	5YHLS at 1 <sup>st</sup> April 2023	4,821	3,112
E	Supply in years (D / A)	<b>4.29</b>	<b>2.77</b>
F	Shortfall against 5YHLS requirement (D-B)	<b>-804</b>	<b>-2,513</b>

2. The only change to paragraph 99 in the revised NPPF is that the paragraph number has been updated to paragraph 103. Other than the change in paragraph number, there has been no further changes to the paragraph text.
3. The presumption in favour of sustainable development is still engaged owing to the Council's lack of five-year housing land supply.

I would be grateful if you could confirm the LPA's agreement to the above, so that we can inform the Inspector ahead of the 12<sup>th</sup> January deadline for submitting comments.

Thanks,

Alice

**Alice Routledge**

Partner

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**From:** Chris Smyton  
**Sent:** 12 January 2024 10:12  
**To:** 'John.Legg@planninginspectorate.gov.uk' <[John.Legg@planninginspectorate.gov.uk](mailto:John.Legg@planninginspectorate.gov.uk)>  
**Cc:** 'dominic.wells@dewrisk.co.uk' <[dominic.wells@dewrisk.co.uk](mailto:dominic.wells@dewrisk.co.uk)>; 'Georgina Blackburn' <[georgina.blackburn@asterplanning.com](mailto:georgina.blackburn@asterplanning.com)>; 'Alice Routledge' <[alice.routledge@asterplanning.com](mailto:alice.routledge@asterplanning.com)>  
**Subject:** 3325351 - Mirrlees Fields, Stockport; NPPF update position

Dear John,

Many thanks for your email and for seeking comments from the Council based on the latest NPPF Review

issued Tuesday 19<sup>th</sup> December 2023.

The Councils has considered the amendments to the NPPF and its impact on the Councils arguments put forward during the inquiry proceedings.

It has been agreed with the appellant that:

1. The Council is still required to demonstrate a five-year housing land supply. The only change to the five-year housing land supply calculation compared to the position presented at the inquiry is that a buffer does not need to be applied to the calculation. The respective positions are presented in the following table:

		Council	Appellant
	<b>Requirement</b>		
A	Annual housing requirement	1,125	1,125
B	Five year housing requirement (A X 5 years)	5,625	5,625
	<b>Supply</b>		
D	5YHLS at 1 <sup>st</sup> April 2023	4,821	3,112
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F	Shortfall against 5YHLS requirement (D-B)	<b>-804</b>	<b>-2,513</b>

2. The only change to paragraph 99 in the revised NPPF is that the paragraph number has been updated to paragraph 103. Other than the change in paragraph number, there has been no further changes to the paragraph text.
3. The presumption in favour of sustainable development is still engaged owing to the Council's lack of five-year housing land supply.

The Council considers the new relevant paragraphs of the NPPF pertinent to the inquiry to be (new and old paragraphs attached): 1, 2, 7, 8, 11, 12, 38, 39, 47, 48, 55, 56, 57, 60, 61, 62, 63, 64, 66, 69, 75, 76, 77, 78, 79, 80, 96, 97, 99, 102, 103, 104, 108, 109, 110, 114, 115, 116, 117, 123, 126, 128, 129, 130, 131, 134, 136, 139, 157, 159, 162, 164, 165, 168, 173, 175, 180, 186, 189, 191, 192, 194, 200, 224, 225, 229

It is considered that the new NPPF does not fundamentally alter the councils assessment of the application or how we believe the inspector should determine the appeal. The Councils position remains the same, including inviting the inspector to concur with the Council that the housing shortfall is 'significant' and not 'very significant' as argued by the appellant.

The Council respectfully requests confirmation of when a decision on this appeal will be provided.

I trust this clarifies the councils position.

Kind regards

Sue Broomhead  
Senior Planning Manager - Development Management  
Stockport Metropolitan Borough Council  
Stopford House  
Piccadilly  
Stockport

Mobile : 07800 617788

Please Note: My normal working hours are Monday – Thursday



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DPC:76616c646f72



Old NPPF Paragraph	New NPPF Paragraph	Difference	Impact on Appeal
1	1	Additional Wording - in a sustainable manner. Preparing and maintaining up-to-date plans should be seen as a priority in meeting this objective	No impact
2	2	No change	No impact
7	7	Additional Wording -including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner	No impact
8	8	No change	No impact
11	11	No change	No impact
12	12	No change	No impact
38	38	No change	No impact
39	39	No change	No impact
47	47	No change	No impact
48	48	No change	No impact
55	55	No change	No impact
56	56	No change	No impact
57	57	No change	No impact
60	60	Additional Wording - The overall aim should be to meet as much of an area's identified housing need as possible, including with an appropriate mix of housing types for the local community.	Application would support this
61	61	Additional wording - 61. To determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidanceThe outcome of the standard method is an advisory starting-point for establishing a housing requirement for the area (see paragraph 67 below). There may be exceptional circumstances justify an alternative approach including relating to the particular demographic characteristics of an area which to assessing housing need; in which case the alternative approach should current and future demographic trends and market signals. In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for	Does not change Council's position

	New 62	The standard method incorporates an uplift which applies to certain cities and urban centres, as set out in national planning guidance. This uplift should be accommodated within those cities and urban centres themselves except where there are voluntary cross boundary redistribution agreements in place, or where it would conflict with the policies in this Framework <sup>27</sup>	No impact
62	63	Minor wording update	No impact
63	64	No change	No impact
65	66	No change	No impact
68	69	No change	No impact
74	75/76/77	Amended wording - monitor their deliverable land supply against their housing requirement, as set out in adopted strategic policies.	No impact
75	78	Local planning authorities are not required to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing for decision making purposes if the following criteria are met: a) their adopted plan is less than five years old; and b) that adopted plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.	Not relevant to Stockport - no impact
76	79	77. In all other circumstances, local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide either a minimum of five years' worth of housing <sup>41</sup> , or a minimum of four years' worth of housing if the provisions in paragraph 226 apply. The supply should be demonstrated..... 42. Where there has been significant under delivery of housing over the previous three years <sup>43</sup> , the supply of specific deliverable sites should in addition include a buffer of 20% (moved forward from later in the plan period)	Supply position set out in agreed updated position. No buffer required. Still needs to be a 5 year supply.
	New 80	The Housing Delivery Test consequences set out above will apply the day following the annual publication of the Housing Delivery Test results, at which point they supersede previously published results. Until new Housing Delivery Test results are published, the previously published result should be used.	Stockport HDT score 87%. No buffer.
92	96	Additional wording.....and beautiful buildings	No impact
93	97	No change	No impact

95	99	No change	No impact
98	102	No change	No impact
99	103	No change	No impact
100	104	No change	No impact
104	108	No change	No impact
105	109	No change	No impact
106	110	No change	No impact
110	114	No change	No impact
111	115	No change	No impact
112	116	No change	No impact
113	117	No change	No impact
119	123	No change	No impact
122	126	No change	No impact
124	128	No change	No impact
125	129	No change	No impact
	130	Addition para - 130. In applying paragraphs 129a and b above to existing urban areas, significant uplifts in the average density of residential development may be inappropriate if the resulting built form would be wholly out of character with the existing area. Such circumstances should be evidenced through an authority-wide design code which is adopted or will be adopted as part of the development plan.	Proposed maximum of 200 units would not represent a significant density uplift in relation to surrounding area. No impact.
126	131	No change	No impact
130	134	No change	No impact
131	136	No change	No impact
134	139	No change	No impact
152	157	No change	No impact
154	159	No change	No impact
157	162	No change	No impact
New	164	In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including	No impact
159	165	No change	No impact



162	168	No change	No impact
167	173	No change	No impact
169	175	No change	No impact
174	180	No change	No impact
180	186	No change	No impact
183	189	No change	No impact
185	191	No change	No impact
186	192	No change	No impact
188	194	No change	No impact
194	200	No change	No impact
218	224	No change	No impact
219	225	No change	No impact
222	229	Amended wording .	No impact

## **Submission on National Planning Policy Framework**

### **Protect Mirrlees Fields from Development (Rule 6 party)**

#### **Response to the revised NPPF published 19 December 2023**

We welcome the revised NPPF and accompanying Ministerial Statement with its increased emphasis on beauty and reduced weight for housing targets. This is reflected in the King's Christmas broadcast where he said "During my lifetime I have been so pleased to see a growing awareness of how we must protect the Earth and our natural world as the one home which we all share<sup>1</sup>."

#### **Beauty and Planning**

The revised NPPF further emphasises the need for beauty in the planning process (See NPPF Paragraph 20). Therefore, the intrinsic beauty of the Mirrlees Fields landscape should be given increased weight in the planning balance.

#### **Comments on Housing Supply**

Changes to the NPPF on housing supply at paragraphs 60 et seq. are very technical and difficult to follow. However, in the accompanying Ministerial Statement<sup>2</sup> (under Character) the Rt Hon Michael Gove explains it saying:

"This Government believes in heritage, beauty and community. It is important that the character of an existing area is respected by new development, particularly in the historic suburbs of our great towns and cities. The new NPPF therefore recognises that there may be situations where significant uplifts in residential densities would be inappropriate as they would be wholly out of character with the existing area, and that this may in turn affect how much development can be planned for in the area concerned."

This applies particularly to the Stepping Hill Area of Stockport which is one of the more built-up areas of Stockport with limited Open Space<sup>3</sup>. The new NPPF therefore reinforces the protection given to Mirrlees Fields. Stockport. The Mayoral Development Corporation is providing housing where it is needed in the urban centre of Stockport and where the NPPF suggests that new housing should go.

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<sup>1</sup> See <https://www.royal.uk/news-and-activity/2023-12-25/the-kings-christmas-broadcast-2023> retrieved 03 January 2024

<sup>2</sup> Statement made by Michael Gove "The Next Stage in Our Long Term Plan for Housing Update" 19 December 2023 Ref UIN HCWS161

<sup>3</sup> Knight, Kavanagh and Page "Open Space Assessment Report" August 2017 CD4.16