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Cherwell Local Plan 2011-2031 Part 1 Partial Review - Oxford's Unmet Housing Need

MATTER 2 - UNMET NEED

Does the 'working assumption' that 4,400 homes is the correct apportionment of Oxford's unmet need to Cherwell remain applicable?

1. Oxford's housing requirement should be satisfied to the greatest extent possible within the City itself, for reasons of sustainability. If space within the City is inadequate to provide the homes needed to satisfy its employment growth ambitions, the City should desist from its employment growth strategy which only serves to ramp up housing demand further, and instead use land for housing.
2. Since there is no evidence this has been seriously assessed by either the City or the Growth Board, much less tested at EIP, the "working assumption" of 15,000 (14,850) homes is unsound.

First Step should have been an Oxford Local Plan

3. Before neighbouring authorities were asked to accommodate an "unmet need", Oxford should have prepared a Strategic Housing Market Assessment (SHMA) based plan and had it properly examined. This is surely what the Inspector who examined the now adopted Cherwell Plan meant when he noted that there might be a requirement to address Oxford "unmet need" ***once those needs have been fully clarified/confirmed.***¹ This is confirmed in the September 2016 Growth

¹ PR45 Report on the Examination into the Cherwell Local Plan June 2015

Board report that the figure for unmet need would be *confirmed through an update of Oxford's Local Plan* (although no such update has occurred).²

SHMA is “ambition” not need and public have been deceived

4. The 2014 SHMA³ is not “need” in any ordinarily understood sense. Neither is any “unmet” need that arises from it. To have used the word “need” in public consultations, without elaboration, is arguably deception as a public consultee would not unreasonably suppose that “need” meant people without houses, or at least the future identifiable needs of families already resident in the County.
5. In fact, the SHMA “need” arises from a report commissioned by the Growth Board from Cambridge Econometrics who overlaid Baseline Growth of 7% (actual “need”) to 21%, with a series of hypothetical uplifts.⁴
6. The result was that Oxford’s “need” was determined to be for 28,000 dwellings, a more than 50% uplift on the then existing housing stock.
7. It is relevant that the Government’s new Objectively Assessed Need formula which more accurately reflects actual need, has more than halved the SHMA figure.
8. In addition, for its emerging Local Plan, Oxford has commissioned an update of the now five-year old 2014 SHMA using the latest 2016 household formation and population projections, which arrives at a somewhat lower housing “need” figure of either 93 dwellings per annum (dpa) using the new standard methodology, or 776dpa allowing for their interpretation of demographic and affordable housing need. This is all dismissed however, with the City deciding to maintain the 1,400dpa in the original out-of-date SHMA because that is the only “evidence base” for the Growth Deal, and the Government payments it entails - the Growth Deal, not housing need, being the actual driver of the current batch of Oxfordshire Local Plans.⁵

Oxford’s Capacity

9. Of the total 28,000 new dwellings “needed”, Oxford City claimed to be able to provide only 6,000 within its boundaries, based on an outdated SHLAA compiled in other circumstances, which had included only a very limited call for sites.⁶

² PR27 – Oxfordshire Growth Board – Public Reports Pack, 26 Sept 16

³ PR04a-c Strategic Housing Market Assessment 2014

⁴ PR03 Oxfordshire Economic Forecasting Final Report 2014

⁵ SHMA Update to 2036, GL Hearn - https://www.oxford.gov.uk/downloads/file/5096/shma_update_to_2036

⁶ PR08 Oxford's Housing Land Availability Assessment Dec 2014

10. This was challenged by three neighbouring authorities including Cherwell, in the Cundall report which identified further sites within the City considered to be capable of providing almost twice the housing numbers the City claimed.⁷
11. In particular, Cundall recommended that the City should:
- a) Launch a Local Plan review to reconsider restrictive policies (e.g. blanket protection of public open space/ allotments/ open air sports facilities/ key protected employment sites, view cones, densities) and make substantial further housing allocations within the city.
 - b) Send the August 2014 residential 'Call for Sites' correspondence to the full list of stakeholders, not just a select list of 15!! (our emphasis)
 - c) Add in sites which have previously been considered for development;
 - d) Properly assess employment sites and identify those poorly located sites which would be better used for housing;
 - e) Revisit density assumptions to seek to achieve more capacity, particularly in city centre locations.
12. To arbitrate, the Growth Board engaged Fortismere.⁸
13. They were instructed to treat the SHMA numbers as a given - although that did not prevent them writing that they noted that these did *not take account of the 2012 DCLG Household Projections published in February 2015, the 2011 Census Travel to Work Area data (published in July 2014) and the ONS mid-year estimates 2014 published on 25 June 2015.*
14. They referred to a recent Inspector's requirement at Brighton and Hove, where there was a significant shortfall in the provision of new housing, that she "*would need to be satisfied that the Council had left no stone unturned in seeking to meet as much of this need as possible*".
15. They cited opportunities to consider redeveloping employment sites for housing and identifying particular areas of the City where densities could be viably increased, and a wider call for sites than the fifteen landowners to whom it had so far been made.
16. Having regard to the constraints placed on them, and that they had had no opportunity to pursue their own recommendations regarding use of employment land or densities, they suggested Oxford's actual unmet need was between 14,200 and 16,500. Subsequently a team appointed by the Growth Board hit on the 15,000 figure.
17. The consistent thread through both Cundall and Fortismere is that ring-fenced employment sites should be reconsidered and that densities should be improved.

⁷ PR09 Unlocking Oxford's Development Potential - Cundalls - 2014

⁸ PR11 Oxfordshire Growth Board - Updated Advice Note on Oxford's Development Capacity

Either or both would significantly reduce if not eliminate SHMA based “unmet need”.

CPRE Assessment

18. CPRE has submitted evidence to the Oxford City emerging plan consultation that, based on a more fundamental approach to the two issues of employment land and densities, Oxford could accommodate (more than) all of the “need” in the SHMA (and obviously far more than any actual need).⁹
19. On Employment Land, Oxford’s Emerging Local Plan, though long on opinion, is short on numbers. We have relied on the October 2016 HELAA¹⁰, though recognising that a short list of further sites under review in the Local Plan draft may yield more.
20. The City argues that there is a high demand for employment land, and that is no doubt the case; Oxford is as attractive a place to create new employment as it is to live. But there is no need for new employment in a City with an unemployment rate of 3.7%, compared to a National Rate of 6%, and where 86% of the economically inactive are not looking for a job. Anything less than 5% unemployment is generally considered full employment as there is natural coming and going between jobs. In that respect Oxford’s employment figure is very high and stable.
21. The HELAA lists 164 hectares of employment land which, if used for housing at the low 39 d.p.h. (dwellings per hectare) average density calculated from sites wholly allocated to housing in the City, would provide a further 6,396 homes.
22. At the much higher “bye-law” densities (which are found in some of the City’s most desirable established areas like Jericho) that could be up to 12,300.
23. These 12,300 houses alone would be over 80% of the “unmet need” presently allocated to neighbouring authorities.
24. On Densities, Paragraph 47 of the NPPF requires authorities to *set out their own approach to housing density to reflect local circumstances*.
25. Oxford’s local circumstances are self-described by the City Council as being a severe shortage of homes, specifically homes that are affordable by local people. To address these twin issues the City should use available land for housing, not further employment which will only aggravate any housing shortage that may exist.

⁹ <http://www.cpreoxon.org.uk/news/current-news/item/2723-ox-city-local-plan-presub-consult-nov-18>

¹⁰ [file:///C:/Users/User/Downloads/Oxford City HELAA Final Report 27.10.16.pdf](file:///C:/Users/User/Downloads/Oxford%20City%20HELAA%20Final%20Report%2027.10.16.pdf)

26. It should also use higher densities.
PPG3 encouraged *housing development which makes more efficient use of land (between 30 and 50 dwellings per hectare net)*. At 39 dwellings per hectare (dph), based on current Plan assumptions, the City would be just below mid-way on that scale. However PPG3 continued that Councils should *seek greater intensity of development at places with good public transport accessibility such as cit(ies)*.
27. In *Housing for a Compact City*¹¹, Lord Rogers wrote: *Even in Central London we are still building at an average density of 78 dwellings per hectare (!). This is around half the density of the Georgian terraces of Islington and Notting Hill, built 200 years ago, or of contemporary European developments shown in this book.*
28. Given that Lord Rogers' example is of relatively low rise high density development, there is clearly considerable scope for Oxford to increase densities significantly without using high rise with consequent damage to City view cones.
29. If Oxford increased density to even the 78dph which Lord Rogers found so inadequate, it would double the capacity of allocated housing land from 7,472 to 14,944 and the capacity of available employment land if switched to housing would be 12,300. This would be a total capacity of over 26,000 dwellings, almost all of the SHMA "unmet need".
30. Taken with the concerns expressed in both the Cundall and Fortismere reports that density and ring-fencing employment land required review, this suggests that the 15,000/14,850 number for "unmet need" is far from robust and certainly no basis on which to be allocating land (especially Green Belt land) to meet it.
31. Oxford's "unmet need" has not been clarified or confirmed as the Inspector into the adopted Cherwell Plan required nor has the City left "no stone unturned" to meet it as the Brighton and Hove Inspector required.
32. Since the overall figure is very far from robust, it follows that its apportionment to neighbouring Districts cannot be robust either. Neither was the process that determined the distribution.

How the Growth Board determined the distribution of "unmet need"

33. The Growth Board commissioned Land Use Consultants (LUC) to determine the capacity of each District to accommodate part of the then agreed 15,000 houses worth of "unmet need".¹²

¹¹ *Housing for a Compact City*, GLA 2003

¹² PR14 Oxfordshire Growth Board - Oxford Spatial Options Assessment

34. Their method was not to review the capacity of the whole of Oxfordshire from first principles, as might have been expected, but to consider the relative merits of 36 particular sites put forward by Local Authorities.
35. It is instructive that, despite the previous recommendations of Cundall and Fortismere, LUC worked on very low density assumptions, down to only 25-35 dwellings per hectare. This wastefully maximised land take whilst minimising the likelihood that the housing would be the low-cost accommodation Oxford actually requires.
36. Their overall objective was specifically not to determine which of these particular sites was appropriate but simply to ascertain the general capacity of each District to accommodate “unmet need”.
37. Consequently, whilst the conclusion of the report was that there is more than enough capacity within the 36 sites offered, there is no allocation of “unmet need” to Districts.
38. A Growth Board Working Group considered LUC’s reports and selected a smaller number of the 36 sites investigated. Their deliberations also resulted in the 15,000 “unmet need” figure being reduced to 14,850, that happening to be the sum capacity, at the low densities used, of the sites selected.¹³
39. It was noted in the Growth Board report that other, “better”, sites might come forward during the Local Plan process and for that reason amongst others the particular sites identified to establish a District’s capability to accommodate “unmet need” should not be taken to be those which should be used in its subsequent plan.
40. The logic of that methodology would be that should a large unexpected site come forward in District A, that should affect the allocation of “unmet need” to all Districts, not just A. This is however not the case. Allocations are intended to remain fixed despite circumstances varying.
41. In fact, just such a situation has arisen with Dalton Barracks in the Vale. Although not considered, or mentioned, in the LUC report, Dalton Barracks, between Abingdon and Oxford, has unexpectedly been released by the Ministry of Defence. It could accommodate up to 4,500 homes at even the modest densities used by the Vale, that is at least 30% of the quantum of Oxford’s notional “unmet need”, or all of the allocation to Cherwell.
42. **The process of determining Oxford “need”; the assessment of Oxford’s own capacity to meet it; and the allocation of the “unmet need” to Districts are all deeply flawed and unreliable.**

¹³ PR27 Oxfordshire Growth Board - Public Reports Pack 26 Sept 2016 with Addenda and Decision

43. It is instructive that the Districts have been eager to strike a Growth Deal with Government in which they receive funding for making best efforts to build 100,000 houses across Oxfordshire (a 30% increase against current stock) and that in the Deal the Government specifically recognises that these are above the County's OAN.¹⁴

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file:///C:/Users/User/Downloads/Oxfordshire_Housing_and_Growth_Deal_Letter_from_Secretary_of_State_to_Oxfordshire_Growth_Board.pdf