

Additional Evidence

Our ref 15800/SB/CR
Date 11th December 2017
To Great Bentley Inquiry APP/P1560/W/17/3183626, 3183678, 3183695
From Mr Colin Robinson, Lichfields

Subject **Great Bentley Inquiry – Response to Queries Raised by Mr McDonald**

1.0 2016 MYE Scenario B – Flows vs. rates

1.1 In an email exchange between Mr McDonald and myself on 7th December 2017, Mr McDonald raised some queries concerning my PopGroup modelling. This specifically concerned Scenario B, the 2014-based SNPP re-based to the 2016 Mid-Year Population Estimates [MYE]. He compared my detailed breakdown for this Scenario with his own analysis.

1.2 His comments were as follows:

“The biggest difference is in our estimates of UK flows. Your re-based projection uses the 2014 SNPP UK flows without any form of updating: for 2016-17 onwards your numbers are exactly the same as the 2014 SNPP. You haven’t taken into account the increased out-migration that would be caused by the high 2016 MYE population.

There is also a sizeable discrepancy on deaths. In my analysis the lower number of deaths amongst 75+ women counteracts the increase in deaths in other older age groups in the early years but after a few years the increased deaths in other age groups predominates. I find it very hard to believe that re-basing would lead to a smaller number of deaths overall over the period 2016-37 (as your analysis suggests) when there is a larger population in the age groups in which mortality is highest.

I attach your spreadsheet with an additional sheet comparing your and my re-bases and the 2014 SNPP.

Could I suggest you re-work your 2016 MYE re-base?”

1.3 I consider that my approach for this scenario, which essentially takes the 2014-based SNPP inputs regarding fertility rates, mortality rates and internal/international flows and simply re-bases them to the 2016 population base (using the 2016 MYE) is robust and proportionate. However, in the interests of reducing the areas of disagreement between us, I have modelled his suggested approach in PopGroup. This has entailed using outmigration rates from the 2014-based SNPP, rather than flows.

1.4 The comparison is summarised in Table 1.1.

Table 1.1 Tendring Scenario B 2016 MYE rebased Modelling Scenarios 2013-2037 - adjusted

		B) 2014-based SNPP rebased to 2016	Bb) 2014-based SNPP rebased to 2016 – AMENDED
2014-based SNHP Headship Rates	Net Dwelling Growth	16,995	16,489
	Dpa	708	687
Partial Catch Up Headship Rates	Net Dwelling Growth	17,251	16,735
	Dpa	719	697

Source: Lichfields using PopGroup

- 1.5 The difference between the scenarios is around 21/22 dpa, or about 3% of the overall figure (excluding the 15% market signals adjustment).
- 1.6 By way of comparison, Mr McDonald has undertaken this modelling himself and derived a figure of 685 dpa for this Scenario (incorporating a 6.57% vacancy rate) - virtually identical to my comparable scenario of 687 dpa (without PCU).
- 1.7 In terms of what this means for my OAHN evidence, I see no difficulty with including this as a further sensitivity to my modelling.
- 1.8 However, it is important to note that this new Scenario Bb does not practically change my conclusions as to the OAHN for Tendring. I remain of the view that a range of between 570 dpa and 670 dpa is appropriate for Tendring District Council, and that within this range, the mid-point, **620 dpa**, should be adopted as the OAHN for this appeal.
- 1.9 This is because the other Scenarios modelled (C-F), and which have directly informed this range, already adjust the District's 2014-based SNPP Age-Specific Migration Rates over the past 5 years (10 in the case of the long term scenarios) and recalibrate the model accordingly. Hence I am not relying on the 2014-based SNPP internal outflows for these other scenarios as I was for Scenario B.
- 1.10 Furthermore, the two economic-led scenarios, G-J, which range from 579 dpa -753 dpa (including PCU adjustment) are formulated in a different way and are constrained to a specific job growth target, with migration internally adjusted in the PopGroup model, calibrated again with the District's Age-Specific Migration Rates. As such, these scenarios would also be unaffected by Mr McDonald's proposed change.
- 1.11 As a further sensitivity test, Mr McDonald has suggested it is inconsistent of me to use the 2016 MYE as a base, but then to project forward UPC-adjusted Migration rates that amend the figures for all 5 years from 2009/10 to 2013/14. As a further sensitivity test, therefore, I have run comparable scenarios to C and D in my proof, but worked on the presumption that the UPC error (of 47% or 57%) only applies to the first 2 years (i.e. 2009/10 and 2010/11), and that after the 2011 Census recalibration the remaining 3 years have no need of a UPC adjustment. This is, of course, consistent with the ONS' advice that UPC does not affect the data after 2011. All other assumptions remain constant for Scenarios C and D. The resultant figures are presented in Table 1.2:

Table 1.2 Tendring Scenarios C and D, with UPC adjustment applying only to 2011

		C) 47% UPC	C)b 47% UPC to 2011	D) 57% UPC	D)b 57% UPC to 2011
2014-based SNHP Headship Rates	Net Dwelling Growth	12,461	14,894	11,603	14,523
	Dpa	519	621	483	605
Partial Catch Up Headship Rates	Net Dwelling Growth	12,699	15,138	11,838	14,767
	Dpa	529	631	493	615

Source: Lichfields using PopGroup

1.12 This demonstrates how conservative my assumptions have been for Scenarios C and D. By assuming that the 47%/57% UPC adjustment only applies to the first 2 years to 2011, rather than all 5 years in the 2014-based SNPP trend data, this has the effect of increasing net inward migration by over 100 dpa for Scenario Cb, and over 120 dpa for Scenario Db. Both of course remain below the adjusted Scenario Bb (Table 1.1), which assumes 0% UPC adjustment for all 5 years in the trend data.

1.13 Regarding Mr McDonald's other points relating to Scenario B over-estimating the number of births and under-estimating the number of deaths:

- 1 There are 271 more females in 2016 of child bearing age in the new MYE than was anticipated for 2016 in the 2014-based SNPP for that year. So it is not surprising we have more births.
- 2 Regarding deaths, we have 80 more residents aged over 80 living in Tendring in the 2014-based SNPP at 2016 when compared to the 2016 MYE. Hence it is not surprising that for the first years after 2016 we have fewer deaths in my 2016 MYE rebased model. However, by the very end of the Plan period, this situation has reversed, although not by quite enough to result in a higher number of deaths over the whole 24 year plan period. The difference is minimal however.

2.0 Household Formation Rates

2.1 I understand that Mr McDonald is preparing a separate note detailing what he terms '*precedents for Inspectors accepting OAN calculations based on the latest HRRs is still under preparation.*'

2.2 I have included a number of examples in my Proof and Rebuttal note whereby an accelerated household formation rate for younger age groups has been accepted by Inspectors at appeal and Local Plan Inquiry; I have also set out my view on the appropriateness of this approach in the light of the PPG and I will not repeat my arguments again here.

2.3 I do not want to over-burden the Inspector with excessive volumes of further material; however, I have provided a select few other examples of Inspector's reports where this approach has also been used to derive the OAHN and which has been accepted by the Inspector, and I append them to this note.

3.0 Mortality Rate Adjustment

- 3.1 Mr McDonald has provided a further note setting out in detail how he has taken the 2016 NPP Mortality Rates at a national level and scaled these for Tendring District using a combination of the 2014-based SNPP and the 2016 MYE for the District.
- 3.2 I consider that adding an extra layer of complexity to the analysis is not appropriate or proportionate, and risks distorting the figures. In particular, I consider that Mr McDonald's approach taken in isolation ignores how other components of population change (such as births and migration) respond to changes in mortality. His approach has not been followed by any of the other districts in the HMA when determining their housing OAN, which are based on Mortality Rates contained within the 2014-based SNPP. There is therefore an inconsistency here which undermines the HMA's housing targets.
- 3.3 I have been in discussion with ONS's Migration & Population Statistics Division on this issue. They comment as follows:
- "One potential pitfall of the method you proposed is that the ASMRs being scaled will be those used in the 2014-based SNPP as opposed to being calculated from the latest available deaths data and population estimates. This will lead to distortions since you will be scaling your figures based on the latest national figures and the subnational figures which are 2 years out of date. In addition, by simply scaling the mortality rates you will be ignoring how other components of population change (births and migration) respond to changes in mortality.*
- Our 2016-based SNPP for England is due to be published in May/June 2018. The projection will take into account of the rates of improvement to life expectancy in the 2016-based national population projections. Therefore, we recommend waiting until then."*
- 3.4 The email correspondence is included in Appendix 2. I agree with ONS that it is more appropriate to wait until the 2016-based SNPP are published, in Spring/Summer 2018, before attempting to incorporate the NPP's mortality rates at a local level.

4.0 2016 MYE Uncertainty Measures

- 4.1 As I set out in my Proof and Rebuttal, the ONS helpfully publishes Uncertainty Estimates to give users additional information of the quality of the Mid Year Population Estimates. The Tables are summarised in my submissions, but I consider that it would be helpful to the Inspector if I included the full table for the 2016 MYE, which was issued on 30th November 2016 (the day before rebuttals were due to be issued).
- 4.2 As well as demonstrating that Tendring has the lowest level of uncertainty of any Essex district at 0.62, it also demonstrates that the confidence interval around the 2016 MYE is 140,856 residents at the lower level, and 144,340 at the upper level. The ONS considers that if the assumptions made in estimating uncertainty are correct, they would expect these intervals on average to capture the mid-year population 95% of the time.

Table 4.1 Statistical measure of uncertainty for local authority 2016 MYE: Essex Authorities

	Uncertainty measure (% population) 2016	% contribution - 2011 Census	% contribution international migration	% contribution internal migration	Bias-adjusted confidence interval - lower bound	Bias-adjusted confidence interval - upper bound	2016 Mid-year estimate
Basildon	2.54	55	15	31	174,465	192,292	183,378
Braintree	0.80	49	18	33	148,650	153,348	150,999
Brentwood	4.78	51	17	32	69,546	83,226	76,386
Castle Point	1.19	82	1	16	87,650	91,812	89,731
Chelmsford	2.54	32	39	29	165,629	182,549	174,089
Colchester	2.36	8	84	8	177,830	195,440	186,635
Epping Forest	2.96	43	15	42	122,979	137,663	130,321
Harlow	1.46	31	59	10	83,553	88,437	85,995
Maldon	1.25	80	3	17	61,805	64,895	63,350
Rochford	2.03	82	1	17	82,313	89,027	85,670
Tendring	0.62	43	12	45	140,856	144,340	142,598
Uttlesford	2.05	61	15	24	82,793	89,583	86,188

Source: ONS (November 2017): Research-based statistical measure of uncertainty for local authority mid-year population estimates from 2012 to 2016 for England and Wales

Appendix 1: Local Plan Inspector's Reports Excerpts



The Planning Inspectorate

Report to Cannock Chase District Council

by **Stephen J Pratt** BA (Hons) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

14 February 2014

PLANNING AND COMPULSORY PURCHASE ACT 2004 (as amended)

SECTION 20

REPORT ON THE EXAMINATION INTO THE CANNOCK CHASE LOCAL PLAN (PART 1) DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 31 May 2013

Examination hearings held on 24-27 September 2013

File Ref: PINS/X3405/429/9

and protection and conservation of the openness of the rural areas, will also contribute to the purposes and function of the Green Belt in this district. Consequently, the Plan properly addresses the approach to development in the Green Belt, consistent with national policy.

32. Several representors consider that a review of the Green Belt should have been undertaken as part of preparing the CCLP. The Green Belt boundaries in this district were established and confirmed in 1997, when the boundaries were adjusted and some land was taken out of the Green Belt on the edges of Cannock, Hednesford, Heath Hayes and Norton Canes and designated as safeguarded land for possible future development. As part of formulating the CCLP, a partial review of the Green Belt was commenced, to assess sustainable options for urban extensions [CD132], but it became apparent that the amount of development required to meet the housing and other needs of the district within the current plan period could be achieved without needing to release further land from the Green Belt. Moreover, other land remains safeguarded for future development and, in order to ensure the permanence of the Green Belt, it was therefore unnecessary to review the Green Belt to find land to meet the current development needs of the district. The contribution from Lichfield DC at East of Rugeley also helps to reduce the need to review the Green Belt in Cannock Chase.
33. However, this issue will be examined again in the Local Plan (Part 2), which will review the existing safeguarded land east of Wimblebury Road, Heath Hayes and assess a possible extension to Kingswood Lakeside. A proposed modification [MM5.2] also confirms that the Local Plan (Part 2) will safeguard sites for potential development beyond the current plan period, informed by a review of the Green Belt, to help meet the future needs of Cannock Chase district, as well as identifying or safeguarding sites to help address Birmingham's future housing needs, if this is necessary as a result of future evidence and studies.
34. Accordingly, there is no need, and no exceptional circumstances, which would justify undertaking a full review of the Green Belt in order to deliver the sustainable development strategy set out in the submitted Plan, particularly given my conclusions on the overall development strategy and the objectively assessed housing requirements of the district within the current plan period. CCDC's approach of undertaking a review of the Green Belt as part of the subsequent Local Plan (Part 2) is somewhat unusual, since such matters are normally addressed in the initial strategic plan. However, given the less prescriptive arrangements in the latest regulations and the specific circumstances of Cannock Chase district, where current development needs can be fully met without identifying further releases of land from the Green Belt, it is appropriate and justified. With the proposed amendment, it provides a positive and pragmatic approach to considering future longer-term development needs (including the possible future housing needs of Birmingham, if found necessary), providing an effective and sound longer-term planning framework for the district.

HOUSING

Issue 4 – Does the Core Strategy make appropriate provision for the effective delivery of the overall amount of new housing required in Cannock Chase District, including the scale and distribution of new housing, strategic housing sites/urban extensions, affordable housing and provision for gypsies, travellers and special needs, having regard to national policy, and is it soundly based, positively prepared, justified and supported by up-to-date, credible and robust evidence?

Overall level of housing provision

35. Policy CP6 makes provision for 5,300 new houses (2006-2028) as part of the overall strategy for south-east Staffordshire to deliver 19,800 new houses in the wider area. This provision is made up of 1,625 new houses completed between 2006-2012, 2,350 new houses on urban sites identified in the SHLAA, a strategic site allocation on land west of Pye Green Road, Hednesford (750 dwellings), and

an urban extension south of Norton Canes (670 dwellings). In addition to the overall provision of 5,300 new houses, a strategic allocation to the east of Rugeley within Lichfield DC area (500 dwellings) will assist in meeting the housing needs of Rugeley and Brereton.

36. CCDC provides extensive evidence outlining how the objective assessment of housing requirements for the district was established [PS2.3; PS5a.5]. The overall level of provision evolved through the preparation of the former WMRSS Phase 2 Revision, including an earlier SHMA produced in 2008 [CD54], but has been subject to more recent studies, including a joint Housing Needs Study and SHMA update in 2012 [CD55]. This established the overall housing requirement of 19,800 dwellings for the southern Staffordshire districts (including Cannock Chase, Tamworth and Lichfield), based on the 2008 DCLG population and household projections, and set a target of 250-280 dwellings/year for Cannock Chase district. More recently, the implications of the 2011-based DCLG household interim projections were assessed, which suggested a slightly lower figure of 220-250 dwellings/year for Cannock Chase district [CD55A]. The equivalent figure in the submitted CCLP is 241 dwellings/year (or 264 dwellings/year with the additional 500 dwellings in Lichfield DC area). This overall level of provision is within the recommended target and would fully meet the objectively assessed housing needs of the district.
37. The joint Housing Needs Study & SHMA Update [CD55] includes a range of methodology, scenarios and assumptions, covering demographic, housing and economic trends and scenarios, including migration rates, household size and formation and housing forecasts, as well as examining economic and employment factors and other housing factors, including trends in delivery, market demand and the need for market and affordable housing. It assesses household and employment growth, using recognised and reliable "HEaDROOM" models, to establish overall housing requirements and ensure that the strategy would not lead to more out-commuting, decrease job density or reduce jobs and the workforce. Although there may be other ways of establishing housing requirements, I am satisfied that it is a robust and credible piece of evidence, with soundly based methodology and assumptions; the broad range of housing figures set out provides a reliable and appropriate basis for determining the contribution that Cannock Chase district should make to the objectively assessed housing needs of the housing market area. Moreover, the figures remain robust when assessed against the latest 2011-based household projections. Overall, I consider this objective assessment of housing requirements is properly prepared, soundly based and consistent with the guidance in the NPPF.
38. There is some concern about the nature and extent of the housing market area chosen to assess housing requirements for Cannock Chase district. The joint Housing Needs Study [CD55] covers Southern Staffordshire, including Cannock Chase, Tamworth and Lichfield districts, which the consultants confirm is an appropriate housing market area with strong inter-linkages. In earlier studies, undertaken for the former WMRSS, Cannock Chase district formed part of the much larger C3 Central housing market area, grouped with the Black Country authorities. However, housing markets in this part of the West Midlands are complex and overlapping, and I do not regard the joint Housing Needs Study as being fundamentally flawed simply because it does not cover a wider area, including Birmingham, the West Midlands conurbation and other Staffordshire authorities, particularly given the extent of collaboration and co-operation undertaken as part of the Duty to Co-operate. There are strong housing market and commuting links with Lichfield and Tamworth, recognised in the joint Housing Needs Study, and the Plan includes commitments to address Birmingham's future housing needs, if this is found necessary as a result of further studies.
39. In seeking higher levels of housing provision, many representors refer to the housing targets in the former WMRSS Phase 2 Revision EIP Panel Report, which recommended some 6,800 new houses (2006-2026), including 1,000 houses in

Lichfield DC area, which itself did not fully cater for the projected housing need in Cannock Chase district. However, these figures are somewhat dated, being based on older population/household projections, and do not reflect the housing requirements established in the later Housing Needs Studies for Southern Staffordshire, which use more recent household projections. Some argue that overall housing requirements should be based on the 2008 household projections, but the figures have been remodelled to ensure that the latest 2011 household projections have been taken into account, in line with the guidance in the NPPF.

40. Some argue that the housing target should be increased to avoid a reduction in economic activity, jobs and the labour force, but this could cause further in-migration and upset the balance between homes and jobs, particularly given the other proposals to achieve job growth without affecting housing requirements, including new employment sites and improving the skills of the existing population. Increased housing provision could also have greater impact on the Cannock Chase SAC. The various models have been re-run, confirming that most of the population growth is a result of natural change, and that the overall level of housing would result in some growth in jobs, providing a balanced scenario [PS5c.2.2b]. All the estimates were provided by independent consultants acting for the joint Councils, using established models and forecasts covering a variety of demand-side demographic, economic and housing projections and scenarios, providing a pragmatic, consistent and unbiased approach. Overall, I conclude that the CCLP provides a reasonable and realistic balance between homes and jobs. Some argue that the proposed level of housing will not deliver the amount of affordable housing needed; I deal with this issue later in this section of my report. No-one seeks lower levels of housing provision in this district.
41. As regards cross-boundary issues, the CCLP takes full account of the proposed provision of 500 dwellings east of Rugeley within Lichfield DC area; this is a long-standing proposal, suggested in the former WMRSS Phase 2 Revision, which is now included in the Lichfield Local Plan (*East of Rugeley SDA*). It is also subject to a joint commitment between CCDC & Lichfield DC in a Memorandum of Understanding [CD38]. The housing element relating to Cannock Chase district is part of a larger development of over 1,100 new dwellings, including affordable housing for both districts; the first phase is being built and a housing trajectory is included in the Lichfield Local Plan [PS2.7; PS2.3:B3]. Some argue that 1,000 new dwellings should be provided to meet the needs of Cannock Chase, but this is based on the outdated former WMRSS Phase 2 Revision Panel recommendations, and has been overtaken by more recent assessments of housing need. Others argue that this provision should have been made within Cannock Chase district, but there are Green Belt, flooding and other constraints in the Rugeley area which would make further provision in this part of the district less appropriate and less sustainable. Moreover, the proposed strategic site adjoins the boundary of Cannock Chase district, directly helping to meet housing needs in the local area.
42. More recently, a situation has emerged about the longer-term housing needs of Birmingham, which may require surrounding authorities to make some provision to meet the housing needs of this city. However, much work has yet to be undertaken to establish the scale of any shortfall and where and how that shortfall should be accommodated. Current information suggests that this work will be undertaken by the GBSLEP, with a strategy in place by mid-2014, indicating a relatively short timescale. However, at present, the implications of this work for Cannock Chase district are not yet known, and there is currently no specific unmet housing requirement for Birmingham to be met in this district. The CCLP (¶ 1.8) includes a specific commitment to address this issue in the Local Plan (Part 2), if this is found necessary, and a proposed amendment **[MM5.2]** further confirms and clarifies this commitment. This is an outstanding issue, which will be clarified in the future, but there is no compelling need to delay the adoption of the CCLP or make further housing provision at this stage to address the possible future housing needs of Birmingham.

Report to the Secretary of State for Communities and Local Government

by Harold Stephens BA MPhil Dip TP MRTPI FRSA

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 6 June 2014

Town and Country Planning Act 1990

Appeal by Barberry Droitwich Ltd (Appeal A)

Appeal by Persimmon Homes Limited & Prowting Projects Ltd (Appeal B)

Wychavon District Council

Inquiry held on 28-31 January, 4-7 and 13-14 February 2014
Land at Pulley Lane, Newland Road and Primsland Way, Droitwich Spa (Appeal A)
Land north of Pulley Lane and Newland Lane, Newland, Droitwich Spa (Appeal B)

File Refs: APP/H1840/A/13/2199085 & APP/H1840/A/13/2199426

submitted to the Inquiry demonstrates that this site is a good choice for development.^[2.7-2.9, 3.43]

- 8.36 Finally, the proposed development has been considered at a 10 day Inquiry. The Council's case and that of objectors in relation to this site has been given a full airing. Clearly, this long process is far longer than would be afforded to this site during the Examination process. There can be no complaint that this site has not properly been scrutinised and the public afforded a full opportunity to express its views about the development of the appeal site.^[3.43]
- 8.37 On main matter (ii) I conclude that, for all of the reasons outlined above, the Council's reliance upon prematurity as a reason for refusal cannot stand. It is contrary to the weight of guidance, policy and judicial decisions and no relevant precedent has been provided for it.

Main matter (iii) Whether the proposed development is necessary to meet the housing needs of the district bearing in mind the housing land supply position;

- 8.38 At the outset on this matter the SoS should be aware of the recent planning appeal decision at Offenham (dated 7 February 2014) as it relates to Wychavon's 5-year housing land supply. The SoS should note that the Inspector concluded:

(a) "It was clear therefore from the detailed discussion and questioning of evidence during the Inquiry that several of the sites without planning permission which were advanced by the Council to be available and deliverable within five years were not supported by robust evidence to that effect."

(b) "... the Council's track record shows that it has failed consistently to meet the RS required average requirement of 475dpa, despite an upturn in completions since 2009/10. This is compounded by the relatively low percentages of affordable housing provision during this period."

(c) "the Appellant's evidence shows conclusively that the recent significant increase in Wychavon's average house prices and relatively small proportion of rented properties and low delivery of affordable housing have resulted in an increasingly unaffordable local housing market."

(d) "taking into account all the above considerations, it is my view that the Council's case, that it has just over 5 years' housing land, is unconvincing in the light of: (i) the revocation of the RS as a basis for assessing housing need; (ii) the likelihood of an increased housing requirement for Wychavon to emerge during the SWDP Examination; (iii) the over optimism of some of the Council's assumptions of deliverable housing supply over the next 5 years; (iv) the Council's ambitious housing targets in relation to its track record; and (v) the evidence of current market signals in relation to housing under provision and inaffordability."

(e) "I therefore conclude, in relation to the first main issue, that although the proposal is contrary to *Local Plan* Policy GD1, this has little weight for the

reasons stated and it is significantly outweighed by the inability of the Council to robustly demonstrate a 5 years' housing land supply for Wychavon."

As a preliminary matter therefore it is very clear to me that as recently as February 2014 the Council's case on the existence of a 5-year land supply was firmly rejected by an Inspector on the bases of: insufficient target, unrealistic delivery assumptions and its poor past track record.^[3.44]

- 8.39 I turn first to the question of the housing requirement. Paragraph 47 of the NPPF states that in order to boost significantly the supply of housing LPAs should 'use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area.' The WDLP does not contain any figure within it.^[3.47]
- 8.40 Paragraph 159 of the NPPF requires LPAs to have a clear understanding of housing needs in their area. They should prepare a Strategic Housing Market Assessment (SHMA) to assess their full housing needs. The SHMA should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which meets household and population projections, taking account of migration and demographic change; addresses the need for all types of housing; and caters for housing demand and the scale of housing supply necessary to meet this demand. They should also prepare a Strategic Housing Land Availability Assessment (SHLAA) to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.^[3.48]
- 8.41 Paragraph 218 of the NPPF states that LPAs can continue to draw on evidence that informed the preparation of the RS as a starting point for assessing the housing needs of an area but that this should be supplemented as needed by an up-to-date, robust local evidence.^[3.49]
- 8.42 As I perceive it the most recent objectively assessed evidence is that contained within the recent 2011 Interim Sub National Household Projections (SNHP). These state that they should be used for a 10-year period, but beyond that there is a need to determine whether household formation trends are likely to continue. After the 10-year period, following the advice of the SWDP Examination Inspector, and reflecting the need to revise Household Representations Rates (HRR) due to an improving economy, the more optimistic 2008 SNHP HRRs should be used. This approach accords with the Holman Paper, the conclusions of the Inspector in relation to the Lichfield Core Strategy and also current planning policy which aims to 'plan for growth'. I note that this is the approach Mr Bateman has followed.^[3.50, 6.1-6.2]
- 8.43 However, the Council and others, seek to use and defend the 2008 figures for the entire plan period. In my view these are out-of-date. This is made clear in the last sentence of the 2011 projections which state that they replace the 2008 projections from November 2010. Given the chronology of the production of the figures this is hardly surprising. Indeed, this is echoed by the SWDP Examination Inspector who has asked the LPA to calculate the supply figure using the latest population projections combined with Nathaniel Lichfield and Partners' approach.^[2.12, 3.51, 6.16, 6.45]

- 8.44 When calculating the appropriate target figure it is also crucial to start with the correct base date population figure. The Council has used the figure of 49,000 for 2006. The SHMA demonstrates that this is incorrect. At page 135 it demonstrates that the correct figure is 47,322.^[3.52]
- 8.45 At the Inquiry there was some debate about the *Hunston* judgement. In my view it is concerned with a proper understanding of how to determine full objectively assessed need in circumstances where, as here, there is a policy vacuum. It requires the identification of a "policy off" figure. Policy is the "varnish" which the Court of Appeal refers to: the application of "varnish" is what happens in the forward planning process but is an exercise which cannot be assessed in the context of a s78 appeal. The Council's case that "unvarnished" means arriving at a figure which doesn't take into account migration or economic considerations is neither consistent with the judgment, nor is it consistent with planning practice for deriving a figure for objectively assessed need to which constraint policies are then applied. Plainly the Council's approach is incorrect. Clearly, where the judgement refers to 'unvarnished' figures (paragraph 29) it means environmental or other policy constraints. There is nothing in the judgement which suggests that it is not perfectly proper to take into account migration, economic considerations, second homes and vacancies.^[2.11, 3.53]
- 8.46 It is also clear that the 20% buffer should be applied to the entire 5-year requirement (including the historic shortfall). The Council could not point to any provision in policy or previous decisions which supports the contention that the 20% should not apply to the historic shortfall. It is instructive to note that the Council itself has been calculating its 5-year supply by adding the 20% to the whole figure. This is clear from the Council's report to Committee dated 10 October 2013 included in Mr Brown's evidence.^[2.11, 2.21, 3.55]
- 8.47 From the evidence that was submitted to the Inquiry the SoS should take particular note of the affordable housing need which exists in Wychavon. The Council accepted that substantial weight should be given to the affordable housing to be provided by this proposal. The weight of the issue in Wychavon is severe. Some 1,153 households are currently on the waiting list for an affordable home in Wychavon. Furthermore, Droitwich is the most unaffordable place for housing in Wychavon. The Council is seriously underperforming in terms of supplying affordable housing. The 2009 Annual Monitoring Report demonstrates that from 2005-07 only 182 affordable units were produced and only 47 from 2008 to 2009. The Council provided no affordable units in 2009-10 and only 57 in 2010-11. Indeed, Mr Brown admitted that the Council had failed to deliver even ¼ of the 268 affordable dwellings per annum that is required of it during the last 8 years.^[2.4, 3.56]
- 8.48 For all of the aforementioned reasons it is clear to me that the Council has not undertaken a robust calculation in order to arrive at its housing requirement for this Inquiry. The only robust evidence that is before me is the methodology used by Mr Bateman. This is clear, well reasoned and well justified. As such, Mr Bateman's figure for a requirement of about 14,263 dwellings between 2006 and 2030 should be preferred.^[2.12, 3.57]

- 8.49 In its recent submission to the SWDP Examination, the Council accepts the need for an extra 3-4,000 houses would be required during the plan period. However, I note that the Council has not used the 2011 projections; it has not based its calculations on the correct starting point; and questions remain as to the economic activity rates used. As such, the figure as submitted does not appear to be robust and very little weight can be given to it in these appeals. In a choice between the Council's figure and Mr Bateman's of about 14,000, it is clear for reasons set out above that it has been demonstrated that Mr Bateman's figure is to be preferred.^[2.12, 3.58]
- 8.50 Before considering the mathematical calculation relating to supply, it is noteworthy that the Government is particularly concerned to ensure that there is a real supply of housing to meet local needs, both in terms of general housing and also in terms of affordable housing. The absence of a continuing supply of housing land has significant consequences in relation to people finding homes and is in direct opposition to the thrust of the NPPF, which is that everyone should have the opportunity of a wider choice of housing. Housing land supply is not just related to a mathematical equation, it is about ensuring that land comes forward early enough to meet real needs.^[1.22]
- 8.51 The Council includes within its supply a number of sites which have permission but are very unlikely to come forward within 5 years. For example, Land off Banks Lane, Badsey. The Appellant's evidence shows that this site is not in the hands of a developer and that there is no evidence of viability. Other examples included are included in Document C10. The Leedons Residential Park, Broadway is included among the large site commitments. Here the Council relies upon a Certificate of Lawful Use for the use of land as a touring caravan and camping site. At the Inquiry the Council was not clear about the basis of this planning permission. It is likely that a seasonal occupancy condition applies. It follows that the number of dwellings suggested by the Council cannot be considered as dwellings to count towards the 5-year supply. The Council has produced no robust evidence to clarify the position.^[2.12-2.13, 3.60]
- 8.52 The Council seeks to include all of its SWDP allocated sites. The only safe conclusion using the authority of *Wainhomes* is that not all of these will be deliverable. Each case must be assessed on a fact sensitive basis. Objections to each site must be taken into account as must the fact that most are outside existing development boundaries – one of the reasons the Council has rejected the development of the appeal sites according to its evidence to the Inquiry. In the context of paragraph 216 of the NPPF only limited weight can be given to sites in respect of which there are unresolved objections. It is also relevant to note that it will be a long time before the non-strategic sites will actually be allocated at Stage Two of the Examination process if and when the SWDP is eventually brought into force. Clearly their inclusion in the SWDP cannot lead to a robust conclusion that they are deliverable. In coming to this view I have considered the results of the deliverability questionnaire sent out by the Council to all the promoters of the SWDP sites.^[2.12-2.13, 3.62]
- 8.53 The NPPF allows the use of windfall sites in a 5-year calculation if there is compelling evidence that such sites have consistently become available and will continue to provide a reliable source of supply. This evidence has not been made available to the Inquiry. Indeed, most recently, the SWDP Inspector

concluded that the large level of windfalls currently proposed should not be accepted and that there is a need for further information. The Council's figures for windfalls are not robust and involve double counting with permissions on small sites. The Appellant's evidence on this matter is compelling and the figure of 43 dwellings based on completions of 82 per annum, and allowing for windfalls which already have permission, is robust.^[2.12, 3.63]

- 8.54 The Council also seeks to rely on C2 care units as adding to the 5 year supply. These cannot be included in the supply. These units have a range of communal indoor facilities, including communal dining. The institutional form and also the occupational age limit render them unsuitable for being included as 'dwellings' in the housing land supply. Indeed, it is telling that developers are not asked to make an affordable housing contribution on these units. As such, it is clear to me that Council policy is not to treat them as 'dwellings'.^[2.12, 3.64]
- 8.55 Plainly, a 10% lapse rate should be applied to the Council's supply. This approach is supported by the '*Housing Land Availability*' paper by Roger Tym and Partners. The approach was accepted by the Inspectors at Moreton in Marsh, Marston Green, Honeybourne and Tetbury. A 10% lapse rate was affirmed in the High Court decision at Tetbury. Given the previous shortfalls of delivery within this LPA, a 10% lapse rate is entirely reasonable and should be applied here in order to ensure a robust 5-year supply figure.^[2.12, 3.65]
- 8.56 Overall it is very clear to me that that the Council cannot demonstrate a 5-year supply. If the Appellant's case is accepted on both requirement (Chelmer with employment) and supply the figure would only be 1.83 year's supply. Even if the Council's supply figures are used the supply would be between 2.83 and 3.76 years, with or without the SWDP sites.^[2.12, 3.66]
- 8.57 I conclude on main matter (iii) that the Council does not have a 5-year supply. This Inquiry has demonstrated this to be the case and the recent Offenham decision serves as a useful consideration of this deficit. If there is no 5-year supply then Policy GD1 and Policy SR1 must be considered out of date as they are policies relevant to the supply of housing. This means that the paragraph 14 NPPF test must be applied to these appeals. The contention that the absence of a 5-year supply renders settlement boundary policies out of date is reinforced by the SoS's decision at Forest Road, Burton on Trent.^[2.3, 3.67-3.68]
- 8.58 However, if the SoS concludes that Wychavon can demonstrate a 5-year supply, then the paragraph 14 NPPF test still applies. This is because relevant policies are out-of-date. As explained above the housing supply policies are time-limited, were saved on a basis that was subject to the caveats in the Saving Letter. The WDLP was drawn up against the background of an entirely different national policy context. All extant policies should therefore be afforded little weight in this appeal and the paragraph 14 presumption should be applied. The Council contended on the basis of the case of William Davies v SoS [2013] EWHC 3058 (Admin) that Policy GD1 is not a housing policy and that therefore it is not out of date by virtue of paragraph 49 of the NPPF. However, there is now conflicting authority to this decision in the form of the judgment of Lewis J in Cotswold DC v SoS [2013] EWHC 3719. The issue arises as to which interpretation of the NPPF is to be preferred. For the reasons given above I consider that the interpretation of Lewis J is correct.^[2.12, 3.70]

Main matter (iv) The effect of the proposed development on the character and appearance of the area;

- 8.59 At the outset on this matter the SoS should be aware that land to the south of Newland Lane and Pulley Lane, excluding the carriageways, lies within the Green Belt. Given that two areas of highway improvement involve the acquisition of land to the south of the existing carriageway, technically a small part of the operational development falls within the Green Belt as shown on BDL14. Paragraph 90 of the NPPF confirms that engineering operations are not inappropriate development in the Green Belt provided they preserve the openness of the Green Belt. The proposed realignment of the Pulley Lane carriageway is not considered to be an engineering operation that would lead to loss of openness. The new roadside hedge planting would also assist in preserving the visual amenity of the Green Belt.^[1.11]
- 8.60 The proposed development did not require an EIA. A Landscape and Visual Impact Assessment (LVIA) was required and this formed a chapter of the EIA volunteered by the Appellant. A second LVIA was prepared using the Landscape Institute 3rd edition guidelines. This included an assessment of both the landscape and visual effects of the scheme. In my view the site has been carefully and thoroughly assessed over a four year period. Comprehensive consultation was held throughout the development of the LVIA and development of the scheme. It is clear to me that the scheme has been 'landscape-led' from its inception.^[1.21, 3.73]
- 8.61 Policy ENV1 confirms that development proposals that would adversely affect the landscape character of an area will not normally be allowed. The site does not fall within a nationally recognised landscape area. However, it is covered by a local designation known as the Droitwich Special Landscape Area (SLA) and is identified as such on the WDLP Proposals Map. The site is elevated from the adjoining landform and is therefore relatively prominent in the local landscape. The water tower, which stands at 33.5m tall, is sited at the highest point on Yew Tree Hill and is therefore visible from long distances. The Council and others consider that the landscape impact would significantly and demonstrably outweigh the benefits creating an unsustainable development contrary to paragraphs 7 and 14 of the NPPF.^[1.10-1.11, 2.15, 2.1, 6.31-6.38, 6.46, 6.66, 7.1]
- 8.62 I note that the NPPF does not expressly recognise local landscape designations but instead provides advice at paragraph 109. It says that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils. Paragraph 113 of the NPPF indicates that LPAs should set criteria based policies against which proposals for any development on or affecting protected wildlife or geodiversity sites or landscapes areas will be judged. Paragraph 170 of the NPPF advises that where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.^[1.22]
- 8.63 Nationally, the site lies within the Severn and Avon Vales Character Area. Locally the landscape character of the site and its context fall into the Landscape Character Type of 'Settled Farmlands with Pastoral Land Use'.

Appendix 2: ONS Correspondence

Lisa Kenyon

From: Pop Info <pop.info@ons.gov.uk>
Sent: 08 December 2017 13:59
To: Colin Robinson
Subject: FW: Query regarding the compatibility of the Mortality Rates in the 2016 SNP to the 2014 based SNPP

Dear Colin,

Please see below a summary of the ONS methodology of calculating projected mortality at subnational level.

The projections model calculates local authority-level age specific mortality rates (ASMRs) for each of the past 5 years using deaths between mid-year points by age and sex and the population of that age and sex at the end of that period. National-level ASMRs are calculated in a similar way using the total number of deaths in a year and the total population at the end of the year.

The sum of the five local age-specific mortality rates is divided by the sum of the five national age-specific mortality rates to create an average differential for each local authority by sex. The differentials are then applied to the national rates from the first year of the population projections in order to calculate local age-specific rates. This process is repeated using a rolling five-year average to produce local rates for each year of the projection period.

The projected number of deaths is then calculated for each year by multiplying the local-level ASMRs by the population for each age and sex in each local authority.

The total number of deaths at that age and sex is controlled to the national projected total of deaths by dividing the national death data by the local authority death data. This gives scaling factors by age and sex which are applied to the local authority level data. This method ensures that the number of deaths sums to the national total.

One potential pitfall of the method you proposed is that the ASMRs being scaled will be those used in the 2014-based subnational population projections as opposed to being calculated from the latest available deaths data and population estimates. This will lead to distortions since you will be scaling your figures based on the latest national figures and the subnational figures which are 2 years out of date. In addition, by simply scaling the mortality rates you will be ignoring how other components of population change (births and migration) respond to changes in mortality.

Our 2016-based subnational population projection for England is due to be published in May/June 2018. The projection will take into account of the rates of improvement to life expectancy in the 2016-based national population projections. Therefore, we recommend waiting until then.

We'd really appreciate it if you could [give us some feedback](#) on the service you received today.

Also, when accessing any of our files please read the 'notes, terms and conditions' contained within them.

If you need anything further please do not hesitate to contact us.

Regards

Andy White

Stakeholder Engagement Team
Migration & Population Statistics Divisions
Office for National Statistics

Telephone number - 01329 444661
Email - pop.info@ons.gov.uk

From: Colin Robinson [<mailto:colin.robinson@lichfields.uk>]
Sent: 07 December 2017 14:19
To: Pop Info <pop.info@ons.gov.uk>
Subject: Query regarding the compatibility of the Mortality Rates in the 2016 SNP to the 2014 based SNPP
Importance: High

Dear Sir/Madam

I have seen the recently released 2016-based National Population Projections and noted that they suggested that there will be a slower rate of increase in life expectancy than was anticipated in the 2014-based NPP.

My query concerns how I might reflect this national change into demographic modelling at a local level.

Specifically, I am concerned with whether this can be robustly integrated into the 2014-based Subnational Population Projections for a particular District (i.e. by simply scaling the mortality rates at a district level in the 2014-based SNPP to the change in mortality rates at a national level between the 2014 and 20-16- based NPPs).

How accurate would this approach be, given the complexities involved, what would be the pitfalls, and would I be advised waiting until the 2016-based SNPPS are produced in May next year?

If you could get back to me by the end of the week it would be very much appreciated – I am contactable on 07931 535676.

Kind Regards
Colin

Colin Robinson
Planning Director
Lichfields, Ship Canal House, 98 King Street, Manchester M2 4WU
T 0161 837 6130 / M 07931 535676 / E colin.robinson@lichfields.uk

lichfields.uk  



Industrial Strategy
Building a Britain fit for the future

VIEW INSIGHT

Insight focus
Industrial Strategy - Building a Britain fit for the future
The long-awaited White Paper sets out Government's plan to boost the productivity and living standards of people throughout the UK.

This email is for the use of the addressee. It may contain information which is confidential and exempt from disclosure. If you are not the intended recipient you must not copy, distribute or disseminate this email or attachments to anyone other than the addressee. If you receive this communication in error please advise us by telephone as soon as possible.
Nathaniel Lichfield & Partners Limited is registered in England, no. 2778116. Our registered office is at 14 Regent's Wharf, All Saints Street, London N1 9RL.

 **Think of the environment. Please avoid printing this email unnecessarily.**

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

For the latest data on the economy and society, consult National Statistics at <http://www.ons.gov.uk>

Please Note: Incoming and outgoing email messages are routinely monitored for compliance with our policy on the use of electronic communications

Legal Disclaimer: Any views expressed by the sender of this message are not necessarily those of the Office for National Statistics
