

# Statement of Common Ground in relation Viability matters

Between:

**AJC Group**

and


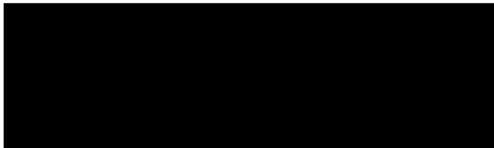
**New Forest District Council**

In relation to

**Orchard Gate, Noads Way, Dibden Purlieu, Hythe**

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)

PLANNING AND COMPULSORY PURCHASE ACT 2004

Signed:  	Signed:  
Name: James Gilfillan	Name: GILES MOIR
On behalf of: New Forest District Council	On behalf of: AJC Group
Date: 28 September 2023	Date: 28 <sup>th</sup> SEPT. '23

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## **APPENDICES**

## 1.0 Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared by Chapman Lily Planning on behalf of AJC Group (“the Appellant”) in agreement with New Forest District Council (“the LPA”). It relates to a Section 78 appeal concerning the proposed development of Orchard Gate, Noads Way, Dibden Purlieu, Hythe (“the appeal site”).
- 1.2 The purpose of this SoCG is to identify the areas where the principal parties (the Appellant and the LPA) are in agreement in relation to viability mitigation matters. This SoCG should be read alongside the principal SoCG and the accompanying, topic based, SoCG relating to habitat matters.
- 1.3 Planning application 22/10813 was refused on the 19<sup>th</sup> December 2022, the sixth reason for refusal is relevant to this SoCG:

4	The proposal has not demonstrated that it can not provide the required amount of affordable housing and is therefore contrary to Policy HOU2 of the New Forest District Local Plan Part 1: Planning Strategy 2020.
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(figure 1)

- 1.4 It is common ground that the appeal proposal meets the threshold for being qualifying site with regard to the provision of affordable housing as set out in the NPPF and Local Plan policy HOU2. It is common ground that the wording of the policies relating to the provision of affordable housing allows for the viability of development to be taken into account with regard to the quantum and form of affordable housing to be provided.
- 1.5 It is agreed that a policy compliant provision for this part of the New Forest District is 35%.

## 2.0 Viability inputs

### Proposed Development – 3 x Affordable Housing Units

<b>Agreed Inputs</b>			
<b>Item</b>	<b>Rate</b>	<b>Sum</b>	<b>Note</b>
Affordable Housing Revenue		£535,000	Agreed
Main Works	BCIS Median - NFDC Index	£3,280,150	Agreed
External Works	Measured Works	£962,900	Agreed
Abnormal Costs	Measured Works	£685,581	Agreed
Contingency	5%	£246,432	Agreed
Professional Fees	8%	£394,290	Agreed
Interest	8.25%	£TBC	Agreed
Affordable Housing Sale	1.00%	£TBC	Agreed
Sales, Legals & Marketing	2.50%	£TBC	Agreed
Land Acquisition Fees	1.75%	TBC	Agreed
Stamp Duty	Prevailing rate	TBC	Agreed
S106 Contracting Profit	6.00%	£TBC	Agreed
Sale Overhead & Profit	17.50%	£TBC	Agreed
Nitrate Mitigation 49.56kg	LA Charge	£180,000	Agreed
S106 New Forest Habitats recreational mitigation			
Infrastructure	LA Charge	£145,476	Agreed
S106 New Forest Habitats recreational mitigation non-infrastructure	LA Charge	£21,716	Agreed
S106 Air Quality Monitoring	LA Charge	£2,472	Agreed
		£20,000	
S106 Off Site Highways			Agreed
S106 Solent Bird Aware	LA Charge	£19,820	Agreed
CIL	LA Charge	£67,031	Agreed

<b>Inputs Not Agreed</b>		
<b>Item</b>		<b>Note</b>
Bank Monitoring Fees & QS	£10,000	Not Agreed
Management Company	£5,000	Not Agreed
Covenant Insurance	£25,000	Not Agreed
Void Council Tax	£14,000	Not Agreed
Valuation Fee	£20,000	Not Agreed

Off Site Drainage Infrastructure	£401,359	Not Agreed Requirement not confirmed
Private Revenue		Not Agreed
Benchmark Land Value	£1,150,000	Not agreed
S106 Formal Open Space & Play Equipment	£48,932	Not agreed Requirement not confirmed
Biodiversity Net Gain	£35,000	Not Agreed Requirement not confirmed

(figure 2)

### 3.0 Conclusion

- 3.1 The appellant and the LPA are in agreement to the figures listed in figure 2 as being relevant to the consideration of the viability assessment.