

HEARING STATEMENT
FOR THE EXAMINATION OF THE CHESHIRE EAST LOCAL PLAN
SITE ALLOCATIONS AND DEVELOPMENT POLICIES DOCUMENT

MATTER 2 – PLANNING FOR GROWTH

Submitted by

STEPHEN GRIME QC

21 September 2021

Introduction

1. I am a local resident and submit this Hearing Statement on my own behalf.
2. I intend it to be as evidence as part of the examination into the Cheshire East Site Allocations and Development Management Policies Document (SADPD).
3. This Statement relates to Matter 2: Planning for Growth and relates to issue of Safeguarded Land at Local Service Centres (Policy PG 12). Responses are provided in relation to question 15 published by the Inspector for the Examination Hearings.

Scope

4. This statement should be read in conjunction with my representations of 23 December 2020 which set out my views in relation, in particular, to the methodology adopted by CEC is determining the extent of Green Belt Land to be safeguarded which I submitted in relation to the Revised Publication Draft of the SADPD in December 2020.
5. In preparing this I have taken account of the responses by CEC which have been to seek to justify its existing methodology notwithstanding the downward revision of the Indicative Local Housing Need (December 2020 Revised Methodology) which provided for an Indicative Local Housing Need of 1,068 dwellings p.a across CEC.
6. I note that the data included in the Revised Methodology used in computing the Indicative Housing Need includes:-
 1. 2019 Affordability Ratio; House price to workplace-based earnings ratio, ONS
 2. 2014-Based Household Projection, MHCLG
 3. 2019 Mid-Year Population Estimates, ONS
 4. ONS Major Towns and Cities, ONS
 5. Local Plans Data, MHCLG
7. CEC should have reconsidered the basis for its specification of an annual housing need of 1,800 dwellings following publication of the new data by MHCLG but failed to do so. It should have taken account of and followed the method provided for in relation to 'Housing and economic needs assessment' [published 20 March 2015 updated 16 December 2020] but also failed to do so.
8. I have reconsidered the criticisms which I made of CEC's approach in the Representations which I submitted on 23 December 2020 in the light of this guidance and add the following.

Analysis

9. The LPS explains CEC's approach at PG1 as being based on the Housing Development Study (2015) by Consultants called Opinion Research Services -- "HDS". This was flawed from the start but can now be seen to be inapplicable.
10. Section 5 of HDS explains its conclusions starting at para 5.93. In the next following paragraph it uses 10 year migration data based on the 2001 & 2011 Census data to justify a departure from the

CLG Housing Projections saying that these are ‘a more reliable and appropriate basis for establishing future housing needed’.

11. The build up of the 1,800 pa total can be seen in the following table; the last column provides data not used by HDS for the purpose of comparison.

HDS para		2012 based Projections	2014 based Projections
5.21	"Starting point" CLG housing projections		
	CLG Household Growth 2010-2030		
	In total	21,000	18,805
	Average per annum	1,050	940
	Migration Adjustment (2001-2011 Census) / ONS Subnational Population Projections 2018 based	23%	4.4%
5.94	Total	<u>1286</u>	
5.100	More appropriate baseline including (1) vacant (2) 2nd homes (3) Class C usage	1,450	
5.100	Increase on baseline - "future jobs and workers, Market Signals, affordable housing"	350	
	Annual Total	1,800	

12. At the time HDS was compiled the CLG projections available may have been those of 2012; by the time of the LPS the 2014 based projections were known. CEC chose to ignore the change in the LPS. It can be seen that this reduces the projected average annual need by 110 dwellings.
13. The 2014 based projections are used in the 2020 Indicative Housing Needs.
14. The second major HDS adjustment is for ‘migration’ inwards to CE which the Consultants based on data from the 2001/2011 Censuses. This suggests an increase of 23% in the need over the projection period.
15. Whether or not HDS had any sound foundation for this adjustment may be open to doubt. What is sure is that it cannot now be justified. ONS publishes projections for numbers of households disaggregated by local authority <https://www.gov.uk/government/statistical-data-sets/live-tables-on-household-projections>
16. The most recent edition [2014] is used as the basis for the Indicative Housing Needs and in relation to Cheshire East shows an increase in numbers of households from 384,736 in 2020 to 401,758 in 2030 – an increase of 4.4% in place of 23% over the same period taken by HDS
17. It can be seen from paragraph 6 above that items 2 & 3 of the data sources were taken into account in the 2020 Indicative Housing Need projection; presumably this projection therefore takes

account of anticipated local population growth so that so that no further adjustment to the projected need of 1,068 dwellings is needed for 'migration'.

18. However HDS makes two further adjustments – as shown in the table above. Of those identified in the paragraphs cited in the table the first is (relatively) modest but appears to be unsupported by data.
19. The last is a 'catch all' which, in the case of 'affordability' is duplicating data used in the Indicative Housing Need projection.
20. CEC justifies the adjustment for 'future jobs and workers' saying that there is a very high rate of economic growth / employment in the area --

“The current minimum housing requirement in the LPS was significantly uplifted from its baseline to account for a predicted 0.7% per year growth in the number of jobs. In reality, jobs growth has averaged 1.6% per year since the start of the plan period (as evidenced in the 2019/20 AMR) and it is likely that any future minimum housing requirement figure set through the development plan would need to account for a degree of jobs growth.”

21. Even if it is assumed that past rates of economic job growth will continue post-Brexit and post-pandemic and that the job growth rate feeds straight into growth in households 1.6% equates to less than 20 extra households per annum from any applicable 'starting point' or 'baseline'. This goes nowhere to justifying the HPS uplift of 350 dwellings p.a..

Conclusion

22. The need for safeguarded in the Northern Area under Policy PG4 is acutely sensitive to the assumption made as to the housing need – see the Table at para 30 of my Representations of 23 December 2020.
23. CEC cannot justify the proposed removal of Green Belt Land according to para 83 of the NPPF without proper up to date assessment of the future housing need. This is a fatal flaw – see the remarks of Lieven J at para 103 of her judgment in *Aireborough Neighbourhood Development Forum v Leeds City Council v Secretary of State for Housing, Communities and Local Government, Avant Homes (England) Limited, Gallagher Estates Limited* [2020] EWHC 1461 (Admin).

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Disley,

21 September 2021

