

Welwyn Hatfield Local Plan Examination

Stage 9 Hearings

Consultation on Revised FOAHN

Statement by Jed Griffiths MA DipTP FRTPI

On Behalf of

CPRE Hertfordshire

January 2021

Introduction

1. This statement has been prepared by Jed Griffiths MA DipTP FRTPI on behalf of the Campaign to Protect Rural England Hertfordshire (CPREH). It has been compiled in response to a letter from the Examination Inspector (EX217) on 15th December 2020, inviting representors to comment on Examination Documents EX215 and EX216. The former, dated 18th November 2020, had been submitted to the Examination by Welwyn Hatfield Borough Council (WHBC) at the request of the Inspector and contained the Council's proposals for a revised full objectively-assessed housing need figure (OAN). The latter, dated 30th November, was a letter from the Inspector to the Council's Head of Planning, with his response to the Council. Since matters addressed in these documents raise new issues relating to the critical components of housing needs and requirements not previously subject to public hearings, CPREH wishes to make representations on those topics.
2. The Inspector has also invited comments on a Technical Note by Turley, the Council's consultants on population and housing (EX218). In formulating its views on the submitted documents, CPREH has had discussions with other representors who are concerned with these issues, in particular Save Symondshyde (SS), who are also submitting a statement to the Examination. To reinforce its views, CPREH commissioned an independent report from Alan Wenban-Smith (AWS), a nationally-known expert on housing policy. This report is appended to this statement: it contains a critique both of the Turley report (EX218) and the SS draft response.
3. In July 2020, the Inspector wrote to WHBC requesting that the Council consider the implications of the Office for National Statistics (ONS) 2018-based household projections (EX188 and EX190). The Council commissioned Turley and Edge consultants to carry out this work, which was published on 24th August as EX203A. In its response to EX203A, dated 28th October 2020, CPREH made it clear that the Council had failed to reflect properly the significance of the latest ONS for Welwyn Hatfield. In particular, the Council had diverged from the use of the ONS principal projection as the starting point for assessing the OAN.
4. Discussions at the WHBC Cabinet Planning and Parking Panel (CPPP) have now led the Council to submit the revised proposal for the OAN and consequential changes to other policies and proposals in the Local Plan. CPREH welcome the fact that the Council has reconsidered the scale of housing need which should be accommodated in the Local Plan. At the same time, however, CPREH wished to point out to the Inspector, and other parties involved in the Examination, that there are still major flaws in the Council's case as presented in EX215.

5. The Council has correctly indicated that the variant ONS projection favoured by Turley should not be used as the starting point for the calculations. Nevertheless, the Council has still failed to apply the ONS principal projection. This is the only projection available which fully applies NPPF policy in a consistent manner, which enables neighbouring local authorities to plan effectively across housing market area and local authority boundaries.
6. As a consequence of rejection of the principal ONS projection, the “meaningful change” to the likely scale of housing need, that should be the starting point for the calculation of the amount and location of additional housing in the Local Plan, has not been fully reflected in the Council’s revised proposals. This is a serious flaw in the Council’s case.
7. In the latest Annual Monitoring Report (AMR), the Council acknowledge the latest ONS mid-year population estimates for Welwyn Hatfield confirm the recent fall in the rate of population growth in the Borough. The 2018-based projections also reveal a significant fall in population over the plan period, a feature not shown in the 2016-based figures. These figures reinforce the CPREH view, made in its earlier representations to the Examination, that an OAN based on the 2016-based projections would be unsound. The CPREH submissions on EX203A can be found via the following link:

https://www.welhat.gov.uk/media/17465/745891-CPRE-Matter-4/pdf/745891__CPRE_Matter_4.pdf?m=637400393120170000

Comments on the Turley Approach

8. The refusal of Turley to accept the principal ONS projection, as set out in EX203A, EX203B, and now in EX218, is a fundamental problem with all of the OAN calculations submitted by the consultants on behalf of the Council. As noted in the AWS report, the principal projection is advocated and presented by ONS for all areas of England, including all local planning authorities. Turley’s submission is based on a variant that assumes different rates of household formation leading to a much higher number of projected households than the ONS principal projection.
9. There are a number of reasons why the Turley method is inappropriate. First, at the macro level, the most obvious reason is the inconsistency that an ad hoc approach to the OAN in an individual authority introduces in planning across council boundaries and regions. Second, the approach renders impossible any attempt to introduce any

national standardised method of calculating housing need as attempted in recent times by the Government. It is clear that the starting point for all authorities must be the ONS principal projection, not a variant which happens to fit most comfortably with the numbers in the submitted Local Plan.

10. In the ONS notes which accompany the projections, there are the clear reasons for using the principal projection. These revolve mainly around the much improved data sources in recent years, involving younger age groups. In areas such as Welwyn Hatfield, which have major higher educational institutions, this is particularly important. This point was also made by AWS in an earlier report to the North Mymms District Green Belt Society.
11. As noted in paragraph 7 above, the 2018-based population projections show a massively different scale of change for both the plan periods (2013-2032 and 2020-2036). An additional fall of 9,064 persons between 2018 and 2032, compared to that projected by the 2016-based projections, is very clear. Similarly, for the second plan period, there is a total reduction of 11,081 persons between 2018 and 2036 from the numbers in the 2016-based projections, which led the Inspector to advise no change to the OAN in his letter of January 2020.
12. The scale of change is illustrated by Turley in diagrammatic form on Figure 4.1 of Page 10 of EX203A. This shows the much lower population increase in the principal ONS 2018-based projection compared to the 2016-based projection. In CPREH's submission, the change is so significant that it should not be dismissed by the Turley preference in EX218 to use the even earlier 2014-based projections. These are surely in 2021 of little relevance to future population and household changes in Welwyn Hatfield. In EX218, Turley present no evidence as to why the ONS principal projection, based on the most recent and up-to-date migration statistics, is likely to be unreliable for the Borough, and no evidence to show why their preferred alternative is likely to be more reliable.
13. By dismissing the principal ONS projection (paragraph 4.11 of EX218), on the basis that it shows a fall not seen in the past, Turley ignore the factors that previously led to higher net in-migration to the Borough, These included the major growth of the University of Hertfordshire and the comprehensive redevelopment of the former Hatfield Aerodrome. Similarly, the reference by Turley (also in paragraph 4.11) to the "constraint" on population growth of only 389 dwellings per annum over two year is patently absurd when, even if the level of need were as high as 800 dwellings per annum (a figure which CPREH rejects), this amounts to only 0.8% of the total housing stock in the Borough.

14. CPREH considers that the local factors that led Turley to advise the use of a variant projection should have instead focused on what adjustments should have been made to accommodate the needs of households that actually do live in the Borough. These are the households that wish to, can afford to, but have been unable to occupy a separate dwelling in Welwyn Hatfield since the beginning of the plan period. These are the numbers that should be added to the number of additional projected households – from the base date of the principal 2018-based household projections to the end of the plan period.
15. CPREH is also critical of the Council's response, through the Turley submissions, to the latest ONS household projections. It seems to be intent on circumventing national policy based on an unrealistic and unjustified aspiration to return to headship rates for younger households to pre-2001 levels, irrespective of whether this is desirable or achievable 20 or 30 years after they last applied. The earlier AWS report for the North Mymms District Green Belt Society points out why this aspiration should be considered to be redundant, both in the light of the recent trends noted by ONS and the realities of the current and prospective housing markets.
16. It is noted by CPREH that the cover page to the Edge Analytics Modelling Assumptions report (EX203B) demonstrated that the consultants were continuing to use the earlier DCLG 2014-based assumptions on household formation, which were clearly then and now out-of-date. In fact, Edge Analytics state in paragraph 1.7 of EX203B that this was because the 2019 NPPF and government guidance now required the 2014-based projections to be used as the basis for assessing housing needs. Clearly, this is wrong – as the Inspector has directed, the NPPF 2012 and associated guidance must be used in the examination of the Local Plan.
17. Accordingly, the Edge modelling is not an acceptable and sound basis for the Turley report (EX218) or the Council's calculation of OAN as set out in EX215. Now that ONS has modelled much improved data on population and household changes in producing its latest projections, the approach used by Edge is surely redundant. The ONS data is the most recent available in terms of the NPPF 2012 and accompanying guidance.

18. In his July letter to the Council (EX190), the Inspector asked whether the 2018-based projections represented a “meaningful change.” CPREH notes that neither the Council in its letter of 24th August 2020 (EX203), nor Turley (in EX203A) provided an answer. The Council’s letter simply stated the annual range of dwellings that it considered to represent the Borough’s housing need. By any reasonable definition, the ONS 2018-based population and household projections reveal not just a meaningful change to essential information about the likely future need for housing in the Borough, but also a change that should result in a reconsideration of both what the area’s objectively-assessed housing need is now, and to what extent this should be satisfied in the context of the NPPF 2012.
19. The 2018-based household projections clearly show that assessed housing need is likely to be significantly lower than that assumed in the Submission Local Plan, and by the Inspector when considering the matter in earlier stages of the Examination. As CPREH has stressed at previous hearings, exceptional circumstances for removing land from the Green Belt on the scale proposed in the Submission Plan, let alone any potential additional allocations in the Green Belt, no longer exist.
20. CPREH would draw attention to the legal opinion appended to the Save Symondshyde representations on EX201 (Appendix 1), which included the following advice on the implications of a significant reduction in OAN:

“I am asked to consider whether, if the Inspector accepts that the OAN should be reduced this might affect his assessment of exceptional circumstances in relation to the areas of Green Belt land presently proposed to be released. I think that it almost inevitably would. Both Calverton and Compton recognise that the need for development in the Green Belt will commonly be a factor in cases where exceptional circumstances are found to exist. If the level of need required to be met fails, the amount of land which must be released from the Green Belt will fall. I think that this will almost inevitably mean that the extent of land in relation to which exceptional circumstances are judged to exist will be less.”

21. In previous representations to the Examination, CPREH has noted the views of the Inspector examining the North Hertfordshire Local Plan, also being considered under the provisions of the 2012 NPPF. Previously he had written to the District Council about the implications of the 2016-based projections. More recently, he wrote again (ED194), in the context of the latest 2018-based projections. In his letter he repeated a previous statement that *“Whenever possible, local needs assessments should be informed by the latest available information. The National Planning Policy Framework is clear that Local Plans should be kept up-to-date. A meaningful change in the housing situation should be considered in this context...”* (PPG.para.ID 2a-016-20150227).
22. The Inspector concluded that *“I regard exploration of the OAN at a further hearing to be essential.”* In his further matters for examination at the subsequent hearing on OAN, he stated: *“As I understand it, the Council intends that the housing requirement should be modified in the light of the revised OAN calculations, and that an overall requirement of 13,000 dwellings is proposed.”* CPREH notes that this was a reduction of 2,960 dwellings from the total proposed in the Submission Local Plan.
23. In this context, and the circumstances outlined above, CPREH remains concerned that the approach of WHBC and their consultants is inconsistent with national policy as set out in the 2012 NPPF. Their calculation of housing need seems to be based on an unjustified policy decision by the Council rather than an objective assessment as required by the NPPF.

Comments on the Council’s Approach (EX215)

24. At the CPPP meeting on 17th November 2020 and in the Full Council on 23rd November, Members considered the Inspector’s request for a formal view on the OAN for the plan period to 2036, as reported in EX215. CPREH agreed with the view that Turley had used the alternative migration variant as the basis for calculating the OAN as opposed to the ONS principal two-year 2018-based projection.
25. Nevertheless, CPREH is disturbed that CPPP Members then still relied on the advice of their consultants in Appendix E of the agenda papers (now EX218) in what version to propose to Full Council. Despite accepting that the use of the Turley preferred variant was wrong, Members then decided to use another different variant rather than the ONS principal projection as the basis for the calculation. CPREH believe that

that approach was just as flawed as the Turley original, for the reasons set out above and endorsed in the Save Symondshyde report and the AWS critique.

26. The Council's claim in EX215 that the different (10-year migration) variant is "more credible" as it provides a "more stable outcome" is not properly explained. If that expression is supposed to mean that it more closely aligns with what Members think is now reasonable, it is without merit.
27. If it reflects the view that it is "less susceptible to anomalies", the statement is also without merit because the ten-year projection covers what was probably the most volatile economic period since the incept of the post-war planning system. Far from "reflecting economic cycles", it merely reflects the response to the worst economic crisis in living memory (perhaps until now).
28. On the uplifts to the calculation, CPPP used flawed assumptions. The return to 2001 levels of household formation is pure fantasy. The continued use of the 2014-based data was also unjustified, now that the Council is better informed by the publication of the ONS 2018-based projections. These misjudgements were then compounded by adding the additional 21% to the OAN for "market signals" – as a result this includes double-counting of households that would already have been accommodated as a result of the major uplifts proposed by WHBC to reflect past headship rates and younger households.
29. The fact that CPPP seems to have been influenced by advice on the Government's various statements on a possible new methodology for calculating OAN further indicates that their decision-making was not soundly-based. The NPPF 2012 and its associated guidance is the correct context for the calculation of the OAN for this Local Plan. Any future changes to the methodology must for now be hypothetical.

Summary of Conclusions

30. CPREH are adamant in the view that the ONS 2018-based projections represent a "meaningful change" in relevant information on housing need from that which was available to the Council when preparing the Submission Local Plan. Failure to acknowledge this fully has led to the mistake, both by Turley and WHBC, of using the variant projections rather than the principal ONS projection as the starting point.
31. Turley's submissions for WHBC (in EX203A and EX203B) were an unsound basis for determining an OAN for Welwyn Hatfield, either for 2013-2032, 2018-2036, or any other plan period. This was because Turley failed explicitly to recognise and address

the meaningful change in the Borough. WHBC's proposed changes continue to do so. These points have also been emphasised in the reports by AWS (attached) and Save Symondshyde.

32. CPREH consider that, when annualised, the number of households in need would range from 319 (the ONS principal projection plus 3% for vacancies) to 445 (the number derived from using the current Government standard method with the latest household projections).
33. CPREH believe that the latest evidence of household projections changes the balance in determining the number of additional dwellings that should be provided for in the Local Plan, and the justification in the housing allocations proposed in the Green Belt in the Submission Plan against national policy for its protection, as set out in the NPPF 2012.
34. Failure to reduce significantly the OAN and the housing requirement figures in the Local Plan as a result of the latest ONS projections would demonstrably render the Plan unsound, through inconsistency with relevant national policy, lack of justification for the Plan's specific proposals for housing development in the Green Belt in the form of exceptional circumstances. All these factors would result in an ineffective Local Plan in terms of housing provision.
35. Finally, CPREH asks the Inspector to consider carefully the legal advice quoted above in paragraph 20 of this statement (and in paragraph 38 of Appendix 1 to the Save Symondshyde representations on EX201A) on the relationship between a changed assessment of housing need and exceptional circumstances for removing land from the Green Belt.

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Hertford

25th January 2021