

Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

Land North of Browns Lane, Tamworth, Staffordshire,
B79 8UT



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Outline application for up to 210 dwellings, public open space, landscaping, sustainable urban drainage, access, and associated infrastructure. (All matters reserved except access)

Land North of Browns Lane, Tamworth, Staffordshire, B79 8UT

Summix BLT Developments Limited

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Appendices

- Appendix JS1 TBC Freedom of Information Correspondence (13 May and 4 June 2024)
- Appendix JS2 Supporting statement from Platform Housing Group
- Appendix JS3 Consequences of Failing to Meet Affordable Housing Needs
- Appendix JS4 Extracts from Planning Practice Guidance (March 2014, Ongoing Updates)
- Appendix JS5 Affordable Housing as a Separate Material Consideration
- Appendix JS6 Relevant Secretary of State and Appeal Decisions

Core Documents

- CD5.7 Affordable Housing Statement of Common Ground
- CD3.1.1 LDC Local Plan Strategy 2008-2029 (2015)
- CD3.1.3 Wigginton, Hopwas and Comberford Neighbourhood Plan (2016)
- CD3.1.5 LDC Developers Contributions SPD (2016)
- CD6.2.3 LDC Housing, Homelessness and Rough Sleeping Strategy 2019-2024
- CD6.2.6 LDC Draft 2050 Strategy
- CD3.2.1 TBC Local Plan 2006-2031 (2016)
- CD6.2.4 Southern Staffordshire Districts Housing Needs Study and SHMA Update (May 2012)
- CD6.2.1 Housing and Economic Development Need Assessment Update (November 2020)
- CD3.2.3 TBC Planning Obligations SPD (2018)
- CD6.2.7 TBC Housing Strategy 2020-2025
- CD6.2.8 TBC Homelessness Prevention and Rough Sleeping Strategy 2020-2025
- CD2.5 LDC Committee Report (dated 27 November 2023)
- CD2.6 LDC Supplementary Committee Report (dated 27 November 2023)
- CD5.2 LDC Statement of Case
- CD5.3 TBC Statement of Case
- CD6.2.5 Cerda Planning Letter of Objection (May 2024)
- CD8.2.5 Appeal Decision: Land to the west of Langton Road, Norton (September 2018)
- CD8.2.6 Appeal Decision: Land to the East of Highgate Hill and South of Copthall Avenue, Hawkhurst, Kent (March 2022)
- CD8.2.2 Appeal Decision: Sondes Place Farm, Westcott Road, Dorking (December 2023)
- CD8.2.1 Appeal Decision: Former North Worcestershire Golf Club Ltd, Hanging Lane, Birmingham (July 2019)
- CD8.2.3 Appeal Decision: Land at the Corner of Oving Road and A27, Chichester (August 2017)
- CD8.2.4 Appeal Decision: Oxford Brookes University, Wheatley Campus, Wheatley, Oxford (April 2020)
- CD8.2.7 Appeal Decision: Land at Aviation Lane (October 2020)

Introduction

Section 1

- 1.1 This Affordable Housing Proof of Evidence has been prepared by **James Stacey BA (Hons) Dip TP MRTPI** of **Tetlow King Planning** on behalf of **Summix BLT Developments Limited** and considers the weight¹ to be given to the benefit of affordable housing.
- 1.2 Summix BLT Developments has a working agreement with Platform Housing, a national Registered Provider, to develop and manage the affordable homes. This relationship is crucial in the ability of the appeal site to not only deliver the homes quickly but to ensure the homes are run and managed, so that many households can be assisted in having their needs met. A supporting statement on behalf of Platform Housing Group is attached as **Appendix JS2**.
- 1.3 The appeal site lies across the authority boundaries of Lichfield District Council and Tamworth Borough Council. All of the proposed housing lies within the boundary of Lichfield District Council, with only the access falling within Tamworth's administrative area.
- 1.4 The proposed development is for up to 210 dwellings, of which 100% are to be provided on-site as affordable housing. This level of provision exceeds the requirements of Policy H2 (40%) of the adopted Lichfield Local Plan Strategy (2015) and Policy HG4 (20%) of the adopted Tamworth Local Plan (2016). Paragraph 8.18 of the adopted Lichfield Local Plan Strategy indicates that, "*The District Council will continue to support the delivery of 100% affordable schemes on small sites within the District, but it is recognised that there may be a need for grant funding to enable such sites to be delivered*".
- 1.5 The proposed tenure split will be 45% Rented (55 social rented homes and 39 affordable rented homes) and 45% Shared Ownership (95 homes) and 10% Rent to Buy (21 Homes). This reflects discussions with Lichfield District Council. The proposed affordable housing will be secured by way of a Section 106 planning obligation.

¹ For the clarity, the weightings I apply are as follows: very limited, limited, moderate, significant, very significant, substantial, and very substantial.

- 1.6 This Proof of Evidence should be read alongside the Planning evidence of Ben Ward (Marrons), the supporting statement prepared by Platform Housing (**Appendix JS2**) and the agreed Affordable Housing Statement of Common Ground (**CD5.7**), which contains all of the data upon which I rely.
- 1.7 As part of my evidence, I have sought data upon which I rely, through a Freedom of Information (“FOI”) request submitted to each Council. An FOI request was submitted to Lichfield District Council on 27 February 2024 and a full response was received on 4 March 2024 which can be seen at **Appendix 5 of the Affordable Housing Statement of Common Ground**. An FOI request was submitted to Tamworth Borough Council on 13 May 2024 and a full response was received on 4 June 2024 which can be seen at **Appendix JS1** of this Proof of Evidence.
- 1.8 In accordance with the Inspectors instructions at the CMC a tri-party affordable housing Statement of Common Ground has been prepared. The following affordable housing matters are agreed between all parties in the Affordable Housing Statement of Common Ground (**CD5.7**):
- Affordable Housing Needs in Lichfield and Tamworth;
 - Affordable Housing Delivery in Lichfield and Tamworth;
 - Affordable Housing Delivery Compared to Affordable Housing Needs in Lichfield and Tamworth;
 - Addressing the Shortfall in Affordable Housing Delivery;
 - The Future Supply of Affordable Housing in Lichfield and Tamworth; and
 - Affordability Indicators in Lichfield and Tamworth, including data on the Housing Register², homelessness, temporary accommodation, median and lower quartile private rents, median and lower quartile affordability ratios, and median and lower quartile house prices.
- 1.9 The following matters have not been agreed;
- The weight to affordable housing in the planning balance

² The FOI response from Tamworth (see **Appendix JS1**) states that there were 434 households registered on the Housing Register on 1 April 2024. This is an increase of 8% from the 401 reported at paragraph 8.15 of the Affordable Housing Statement of Common Ground (**CD5.7**) on 31 March 2023.

1.10 In light of this agreement, my Proof of Evidence does not seek to repeat those matters agreed, albeit the data will form a significant part of my judgement towards the suggested weight to the important and much needed benefit of affordable housing in the planning balance. This Proof of Evidence therefore seeks to understand the affordable housing policy context in both Lichfield District and Tamworth Borough, the needs and past delivery record and concentrates on the differences between the Appellant's and the Councils' cases, as instructed at the CMC.

1.11 My credentials as an expert witness are summarised as follows:

- I hold a Bachelor of Arts (Hons) degree in Economics and Geography from the University of Portsmouth (1994) and a post-graduate diploma in Town Planning from the University of the West of England ("UWE") (1997). I am a member of the Royal Town Planning Institute ("RTPI").
- I have over 28 years' professional experience in the field of town planning and housing. I was first employed by two Local Authorities in the South West and have been in private practice since 2001.
- During my career, I have presented evidence at more than 140 Section 78 appeal inquiries and hearings. I act for a cross-section of clients and advise upon a diverse range of planning and housing related matters.
- In December 2022 I was appointed as Managing Director of Tetlow King Planning. Prior to this I held the position of Senior Director. I was first employed by Tetlow King Planning in 2009.
- Both Tetlow King generally and I have acted on a wide range of housing issues and projects for landowners, house builders and housing associations throughout the country. Tetlow King Planning has been actively engaged nationally and regionally to comment on emerging development plan documents and supplementary planning documents on affordable housing throughout the UK.

1.12 In accordance with the Planning Inspectorate's Procedural Guidance, I hereby declare that:

"The evidence which I have prepared and provide for this appeal in this Statement is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions."

- 1.13 Providing a significant boost in the delivery of housing, and in particular affordable housing, is a key priority for the Government. This is set out in the most up-to-date version of the National Planning Policy Framework (“NPPF”), the Planning Practice Guidance (“PPG”), the National Housing Strategy and the Government’s ‘Fixing Our Broken Housing Market’ Housing White Paper (2017).
- 1.14 Having a thriving active housing market that offers choice, flexibility and affordable housing is critical to our economic and social well-being. The consequences of failing to meet affordable housing needs in any local authority is well documented and acknowledged by the SOS and Inspectors alike. These consequences are important to understand. They are real consequences, afflicted upon many households who are in dire need of assistance with their housing. The consequences affect the ability of households, families, and individuals in leading the best lives that they can. I set out my summary of the consequences at **Appendix JS3**.
- 1.15 This proof of evidence comprises the following five sections:
- Section 2 establishes the importance of affordable housing as an important material consideration;
 - Section 3 analyses the development plan and related policy framework in Lichfield District including corporate documents;
 - Section 4 analyses the development plan and related policy framework in Tamworth Borough including corporate documents;
 - Section 5 reviews the Councils and third party comments on the application; and
 - Section 6 considers the main differences between the parties and justifies the weight to be attached to the proposed affordable housing provision.

Affordable Housing as an Important Material Consideration

Section 2

Introduction

- 2.1 The provision of affordable housing is a key part of the planning system. A community’s need for affordable housing was first enshrined as a material consideration in PPG3 in 1992 and has continued to play an important role in subsequent iterations of national planning policy, including the National Planning Policy Framework (“NPPF”).

National Planning Policy Framework (19 December 2023)

- 2.2 The NPPF was last updated on 19 December 2023 and is a material planning consideration. It is important in setting out the role of affordable housing in the plan-making and decision-making processes.
- 2.3 The NPPF (2023) sets a strong emphasis on the delivery of sustainable development. Fundamental to the social objective is to *“support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations”* (paragraph 8) (my emphasis).
- 2.4 Chapter 5 NPPF of the (2023) focuses on delivering a sufficient supply of homes, in which paragraph 60 is clear that:

*“to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed [...]. **The overall aim should be to meet as much of an area’s identified housing need as possible**, including with an appropriate mix of housing types for the local community”.* (my emphasis)

- 2.5 Paragraph 63 also makes clear that *“within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing.”* (my emphasis).

- 2.6 The national guidance places a corner-stone responsibility on all major developments (involving the provision of housing) to provide an element of affordable housing. In particular, paragraph 66 establishes that *“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership.”*
- 2.7 Affordable housing is defined within the revised NPPF’s glossary as affordable housing for rent (in accordance with the Government’s rent policy for Social Rent or Affordable Rent or is at least 20% below local market rents), starter homes, discounted market sales housing (at least 20% below market value) and other affordable routes to home ownership including shared ownership, relevant equity loans, other low-cost homes for sale (at least 20% below local market value) and rent to buy (which includes a period of intermediate rent).

Planning Practice Guidance (March 2014, Ongoing Updates)

- 2.8 The Planning Practice Guidance (“PPG”) was first published online on 6 March 2014 and is subject to ongoing updates. It replaced the remainder of the planning guidance documents not already covered by the NPPF and provides further guidance on that document’s application. **Appendix JS3** sets out the paragraphs of the PPG of particular relevance to affordable housing.

Summary and Conclusions

- 2.9 This section clearly demonstrates that, within national policy, providing affordable housing has long been established as, and remains, a key national priority as set out in the National Housing Strategy and the Government’s Housing White Papers; it is a fundamental element in the drive to address and resolve the national housing crisis and the consequences are arise from it.

The Development Plan and Related Policies in Lichfield District

Section 3

Introduction

- 3.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the Development Plan unless material considerations indicate otherwise. This is common to both Local Planning Authorities.
- 3.2 The relevant Development Plan in respect of affordable housing for the appeal site comprises the Local Plan Strategy 2008-2029 (2015) and the Wigginton, Hopwas and Comberford Neighbourhood Plan (December 2016).
- 3.3 Other material considerations include the National Planning Policy Framework (2023), the Planning Practice Guidance (March 2014, ongoing updates) (again applicable to both Local Planning Authorities), and the Developers Contributions SPD (2016) as well as several corporate documents, which I consider highlight the high corporate priority given the delivery of affordable housing.

The Development Plan

Lichfield District Local Plan Strategy 2008 – 2029 (2015) – CD3.1.1

- 3.4 The Local Plan Strategy (“LPS”) reports at paragraph 2.19 that there is a high level of owner occupation in Lichfield at over 79%, with social rented housing only accounting for about 13.5% of the total in the District. The LPS identifies the principal issues in relation to housing to be affordability and meeting housing requirements.
- 3.5 Further, the LPS acknowledges at paragraph 2.20 that there is a need for affordable housing in all areas, to serve the needs of Lichfield, Burntwood, and rural parts of the District where high house prices and limited availability are significant.
- 3.6 The LPS identifies at table 2.8 and paragraph 2.27 that a lack of affordable housing within all areas of the District as a key weakness that must inform the LPS’s Vision and Strategic Priorities. The LPS acknowledges the threat from the house prices within Lichfield District being amongst the highest in Staffordshire (paragraph 2.20).

- 3.7 The LPS provides 15 strategic priorities at paragraph 3.3. Strategic Priority 6 concerns meeting housing needs, and states:

“To provide an appropriate mix of market, specialist and affordable homes that are well designed and meet the needs of the residents of Lichfield District”.

- 3.8 The LPS principally relies on the Southern Staffordshire Housing Needs Study and SHMA Update (March 2012), the net annual need of 377 affordable homes per annum is agreed in the Affordable Housing Statement of Common Ground.

- 3.9 **Core Policy 1 ‘The Spatial Strategy’** provides the expectations for the location of future development within the District and expects a minimum of 10,030 dwellings (of all tenures) to be delivered between 2008 and 2029.

- 3.10 Core Policy 1 does not set a minimum numerical target for affordable housing, it is understood to be incorporated into the 10,030 dwellings figure. Paragraph 4.14 of the explanatory text to Core Policy 1 does however state:

“A key challenge will be meeting the affordable housing need within the District. Annual affordable housing need (minimum 377) is close to our annual housing target of 478 homes and opportunities are limited in providing new affordable housing alongside open market developments due to issues of viability. New and innovative approaches to provision will therefore need to be explored. Ensuring that such housing is seamlessly incorporated into the wider community to encourage a sense of pride, ownership and belonging will be a vital part of this strategy” (My emphasis).

- 3.11 **Policy H2 ‘Provision of Affordable Homes’** is the principal policy concerning affordable housing expectations in the District, and states that the Council expects up to 40% of new dwellings to be provided as affordable housing. The full policy wording is set out on page 55 and included below.

Policy H2: Provision of Affordable Homes

The District Council is committed to improving housing affordability in Lichfield District. On qualifying sites, the District Council will be seeking a target of up to 40% of new dwellings (including conversions) to be provided as affordable housing. The overall delivery of affordable housing in the District during the plan period will be related to the ability to deliver in the market conditions that prevail at the time a planning application is made. The District Council will vary this percentage in line with a model of dynamic viability.

The levels will be reviewed annually informed by the following factors:

- Market land values;
- House prices; and
- Index of building costs.

The thresholds upon which affordable housing provision will be sought are:

- In Lichfield City and Burntwood, affordable housing will be required on housing developments for 15 or more dwellings or sites of 0.5ha or more in size and in accordance with nationally set thresholds.
- Outside these two main urban areas, affordable housing will be required on housing developments in line with nationally set thresholds.

Affordable housing may be in the form of social rent, affordable rent, intermediate or a mix of tenures. The District Council will normally require at least 65% of the affordable housing on a site to be social rented managed by a registered provider; the precise proportions will be agreed with the District Council having regard to housing needs within the locality of the development and the economic viability of a scheme.

Affordable housing should be provided on site and only in very exceptional circumstances will contributions in lieu, that are broadly equivalent in value to on-site provision, be acceptable.

A flexible approach on thresholds, proportions, tenure, size and type will be taken on a scheme by scheme basis to reflect housing needs in the locality and to ensure scheme viability, subject to an open book approach by developers. Where the flexible approach cannot deliver a viable scheme due to site specific exceptional circumstances, reconsideration of the percentage of affordable housing to be delivered will be undertaken on a scheme by scheme basis.

The District Council will require developments to incorporate and suitably integrate affordable and market housing with a consistent standard of quality design and public spaces, to create mixed and sustainable communities.

Outside of Lichfield and Burntwood, housing development, in addition of those allocated within the Local Plan, will be supported on small rural exception sites, where affordable homes can be delivered to meet the needs of local people from within the SHMA sub-area where there is no conflict with other Local Plan policies and the following criteria are met:

- The majority of the homes provided are affordable;
- The site is adjacent to existing village settlement boundaries;
- A housing need has been identified in the parish, or in one or more of the adjacent parishes, for the type and scale of development proposed;
- The proposed development is considered suitable by virtue of its size and scale in relation to an existing settlement and its services, and its proximity to public transport links and key infrastructure; and
- The initial and subsequent occupancy of affordable homes is controlled through planning conditions and legal agreements, as appropriate, to ensure that the accommodation remains available in perpetuity to local people in affordable housing need.

- 3.12 Policy H2 only includes a maximum target for affordable housing delivery, which is allowed to be varied in line with a model of dynamic viability, considering market land values, house prices, and the index of buildings costs.
- 3.13 The explanatory text to Policy H2 sets out that the Council will assess viability on an annual basis, which will determine an overall annual viable target to be published within the Annual Monitoring Report. The Council's latest Annual Monitoring Report identifies the current viable affordable housing target as 28%, as agreed in the affordable housing statement of common ground.
- 3.14 The Council will therefore expect a development to deliver 40% of the new dwellings as affordable housing. However, this application site is proposing 100% affordable housing.
- 3.15 The LPS suggests it is not practical for the Council to meet all its identified affordable housing needs but suggests it will work with Registered Providers to maximise opportunities for increased numbers of affordable housing units in addition to homes negotiated through planning obligations.

- 3.16 With reference to the Southern Staffordshire Districts Housing Needs Study and SHMA Update (March 2012), paragraph 8.17 of the LPS recommends a percentage split of affordable housing based on an assessment of affordability, of **65% social rent, 15% affordable rent and 20% intermediate tenure (which includes shared ownership)**. The 2012 study also evidenced the greatest need in the affordable tenure related to 2 and 3 bed properties.
- 3.17 Paragraph 8.18 indicates support for 100% affordable housing schemes, indicating that, *“The District Council will continue to support the delivery of 100% affordable schemes on small sites within the District, but it is recognised that there may be a need for grant funding to enable such sites to be delivered”*. I accept this relates to “small sites”, but not this is not defined in the Local Plan.
- 3.18 Appendix A to the LPS sets out how Policy H2 will be monitored, with key indicators being the number of affordable dwellings built each year, and the percentage of affordable homes made available to be socially rented. The key targets include the delivery of affordable homes across the 20-year plan period in line with Policy H2, and a percentage target of 65 percent of affordable housing being provided on site to be socially rented. The contingency for not meeting these targets is to consider the allocation of sites solely for affordable housing.

Wigginton, Hopwas and Comberford Neighbourhood Plan (December 2016) – CD3.1.3

- 3.19 Paragraph 5.12 of the Wigginton, Hopwas and Comberford Neighbourhood Plan specifies that *“Should there be an identifiable need for affordable housing or for retirement accommodation to meet the needs of existing residents including their close relations or dependants this would be welcomed.”*

Other Material Considerations

Emerging Local Plan

- 3.20 At a meeting of full Council on 17 October 2023, Lichfield District Council made the decision to withdraw its proposed Local Plan 2040.
- 3.21 The Council have since proposed a New Local Plan for Lichfield District, announcing a Call for Sites exercise between 29 January and 25 March 2024.
- 3.22 No further update has been provided based on this evidence base or timeline as to the next steps for progressing the New Local plan for Lichfield.

- 3.23 Given that the New Local Plan is in its very early stages, it should not be afforded any weight in the planning balance.

Developer Contributions Supplementary Planning Document (August 2016) – CD3.1.5

- 3.24 The Developer Contributions Supplementary Planning Document (“SPD”) sets out the Council’s approach to planning obligations.
- 3.25 The SPD reiterates Policy H2 of the LPS and highlights that affordable housing will be required on housing developments for five or more dwellings or sites of 0.2ha or more in size.
- 3.26 The SPD also repeats the Council’s approach to varying Policy H2’s affordable housing target in accordance with the model of dynamic viability, where the Annual Monitoring Report will publish the annual viable affordable housing target. The SPD also explains that should a development not meet the published annual affordable housing target, a viability appraisal will need to be submitted and independently assessed.
- 3.27 Significantly, the SPD acknowledges the importance that everyone living in Lichfield District has the opportunity of a decent and affordable home.
- 3.28 Appendix C of the SPD sets out the types of affordable housing which will be sought in Lichfield, including social rent (the Council’s preferred rented tenure), affordable rent, shared ownership, equity share, and discounted market. Importantly, the SPD acknowledges that homes that meet the NPPF’s definition of affordable housing will be considered as affordable housing.
- 3.29 Appendix C also provides guidance for housing tenure and mix, stating:

“New housing developments must provide for a variety of housing types and sizes to accommodate a range of different households, including families, single people and low income households as evidenced by the Southern Staffordshire Districts Housing Needs Study and SHMA update or future evidence. The mix of housing should contribute to providing choice in tenure and housing type, having regard to the existing mix of dwellings in the locality and the character and accessibility of the location. Housing developments will also need to contribute to the provision of homes that are suitable for the needs of older people, disabled people and those with other special needs (including supported housing projects), in a way that integrates all households into the community”.

3.30 The SPD includes guidance on working with Registered Providers.

Corporate Documents

3.31 The Council’s corporate documents identify the delivery of affordable housing as a high corporate priority of Lichfield.

Housing, Homelessness and Rough Sleeping Strategy 2019 – 2024 – CD6.2.3

3.32 The Foreword prepared by Councillor Angela Lax, reflects my view on the need for more affordable housing in Lichfield. She advises that, *“access to suitable, good quality and affordable housing is important to our health and wellbeing and essential in providing sustainable communities. Ensuring we have the right type of homes in the right location can have a major impact on our ability to meet the needs of our growing and ageing population and to support the economic prosperity of the district”*.

3.33 I fully concur with her view on the requirement for access to suitable, good quality and affordable housing.

3.34 The Strategy advises on three priorities these are to:

- *“enable people to live in good quality homes that are suitable for their needs*
- *increase housing choice to meet the needs of current and future residents ; and*
- *prevent or relieve all forms of homelessness including rough sleeping.”*

3.35 One of the key objectives to achieve the priorities is to, *“increase the supply of affordable housing”*, which is claimed will be implemented by the Action Plan.

3.36 On page 13 it advises that, *“The need for social rented homes remains high and at January 2020 there were 1,350³ applicants registered on Homes Direct, our choice based lettings system.”*

3.37 Furthermore, on page 14 the strategy advises that, *“ There are currently 213 affordable dwellings with planning permission that are due to be constructed in the next five years and many other sites in the planning system. **We know this will not be enough to meet demand.** However, through our local plan review, our aim will be to ensure we can continue to maximise the delivery of affordable homes in the right locations across the district.” (my emphasis).*

³ The Affordable Housing Statement of Common Ground records 349 households on the register in March 2023.

Lichfield Draft 2050 Strategy – CD6.2.6

- 3.38 The Lichfield District 2050 strategy is described as, *“a departure from our usual four-yearly cycle of thinking about our priorities. It deliberately seeks to set a different tone”*.
- 3.39 It goes on to say in the Introduction that, *“we are proud of our district and want to engage about its future and yours - to think about the district we want Lichfield to be by 2050 - a place for you, your children, your parents, and future generations; for our businesses and visitors, to thrive in.”*
- 3.40 The Introduction states that, *“Lichfield District 2050 is a longer-term view of our shared priorities, it is challenging, bold and aspirational.”*
- 3.41 It was approved by Full Council on 14 May 2024, along with our one-year delivery plan which sets out what we will achieve between May 2024 and May 2025.
- 3.42 The Action Plan advises in respect of affordable housing in year one that it will involve the, *“lobbying of registered providers of social housing to improve the conditions and maintenance of properties, and to agree tangible actions to improve”*, advising that Quarterly review meetings are in place.

Conclusions on the Development Plan and Related Policies in Lichfield

- 3.43 The relevant Development Plan in respect of affordable housing for the appeal site comprises the Local Plan Strategy 2008-2029 (2015).
- 3.44 It is my opinion that the evidence set out in this section clearly highlights that within adopted policy, and a wide range of other plans and strategies, providing affordable housing has long been established as, and remains, a key issue which urgently needs to be addressed within Lichfield.
- 3.45 The appeal proposals provide an affordable housing contribution which exceeds requirements of the Local Plan Strategy (2015) Policy H2 and for which appears to garner broad support from the LPA for scheme comprising 100% affordable housing (Paragraph 8.18 refers).
- 3.46 The up to 210 affordable homes at the appeal site will make a significant and valuable contribution towards the annual affordable housing needs of the district, particularly when viewed in the context of past rates of affordable housing delivery and the future supply of affordable housing which are agreed in the Affordable Housing Statement of Common Ground.

The Development Plan and Related Policies in Tamworth Borough

Section 4

Introduction

- 4.1 The relevant Development Plan in Tamworth Borough in respect of affordable housing for the appeal site comprises the Local Plan 2006-2031 (2016).
- 4.2 Other material considerations include the emerging Local Plan 2022-2043 and the Planning Obligations Supplementary Planning Document (“SPD”) as well as a number of corporate documents. As previously mentioned the National Planning Policy Framework (2023) and the Planning Practice Guidance (March 2014, ongoing updates) are relevant.

The Development Plan

Local Plan 2006-2031 (2016) – CD3.2.1

- 4.3 The adopted Local Plan 2006-2031 sets out the development policies for Tamworth Borough up until 2031.
- 4.4 The Local Plan recognises early on at paragraph 2.12 of Chapter 2 that Affordable housing is an issue that needs to be addressed to ensure that the young are retained within Tamworth.
- 4.5 The Council’s Vision for the Borough is set out at the bottom of page 18. It specifies that:
- “New house building will have responded to local need by increasing the supply of affordable housing, widening housing choice and preventing homelessness.”*
- 4.6 The Council clarifies at paragraph 3.6 that the NPPF requires Local Plans to meet the full objectively assessed needs for market and affordable housing.
- 4.7 Affordable housing is discussed in Chapter 5 from paragraph 5.21. Paragraph 5.21 acknowledges that the Southern Staffordshire Districts Housing Needs Study and Strategic Housing Market Assessment Update (2012) (CD6.2.4) identifies a net housing need of 183 affordable dwellings per annum.

- 4.8 More recently, the 2020 Housing and Economic Development Need Assessment (“HEDNA”) Update (**CD6.2.1**) identifies a net need for 170 new affordable rented homes per annum in Tamworth between 2016 and 2036.
- 4.9 **Policy HG4 ‘Affordable Housing’** sets an overall minimum target for the provision of at least 1,000 new affordable housing homes in Tamworth over the Plan period.
- 4.10 Policy HG4 requires new residential development involving 10 or more dwellings (gross) to provide a target of 20% affordable dwellings on site.
- 4.11 Notably, the Council states at paragraph 5.26 that:
- “The supply from private developers secured by HG4 should be considered a minimum figure. As stated above, **there remains a significant need beyond this figure, therefore it will be important to maximise the delivery of affordable housing**”* (My emphasis).
- 4.12 Later at paragraph 5.27 that Local Plan sets out that:
- “HG4 will support the Council’s continued work with Registered Providers to increase and improve the affordable and social housing stock in Tamworth to address the remaining gap in affordable need.”*
- 4.13 Chapter 8 of the Local Plan concerns the implementation and monitoring of its policies. Paragraph 8.15 states that *“Monitoring may indicate that further action is required, particularly where targets are not being met and are unlikely to be met in the future.”*
- 4.14 The Monitoring Framework can be found at Appendix D of the Local Plan. With regard to Policy HG4, the monitoring target is for at least 40 net new affordable housing units per year. The Framework notes that:
- “Not all developments are required to contribute affordable dwellings and so it is possible that the cumulative target could be reached by the end of the Plan period without delivering a consistent number annually. If delivery falls consistently below the annual target, the Council will consider revising Local Plan policies and will work with developers to attempt to ensure a more consistent delivery of affordable dwellings”* (My emphasis).
- 4.15 Net affordable housing delivery across Tamworth Borough over the Local Plan period is presented in Figure 2 of Appendix 2 of the Affordable Housing Statement of Common Ground. It shows that the Council has only achieved its target of 40 net affordable housing additions per annum on just four occasions over the last 17-years.

Other Material Considerations

Emerging Local Plan 2022-2043

- 4.16 Tamworth Borough Council is currently working on a new Local Plan which will guide development in the authority up until 2043.
- 4.17 Between 30 September 2022 and 14 November 2022, Tamworth Borough Council undertook an Issues and Options consultation to inform the new Local Plan. There have been no further consultations on the emerging Local Plan to date.
- 4.18 The Council's website states that the plan is still in its evidence gathering stage. Given its infancy, limited to no weight should be afforded to the emerging Local Plan.

Planning Obligations SPD (2018) – CD3.2.3

- 4.19 The Planning Obligations SPD sets out at page seven that *“The Council will seek to secure affordable dwellings on appropriate sites through negotiating a S106 agreement to provide an appropriate number of units and mix of sizes and tenure on the site.”*
- 4.20 It further explains on page seven that *“The precise nature of the affordable housing to be provided shall be determined by negotiation between the Council, acting as planning and housing authority, and the applicant and will reflect national policy and guidance in place at the time.”*
- 4.21 Later on page eight, the Council recognises the importance of meeting the affordable housing targets set out in Policy HG4 of the Local Plan. The SPD sets out on page eight that:

“The Council will monitor development activity, land values and market signals to ensure it adopts a flexible approach to negotiations to achieve the above targets. This monitoring will inform discussions over viability, local needs and where appropriate lead to a review of targets.”

- 4.22 The appeal proposals are justified by the latest market signals, i.e. the affordability indicators agreed in the Affordable Housing Statement of Common Ground, and present an opportunity for the Council to help meet its affordable housing needs.

Corporate Documents

- 4.23 The Council's corporate documents identify the delivery of affordable housing as a high corporate priority of Tamworth.

Housing Strategy 2020-2025 – CD6.2.7

- 4.24 The Council's Housing Strategy sets out four priorities on page five. This includes priority number one, which is to *“Enable the provision of sufficient new homes to meet the needs of the existing population and those attracted to the area for work; ensure a range of provision to reflect both need and aspiration.”*
- 4.25 In order to deliver this priority, the Council states that it will *“Maximise the delivery of affordable housing through all available funding options”* (My emphasis).
- 4.26 Priority number four is also relevant, *“Ensure that everyone who lives or works in Tamworth has access to appropriate housing that promotes their well-being.”*
- 4.27 The Council states on page five that it will work to *“Reduce homelessness, its causes and consequences”*.

Homelessness Prevention and Rough Sleeping Strategy 2020-2025 – CD6.2.8

- 4.28 The Council's aims are set out on page two; one of which is to *“Prevent homelessness by meeting affordable housing and social needs”* (My emphasis).
- 4.29 The Council's aims are supported by five priorities, including priority three (set out on page 12) which is to *“Improve the supply of and access to affordable and supported housing.”*
- 4.30 The Council recognise on page 12 the diverse needs of households threatened with homelessness. *“These include households with the age of head of household under 35 years of age, single people, lone parents and family households”*.
- 4.31 On page 15, the Council describes that its future direction of travel in preventing homelessness in Tamworth is twofold:
- *“To continue to deliver and improve services for homeless households and rough sleeping*
 - *To focus even more strongly on the prevention agenda.”*
- 4.32 The Council clarify that *“The latter centres especially on two of our priorities - prevention and early intervention through working with partners and stakeholders and improve the supply of and access to affordable and supported housing”* (My emphasis).

Conclusions on the Development Plan and Related Policies in Tamworth

- 4.33 It is my opinion that the evidence set out in this section clearly highlights, like in Lichfield, that within adopted policy and a range of other plans and strategies, providing affordable housing has long been established as, and remains, a key issue which urgently needs to be addressed within Tamworth.
- 4.34 The appeal proposals provide an affordable housing contribution which exceeds requirements of the Local Plan (2016) Policy HG4.
- 4.35 If the proposed homes are allocated and occupied by residents in Tamworth, a proportion of the up to 210 affordable homes at the appeal site will make a significant and valuable contribution towards the annual affordable housing needs of the Borough, particularly when viewed in the context of past rates of affordable housing delivery and the future supply of affordable housing which are agreed in the Affordable Housing Statement of Common Ground.

Assessment of the Application

Section 5

Introduction

- 5.1 This section of the evidence considers the Council's and relevant third party assessments of the appeal proposals during the course of the application and the appeal process in so far as they relate to affordable housing matters.

Committee/Officer Report

- 5.2 Application 18/00840/OUTMEI was refused by Lichfield District Council on 28 November 2023 (**CD2.1**) following a Planning Committee meeting on 27 November 2023.

LDC Committee Report (dated 27 November 2023) – CD2.5

- 5.3 At paragraph 4.5 the Council confirms that the scheme will provide 100% affordable housing to be delivered alongside Platform Housing Group.
- 5.4 At paragraph 11.18, the Council make the following comments:

“The provision of affordable housing can be afforded weight as a material planning consideration. However, in the context of affordable housing delivery within the District, where the housing supply is robust, it is considered that limited weight can be attached to this” (My emphasis).

- 5.5 As can be seen in Section 7 of the Affordable Housing Statement of Common Ground, the Council is unable to demonstrate a robust affordable housing land supply in light of on-going identified affordable housing needs. The analysis shows that over the five-year period between 1 April 2023 to 31 March 2028, Lichfield District Council is only likely to deliver 671 affordable dwellings, equating to 134 new affordable dwellings per annum. This is substantially below the 220 net affordable rented housing needs per annum identified in the 2020 HEDNA Update Update.

- 5.6 Paragraph 11.18 of the Committee Report also states that:

“...the identified need for affordable housing in this locality is significantly less than the number of dwellings proposed. This may result in affordable properties coming forward which are not needed.”

- 5.7 Reliance is placed on the Council's existing waiting lists which raises a degree of concern as these cannot be guaranteed to be comprehensive. There is a broader spectrum of need, as set out in the NPPF Annex 2 definition of affordable housing, which does not restrict itself to just the housing register or local preferences.
- 5.8 Furthermore, affordable housing needs are to be met on an authority wide basis. There is a substantial on-going need for new affordable homes across Lichfield as evidenced by the 2012 Southern Staffordshire Districts HNS and SHMA and the 2020 HENDA. The appeal site presents an opportunity for the Council to deliver new affordable homes in a sustainable location to help meet these district wide needs.
- 5.9 I note that at paragraph 12.11 the Council states that:

"In the absence of evidence, there is no reason to consider that the necessary affordable housing requirements of both Lichfield District and Tamworth Borough cannot be located in more appropriate brownfield locations within defined settlement boundaries in accordance with adopted local plans."

- 5.10 This stance is considered unreasonable given that it is for each case to be considered on its individual merits, regardless of other sites within the authority.
- 5.11 In discussing planning obligations, the Council confirms at paragraph 18.4 that the Applicant (now Appellant) has provided written confirmation that they are willing to enter into a S106 agreement to secure the necessary obligations.
- 5.12 In drawing together their conclusions on the scheme, the Council make the following comments at paragraph 21.2:

"Having considered the submitted information, which includes the Council's current housing land supply, recent delivery of a significant number of affordable homes and supply of affordable homes which are to be delivered in the short term, alongside the relatively limited need for affordable homes in the proximity of the proposed development (based upon the Council's affordable housing waiting lists) Officers remain of the view that the delivery of 210 affordable homes whilst clearly of weight is not sufficient to outweigh the harm, caused by conflict to the adopted development plan."

- 5.13 As set out, the Council cannot current demonstrate a supply of affordable housing that will meet the latest identified affordable housing needs set out in the 2020 HEDNA Update Update. Additionally, it can be seen in the Affordable Housing Statement of Common Ground that past delivery in Lichfield District has been poor, and that substantial shortfalls⁴ in delivery can be observed against the on-going needs of the 2020 HEDNA Update.

LDC Supplementary Committee Report (dated 27 November 2023) – CD2.6

- 5.14 The Supplementary Committee Report addresses comments from the Tamworth Borough Council Planning Policy and Delivery Team dated 15 November 2023, which were received after the original Committee Report was published.
- 5.15 Tamworth’s Planning Policy and Delivery Team appear to disregard the findings of the 2020 HEDNA Update, arguing that the document is now over four years old and does not currently inform any policies of an emerging local plan.
- 5.16 The 2020 HEDNA Update states in its introduction at paragraph 1.2 that *“This study forms part of the evidence base which Lichfield District Council and Tamworth Borough Council (the Councils) will use in preparing and updating their development plan and will inform emerging planning policies.”* Furthermore, the Council referred to the findings of the HEDNA when undertaking its formal Review of the Tamworth Borough Council Local Plan 2006-2031 in March 2020 and in the Issues and Options consultation for the emerging Local Plan. It would therefore appear that Tamworth Borough Council does, or has at least in past, considered the 2020 HEDNA Update to be an appropriate evidence base document for the emerging Local Plan. I am of the view that the 2020 HEDNA Update still provides the most up to date assessment of affordable housing need in Tamworth until a new housing needs assessment for the authority supersedes it.
- 5.17 I note that the emerging Tamworth Local Plan is in its early stages of development and that to date, there has only been an Issues and Options consultation which was carried out in September to November 2022. There have been no further consultations on the emerging Local Plan to date. The Council has therefore not yet published any draft policies for the emerging Local Plan.

⁴ As set out in Section 4 of the Affordable Housing Statement of Common Ground.

- 5.18 The Tamworth Planning Policy and Delivery Team’s comments go on to say that “*The current annual target for affordable housing, as set out in policy HG4 of the adopted local plan, is 40 per annum.*”
- 5.19 I acknowledge that Policy HG4 of the Local Plan sets out a delivery monitoring target of 40 net affordable homes per annum over the 2006-2031 plan period. However, this is a monitoring target and does not seek to meet affordable housing needs in full. This is clear when viewed in light of the ongoing need for 170 net affordable rented homes identified by the 2020 HEDNA Update, and even the need for 183 net affordable homes identified by the 2012 Southern Staffordshire Districts HNS and SHMA Update.
- 5.20 The monitoring target of 40 net affordable homes per annum is discussed further from paragraph 5.31 below in response to Tamworth Borough Council’s Statement of Case.
- 5.21 In response to the comments on the scheme being eligible for relief from the Community Infrastructure Levy; this is part of the Government’s decision to allow for relief on such schemes and is therefore binary on any scheme that proposes 100% affordable housing.

Lichfield District Council Statement of Case

- 5.22 Lichfields District Council’s Statement of Case (“SoC”) in respect of the appeal proposals can be viewed under **CD5.2**.
- 5.23 Affordable Housing need is addressed from paragraph 6.9, whereby Lichfield District Council state that “*The Council can demonstrate a healthy housing land supply, and therefore it can be considered that the general housing needs of the District are being met.*”
- 5.24 Given my future supply analysis which is set out at Section 7 of the Affordable Housing Statement of Common Ground, I dispute this statement made by the Council as it is clear that the affordable housing needs in the District are very likely to continue to go un-met by some margin for years to come.
- 5.25 A paragraph 6.10, the Council states that “*the appellants argue that there is a substantive shortfall of delivery within both Lichfield District and Tamworth Borough that cannot be addressed over the next 5 years.*”
- 5.26 In reviewing the past delivery of affordable housing in both Lichfield District and Tamworth Borough, I have the following graphic observations⁵:

⁵ These observations are agreed between parties in the Affordable Housing Statement of Common Ground (**CD5.7**).

- a. Since the start of the Local Plan Strategy period in 2008/09 and 2022/23, **Lichfield District Council** has delivered 1,140 affordable dwellings per annum net of Right to Buy sales and additions, equivalent to **76 per annum** over the 15-year period. This equates to just **19% of the total average number of net housing completions**.
 - b. Since the start of the Local Plan Strategy period in 2006/07 and 2022/23, **Tamworth Borough Council** has delivered 295 affordable dwellings per annum net of Right to Buy sales and additions, equivalent to **17 per annum** over the 17-year period. This equates to **just 7% of the total average number of net housing completions**. I would classify this as a poor delivery record.
 - c. In **Lichfield District**, since the start of the 2020 HEDNA Update period in 2016/17, affordable housing additions (net of Right to Buy) have averaged 144 net affordable dwellings per annum, against an identified need of 220 net affordable rented dwellings per annum. **A shortfall of -535 affordable dwellings has arisen over the seven-year period**, equivalent to an average annual shortfall of -76 affordable dwellings.
 - d. In **Tamworth Borough**, since the start of the 2020 HEDNA Update period in 2016/17, affordable housing additions (net of Right to Buy and additions) have averaged 25 net affordable dwellings per annum, against a need of 170 net affordable rented dwellings per annum. **A shortfall of -1,017 affordable dwellings has arisen over the seven-year period**, equivalent to an average annual shortfall of -145 affordable dwellings.
- 5.27 It is therefore clear to see that there have been substantive shortfalls in past affordable housing delivery against identified needs in both Lichfield District and Tamworth Borough. Given the past rates of delivery, I am not confident that either Council would be able to recover these shortfalls in the next five years based on their current future affordable housing land supplies⁶.
- 5.28 I consider that the comments with regard to Rural Exception Sites (“RES”) are not relevant in this case given that the site is not proposed as a RES.

⁶ See Section 7 of the Affordable Housing Statement of Common Ground (CD5.7)

- 5.29 In providing their closing comments, at paragraph 7.8, the Council state that *“There is no evidence that there is an acute need of affordable housing in this locality, as such **limited weight** should be afforded to the provision of affordable housing in this case.”* (Empasis in original).
- 5.30 I am of the view that awarding limited weight to the provision of affordable housing in this case is a gross misunderstanding of the benefits that affordable housing can bring to those in need and a misjudgement of how effective the appeal proposals would be in delivering homes for those in need across Lichfield. I remain of the belief that the affordable housing provision should be awarded very substantial weight in this appeal decision.

Tamworth Borough Council Statement of Case

- 5.31 Tamworth Borough Council’s Statement of Case (“SoC”) in respect of the appeal proposals can be viewed under **CD5.3**.
- 5.32 With relevance to affordable housing, the Council make the following point at paragraph 2.10:

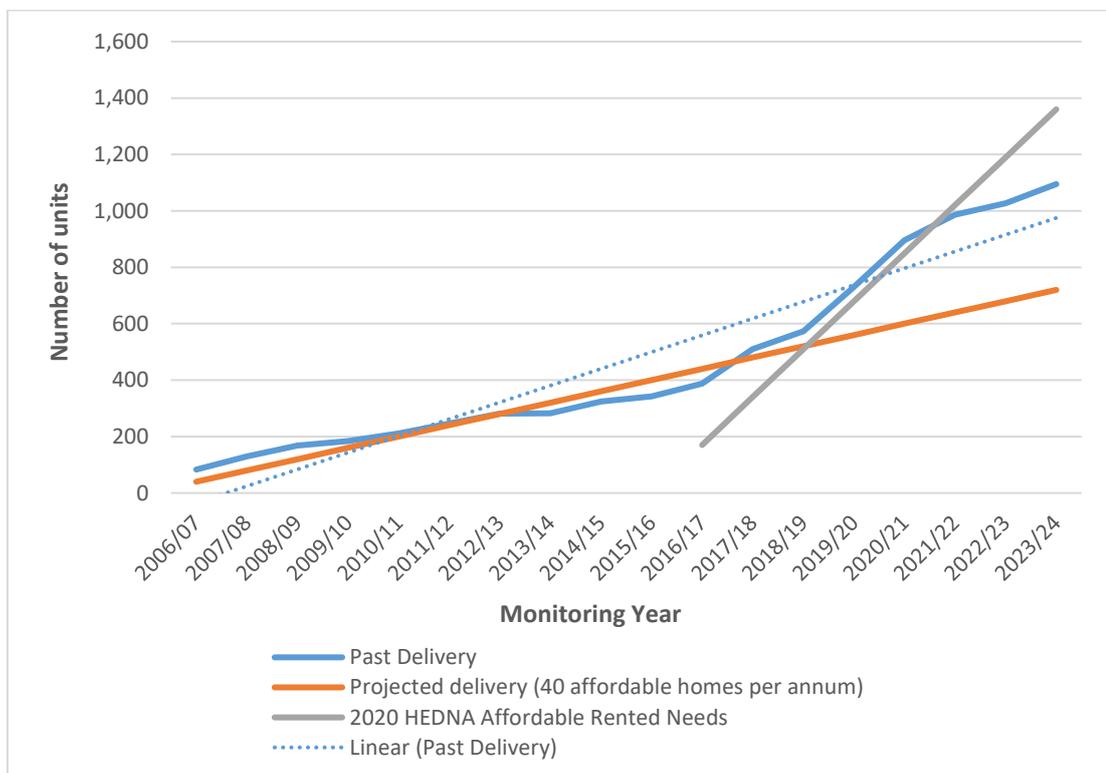
*“To support the reasons for refusal for Lichfield, we have provided data on affordable housing data (Appendix 4) which concludes we are meeting the needs for this in Tamworth. This will be used to support the first reason for refusal, specifically within that that *“there is no evidence to conclude that such housing is necessary in this location and could not be provided within more sustainable locations where there is an evidenced need.”**”

- 5.33 In reviewing Appendix 4 of the Council’s Statement of Case, the Council has provided a graph which cumulatively plots affordable housing delivery in Tamworth against the Policy HG4 monitoring target of 40 net affordable homes per annum over the plan period. It is not clear if the past delivery figures are gross or net figures. However, in my opinion this type of exercise is not an effective way of demonstrating that past affordable housing delivery in Tamworth has met identified affordable housing needs.
- 5.34 As previously mentioned, the monitoring target is not an affordable housing needs figure and certainly does not seek to meet identified affordable housing needs in full. The purpose of the monitoring target is to help to Council to understand if Policy HG4 is effective. As set out at paragraph 4.14 of this Proof, Appendix D of the Local Plan (2016) states that “If delivery falls consistently below the annual target, the Council will consider revising Local Plan policies and will work with developers to attempt to ensure a more consistent delivery of affordable dwellings”.

5.35 Given the affordable housing needs identified by the 2012 Southern Staffordshire Districts HNS and SHMA Update and the more recent 2020 HEDNA Update, the identified need for affordable housing is evidently much higher than 40 net affordable homes per annum.

5.36 It can be seen in Figure 5.1 below that if the most recently identified needs of 170 affordable rented homes per annum in the 2020 HEDNA Update were to be cumulatively plotted onto the Council’s graph found at Appendix 4 of its Statement of Case, the past and future trajectory of affordable housing delivery consistently fails to meet identified needs. I would suggest this is the stark reality, based on evidenced need, as opposed to a monitoring target that bears no resemblance to actual needs.

Figure 5.1: Cumulative Delivery Against the Local Plan Monitoring Target and the Identified Needs in the 2020 HEDNA Update



Source: Tamworth Borough Statement of Case; 2020 HEDNA Update

5.37 The blue dotted trend line illustrates the Council’s average rate of affordable housing delivery since the start of the Local Plan period.

- 5.38 When comparing the trajectory of the blue dotted trend line to the grey line which illustrates the cumulative needs identified in the 2020 HEDNA Update, it is undoubtedly clear that the existing shortfall of affordable housing delivery against identified needs will exponentially grow unless there is a step-change in delivery of affordable housing in Tamworth. In my opinion, to ignore this requirement, given it's the Council's own evidence on annual need, is foolhardy and at worst misleading.
- 5.39 Figure 5.2 below illustrates net of Right to Buy affordable housing delivery⁷ in Tamworth since the start of the Local Plan period compared to the Council's monitoring target of 40 net affordable dwellings per annum, as set out in Local Plan Policy HG4.

⁷ As agreed in the Affordable Housing Statement of Common Ground (**CD5.7**).

Figure 5.2: Net of Right to Buy Additions to Affordable Housing Stock vs Policy HG4 Monitoring Target, 2006/07 to 2022/23

Monitoring Period	Additions to AH Stock (Net of RtB)	Policy HG4 Monitoring Target (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2006/07	-14	40	-54	-54	-35%
2007/08	-2	40	-42	-96	-5%
2008/09	5	40	-35	-131	13%
2009/10	93	40	53	-78	233%
2010/11	67	40	27	-51	168%
2011/12	14	40	-26	-77	35%
2012/13	-5	40	-45	-122	-13%
2013/14	-27	40	-67	-189	-68%
2014/15	9	40	-31	-220	23%
2015/16	-18	40	-58	-278	-45%
2016/17	-27	40	-67	-345	-68%
2017/18	0	40	-40	-385	0%
2018/19	71	40	31	-354	178%
2019/20	11	40	-29	-383	28%
2020/21	154	40	114	-269	385%
2021/22	-5	40	-45	-314	-13%
2022/23	-31	40	-71	-385	-78%
Total	295	680	-385	-385	43%
Avg. Pa.	17	40	-23	-23	43%

Source: DLUHC Live Tables 122, 1008c, 691 and 693c2; Registered Provider Statistical Data Returns (2011/12 to 2022/23); Local Plan Policy HG4

5.40 Since the start of the Local Plan period in 2006/07, affordable housing completions (net of Right to Buy) have averaged just 17 net affordable dwellings per annum, against the monitoring target of 40 net affordable dwellings per annum. A shortfall of -385 affordable dwellings has arisen over the 17-year period, equivalent to an average annual shortfall of -23 affordable dwellings.

5.41 As demonstrated by Figure 5.2, just 43% of the monitoring target has been met to date.

Third Party Comments

- 5.42 A number of representations have raised the issue of affordable housing need, intimating that there is no need. The evidence I present is that there are historic shortfalls in the delivery of affordable housing and there is an ongoing need for affordable housing within the area and within the district.

Cerda Planning Letter of Objection (May 2024) – CD6.2.5

- 5.43 The objection letter from Cerda Planning raised on behalf of Bellway Homes similarly raises a number of issues, but in the context of perhaps not appreciating the evidence on the need for affordable housing that is now presented. Much of their objection appears to relate to the promotion of their own nearby site which in my opinion is a matter for the Local Plan examination, and not a S78 appeal. Of course, Bellway Homes are not immune from using the appeal process to advance their sites, as and when the need arises.
- 5.44 Matters raised in respect of spatial strategy, congestion and coalescence are dealt with by other members of the Appellants team.
- 5.45 Cerda Planning are correct in their observation that the proposals were amended from a scheme originally proposing 40% affordable housing to one which would deliver a 100% affordable scheme in collaboration with Platform Housing Group.
- 5.46 Cerda Planning appear to merely repeat the views of the LPA in respect of “too many affordable homes in this location”, that being my own summation of their overall objection. My experience is that local preferences reflect the perceived ability of a household in need to have their needs met. They are unlikely to tick a preference if there is a limited amount of affordable housing stock in the locality. Conversely, where there is more availability, households are much more likely to believe their limited housing options can be maximised in an area where there is stock or will be more stock in the future, once new housing is built. In any event, the LPA have the ability to control the allocation of the new homes via the allocation policy, which clearly will require households to meet the Council’s qualification criteria to be eligible. In that sense all the proposed homes will be occupied by someone in need. Given the corporate priority to deliver more affordable homes, I am confident each home would be occupied by someone in need.

- 5.47 Furthermore, the housing register is not the full proxy of affordable housing need. There is a broader spectrum of need, as set out in the NPPF annexe 2 definition of affordable housing, which does not restrict itself to just households on the housing register or local preferences. Given this broader spectrum and there being no similar housing register for First Homes or Shared Ownership homes, the over reliance on local preferences, showing a limited need, is misguided.
- 5.48 The appellants are not advancing the argument that the site should be considered as a RES. The objections raised in respect of this are therefore not relevant.
- 5.49 Finally, without wishing to state the obvious Platform Housing Group are in the business of providing homes to people in need. They are not going to pursue a site that has limited prospects for full occupation. The supporting statement prepared for the appeal should be taken into account as a material consideration, not only in terms of their commitment to the site but also their ability to manage it post construction.

Summary and Conclusions

- 5.50 I do not consider that the Council or the comments raised by third parties have sufficiently assessed the substantial affordable housing benefits that the scheme would achieve.
- 5.51 The acute level of affordable housing need in Lichfield and Tamworth, coupled with a persistent lack of delivery and ongoing unaffordability, will detrimentally affect the ability of people to lead the best lives they can.
- 5.52 In my opinion, the parties appear to have deliberately sought to downplay the provision of up to 210 affordable homes at the appeal site. It is my view that affordable housing is an individual benefit of the appeal proposals which should be afforded **very substantial weight** in the determination of this appeal. I set out in section 6 the reasons why very substantial weight is appropriate in this case.

The Weight to be Attributed to the Proposed Affordable Housing Provision

Section 6

Introduction

- 6.1 This chapter considers the reasons why I prescribe that very substantial weight should be given to the delivery of affordable housing on the appeal site.
- 6.2 The Government attaches weight to achieving a turnaround in affordability to help meet affordable housing needs. The NPPF is clear that the Government seeks to significantly boost the supply of housing, which includes affordable housing.
- 6.3 As set out in **Appendix JS3** there are significant social and economic consequences for failing to meet affordable housing needs at both national and local authority level. Lichfield and Tamworth are no exceptions to this.
- 6.4 The appeal scheme will provide up to 210 affordable dwellings, equating to 100% on site affordable housing delivery. This is in excess of both policies contained within the respective Development Plans. The wider social and economic benefits of affordable housing per se are commonly recognised. As set out in Section 2 of this evidence, the benefit of affordable housing is a strong material consideration in support of development proposals, a matter that is agreed in the Affordable Housing Statement of Common Ground.

Benefits of the proposed Affordable Housing at the appeal site

- 6.5 The 100% offer exceeds the requirements of adopted Development Plan policies. However, it should be noted that these policies were specifically drafted to capture a benefit rather than to ward off harm or be needed in mitigation.
- 6.6 This fact was acknowledged by the Inspector presiding over two appeals on land to the west of Langton Road, Norton (**CD8.2.5**) in September 2018 who was clear at paragraph 72 of their decision that:

“On the other hand, in the light of the Council’s track record, the proposals’ full compliance with policy on the supply of affordable housing would be beneficial. Some might say that if all it is doing is complying with policy, it should not be

counted as a benefit but the policy is designed to produce a benefit, not ward off a harm and so, in my view, compliance with policy is beneficial and full compliance as here, when others have only achieved partial compliance, would be a considerable benefit". (my emphasis).

- 6.7 I summarise the affordable housing benefits of the appeal scheme are therefore:
- Enhanced offer of 100% (up to 210 dwellings) of the scheme provided as affordable housing;
 - A deliverable scheme which provides much needed affordable homes;
 - In a sustainable location;
 - With the affordable homes managed by Platform Housing, a national Registered Provider, with a track record of delivering 100% affordable housing schemes;
 - Which provide better quality affordable homes with benefits such as improved energy efficiency and insulation⁸;
 - Greater security of tenure than the private rented sector; and
 - Contribution to the local economy via increased household spend⁹.
- 6.8 In my opinion these benefits are substantial and are strong material considerations weighing heavily in favour of the proposal.
- 6.9 The NPPF is clear at paragraph 31 that policies should be underpinned by relevant up-to-date evidence which is adequate and proportionate and considers relevant market signals.
- 6.10 Paragraph 59 of the NPPF sets out the Governments clear objective of *“significantly boosting the supply of homes”* with paragraph 60 setting out that to *“determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment”*.
- 6.11 The NPPF requires local authorities at paragraph 61 to assess and reflect in planning policies the size, type and tenure of housing needed for different groups, *“including those who require affordable housing”*.

⁸ Watt a Save by HBF – October 2022.

⁹ Centre for Economics and Business Research (“CEBR”) on behalf of Shelter and the NHF (February 2024) - “The economic impact of building social housing”

6.12 An appeal that considers the issue of benefits is the development for 71 dwellings, including affordable provision at 40%, equal to 28 affordable dwellings on site at Hawkhurst in Kent (**CD8.2.6**). In critiquing the Council's views regarding the affordable housing benefits of the scheme, the Inspector made the following comments:

“The Council are of the view that the housing benefits of the scheme are ‘generic’ and would apply to all similar schemes. However, in my view, this underplays the clear need in the NPPF to meet housing needs and the Council’s acceptance that greenfield sites in the AONB are likely to be needed to meet such needs. Further, I agree with the appellant that a lack of affordable housing impacts on the most vulnerable people in the borough, who are unlikely to describe their needs as generic.” (Paragraph 118)

6.13 I agree, the recipients of 210 homes here will not describe their needs as generic.

6.14 There is considerable evidence to suggest that the weight to affordable housing in the appeal scheme should be at the top end of my weighting scale as identified in footnote 1 on page 1. As set out in the Affordable Housing Statement of Common Ground, the appellants suggest that the policy compliant level of affordable housing should be prescribed substantial weight and the enhanced offer at 100% should be prescribed very substantial weight.

6.15 I set out at Figure 6.1 below the main differences between the parties in terms of the justification for the suggested weight to be given to affordable housing.

Figure 6.1: Justification for the suggested weight to affordable housing

	Council's position	Appellant's position
	<ul style="list-style-type: none"> • Affordable housing can be attributed weight as a material consideration • Robust housing supply • Delivery could occur on other sites (brownfield) • Insufficient local need • Potential for empty houses 	<ul style="list-style-type: none"> • Enhanced level of affordable housing¹⁰ • 72% (or 80%) more affordable housing elevates weight to very substantial from substantial if only policy compliant¹¹ • Poor levels of affordable housing delivery¹² • Significant impact of Right to buy Losses^{13 14} • Significant ongoing net annual needs requirements¹⁵ • Shortfalls in delivery of affordable housing in Lichfield^{16 17} • Shortfalls in delivery of affordable housing in Tamworth^{18 19} • Enlarged requirement over next 5 years to make good the shortfall (Sedgefield approach)²⁰ • Inadequate future supply of affordable homes in Tamworth and Lichfield²¹

¹⁰ CD 5.7 – Paragraph 1.1

¹¹ CD 8.2.5

¹² CD 5.7 – Paragraph 4.1 and 4.5

¹³ CD 5.7 – Paragraph 4.3 and 4.6

¹⁴ CD 8.2.1

¹⁵ CD 5.7 – Paragraph 3.2 and 3.4

¹⁶ CD 5.7 – Paragraph 5.1

¹⁷ CD 8.2.2 and CD 8.2.7

¹⁸ CD 5.7 – Paragraph 5.3

¹⁹ CD 8.2.2 and CD 8.2.7

²⁰ CD 5.7 – Paragraph 6.2 and 6.4

²¹ CD 5.7 – Paragraph 7.2 and 7.4

		<ul style="list-style-type: none"> • Managed by a Register Provider • Substantial benefits to real people in need²² • Worsening trends in affordable housing indicators • Council’s waiting list and broader spectrum of affordable housing needs²³. • High levels of homelessness in Lichfield and Tamworth²⁴ • Households houses in temporary accommodation in Lichfield and Tamworth²⁵ • Rising median private sector rents in Lichfield, with sharpest increase compared to West midlands and England in last year²⁶ • Rising median Lower quartile private sector rents in Lichfield, with sharpest increase compared to West midlands and England in last year²⁷ • Highest level of median workplace-based affordability ratio in Lichfield compared to West Midlands and England²⁸
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²² CD 8.2.6
²³ CD 8.2.4 and 8.2.3
²⁴ CD 5.7 – Paragraph 8.5 and 8.17
²⁵ CD 5.7 – Paragraph 8.6 and 8.18
²⁶ CD 5.7 – Figure 8.2
²⁷ CD 5.7 – Figure 8.3
²⁸ CD 5.7 – Figure 8.4

		<ul style="list-style-type: none"> • Rising Median house prices in Lichfield²⁹ • Highest level of lower quartile workplace-based affordability ratio in Lichfield compared to West Midlands and England³⁰ • Rising lower quartile house prices in Lichfield³¹ • Rising median private sector rents in Tamworth³² • Rising lower quartile private sector rents in Tamworth³³ • Higher affordability ratio in Tamworth compared to region³⁴ • Rising median house prices³⁵ • Rising lower quartile house prices³⁶
Weight in the planning balance	Limited weight	Very Substantial weight

²⁹ CD 5.7 – Figure 8.5

³⁰ CD 5.7 – Figure 8.6

³¹ CD 5.7 – Figure 8.7

³² CD 5.7 – Figure 8.9

³³ CD 5.7 – Figure 8.10

³⁴ CD 5.7 – Figure 8.11

³⁵ CD 5.7 – Figure 8.12

³⁶ CD 5.7 – Figure 8.14

6.16 Considering the past poor record of affordable housing delivery, the number of households on the housing registers and the on-going need for new affordable homes in Lichfield and Tamworth, there can be no doubt in my mind that the provision of up to 210 affordable dwellings on this site should be afforded **very substantial weight** in the determination of this appeal.

Relevant Secretary of State and Appeal Decisions

6.17 The importance of affordable housing as a material consideration has been reflected in several Secretary of State (“SoS”) and appeal decisions.

6.18 Of particular interest is the amount of weight which has been afforded to affordable housing relative to other material considerations; many decisions recognise affordable housing as an individual benefit with its own weight in the planning balance. A collection of such decisions can be viewed at **Appendix JS5**.

6.19 Brief summaries of appeal decisions relevant to this appeal are summarised at **Appendix JS6**.

6.20 I wish to highlight an appeal from Appendix JS5, that being the appeal at Sondes Place Farm, Dorking (**CD8.2.2**). Whilst this appeal is not for 100% affordable housing the inspector in that case identified that the Council had experienced considerable shortfalls in its affordable housing delivery over the development plan period against multiple assessments of housing need (Paragraph 85).

6.21 The Inspector recorded at paragraph 86 that the shortfall in affordable housing delivery is expected to increase due to limited affordable housing supply.

6.22 The Inspector went on to say at paragraph 88 in the context of considering the socio-economic effects arising from insufficient affordable housing that, “*being able to access good housing has a bearing upon everyday life*”, including “*financial security and stability, physical and mental health, decreased social mobility and adverse effects on children’s education and development.*”

6.23 In making their final comments on affordable housing at paragraph 89, the Inspector specified that:

“The affordable homes would make a sizeable contribution to addressing the acute and long-established shortfall which will not be fully addressed in the short term. I give the affordable housing provision very substantial positive weight.” (My emphasis)

6.24 A further appeal of relevance is the appeal at Aviation Lane, Burton on Trent (**CD8.2.7**). This appeal was for 100% affordable housing. The Inspector in that case stated that:

“In my view, the extent of the shortfall and the number of households on the Council’s Housing Register combine to demonstrate a significant pressing need for affordable housing now. As such, I consider that, the aim should be to meet the shortfall as soon as possible.” (Paragraph 8).

6.25 In reviewing the Council’s past rate of housing delivery, the Inspector states at paragraph 14 that *“...the Council has surpassed the expected levels of delivery in the last two years and there is agreement that the Council can demonstrate a five year housing land supply. However, this has not translated into the expected levels of affordable housing delivery.”* The same can be said in Lichfield and Tamworth. The Inspector continues at paragraph 15 stating that *“Even in the last two years where housing delivery has been high, the annual requirement for affordable housing has not been met and has only comprised, at most, some 13% of the overall housing provided.”* The Inspector remarks later at paragraph 16 that *“Were this trend to continue, then it is unlikely that the required number of affordable homes would be provided in the long term.”*

6.26 When discussing affordability indicators, the Inspector highlights at paragraph 17 that *“the Statement of Common Ground states that there is a worsening trend in the lower quartile house price to income ratio, as well as the cost of private renting.”*

6.27 The Inspector recognised the requirements of the NPPF at paragraph 18:

“I am mindful of the importance attached to the provision of housing and the requirement within paragraph 59 of the Framework to ensure that the needs of groups with specific housing requirements are addressed.”

6.28 Importantly, I note at paragraph 53 that the Inspector was of the view that the 100% provision of affordable housing on the appeal site was a material consideration which outweighed the conflict with the development plan:

“The Council referred me to an appeal decision which it considers to be similar circumstances to the appeal before me now. The Inspector found that, in light of the Council being able to demonstrate a five year supply of housing, the material considerations were not sufficient to outweigh the conflict with the development plan, even though the scheme would amount to sustainable development for the purposes of the Framework. However, that scheme was for a market led housing scheme which did not accord with Policies SP2, SP4

and SP8 of the Local Plan. The proposal before me is different in providing 100% affordable housing as a material consideration which would outweigh the conflict with the development plan in this instance.”

6.29 Some of the key points I would highlight from these examples are that:

- Affordable housing is an important material consideration;
- The importance of unmet need for affordable housing being met immediately;
- Planning Inspectors and the Secretary of State have attached substantial weight and very substantial weight to the provision of affordable housing; and
- Even where there is a five-year housing land supply the benefit of a scheme’s provision of affordable housing can weigh heavily in favour of development.

Summary and Conclusion

6.30 There is a wealth of evidence to demonstrate that there is a national housing crisis in the UK affecting many millions of people who are unable to access suitable accommodation to meet their housing needs.

6.31 What is clear is that a significant boost in the delivery of housing, and in particular affordable housing, in England is essential to arrest the housing crisis and prevent further worsening of the situation.

6.32 Market signals indicate a worsening trend in affordability across Lichfield and Tamworth, by any measure of affordability, this is an authority amid an affordable housing emergency, and one through which urgent action must be taken to deliver more affordable homes.

6.33 Against the scale of unmet need and the lack of suitable alternatives in the private rented sector across Lichfield and Tamworth, there is no doubt in my mind that the provision of up to 210 affordable homes will make a substantial contribution. Considering all the evidence, including the delivery by Platform Housing group, I consider that this contribution should be afforded **very substantial weight** in the determination of this appeal.

Appendix JS1

TBC Freedom of Information Correspondence (13 May and 4 June 2024)



FOI8754 - Response

Freedom of Information <FreedomofInformation@tamworth.gov.uk>

Tue 2024-06-04 08:13

To: Lisa Luong <lisa.luong@tetlow-king.co.uk>

📎 2 attachments (148 KB)

INTERNAL REVIEW 2023.pdf; FOI8754 Q8 and Q9.xlsx;

Nicola Hesketh
Information Governance Manager

Our ref: FOI8754/RS/02
Please ask for: Robert Smith
Tel: 01827 709587
E-mail: FreedomOfInformation@tamworth.gov.uk

Lisa Luong

04.06.24

Dear Lisa,

Freedom of Information Act 2000 – Request for Information

With regards to your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act, please find the information you requested below with reference in the box to your original enquiry for clarity where multiple answers are required.

Details of Your Request

Housing Register

1. The total number of households on the Council's Housing Register at 31 March 2024.
2. The average waiting times at 31 March 2024 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling;
 - b. 2-bed affordable dwelling;
 - c. 3-bed affordable dwelling; and
 - d. A 4+ bed affordable dwelling.
3. The average waiting times at 31 March 2023 for the following types of affordable property across the Authority:
 - a. 1-bed affordable dwelling;
 - b. 2-bed affordable dwelling;
 - c. 3-bed affordable dwelling; and
 - d. A 4+ bed affordable dwelling.
4. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:
 - The date they occurred;
 - What they entailed; and
 - Copies of the respective documents

Temporary Accommodation

5. The number of households on the Housing Register housed in temporary accommodation within and outside the Tamworth region on the following dates:

	31 March 2023	31 March 2024
Households in Temporary Accommodation		
Households Housed within Tamworth		
Households Housed outside Tamworth		
Total Households		

6. The amount of money spent on temporary accommodation per household within the Tamworth region over the following periods:

- 1 April 2023 to 31 March 2024.

7. The amount of money spent on temporary accommodation per household outside the Tamworth region over the following periods:

- 1 April 2023 to 31 March 2024.

Housing Completions

8. The number of NET housing completions in the Tamworth region broken down on a per annum basis for the period between 2000/01 and 2023/24.

9. The number of NET affordable housing completions in the Tamworth region broken down on a per annum basis for the period between 2000/01 and 2023/24.

The response to your request as follows:

1. The total number of households on the Council's Housing Register at 31 March 2024
434 (as of 1/4/24)

2. We do not keep a record average wait time for each type of property. Waiting times for each property is freely available at www.findingahometamworth.co.uk

3. We do not keep a record average wait time for each type of property. Waiting times for each property is freely available at www.findingahometamworth.co.uk.

4. Any changes the Council has made to its Housing Register Allocations Policy since 2011

All details and documents are freely available by adding 'allocations policy' into the search bar at the following link: <https://democracy.tamworth.gov.uk/>

5) The number of households on the Housing Register housed in temporary accommodation within and outside the Tamworth region on the following dates:

	31 March 2023	31 March 2024
Households in Temporary Accommodation		
Households Housed within Tamworth	24	19
Households Housed outside Tamworth	0	0
Total Households		

6) The amount of money spent on temporary accommodation per household within the Tamworth region over the following periods:

- 1 April 2023 to 31 March 2024.

Unfortunately, we do not record spends for temporary accommodation by region or household. The total spent on temporary accommodation between 1/4/23 and 31/3/24 was £181,550.07. This includes any temporary accommodation within and outside of the borough.

7) The amount of money spent on temporary accommodation per household outside the Tamworth region over the following periods:

- 1 April 2023 to 31 March 2024.

Unfortunately, we do not record spends for temporary accommodation by region or household. The total spent on temporary accommodation between 1/4/23 and 31/3/24 was £181,550.07. This includes any temporary accommodation within and outside of the borough.

8) See attached spreadsheet

9) See attached spreadsheet

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This council also believes in transparency of information, this includes requests made under the Freedom of Information Act and the Environmental Information Regulations and we reserve the right to publish these requests in our Disclosure Log along with the response, the requestors name and/or company where the information is requested on a regular basis. Care shall be taken not to publish your email address or physical address where it is considered personal information as defined under the General Data Protection Regulation 2018.

Information Governance Manager,
Tamworth Borough Council,
Marmion House,
Tamworth,
B79 7BZ

Details of Tamworth Borough Council's internal review and complaints procedure are attached, in accordance with the provisions of the Act.

Yours sincerely

Robert Smith
Information Governance Officer

The information you have provided within your Freedom of Information request will be held on our database and may also be held within manual records for a period of 2 years from the date Tamworth Borough Council received your request. Any personal data that you provide to Tamworth Borough Council will be held in line with the requirements set out within the General Data Protection Regulations 2018. For more information on how your information is used, how we maintain the security of your Information, and your rights to access information we hold on you, please visit our website at: <http://www.tamworth.gov.uk/privacy-notice> or the ICO Website at: <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

Freedom Of Information
Information Team
Tel: 01827 709587
Email: FreedomOfInformation@tamworth.gov.uk
Visit us at: www.tamworth.gov.uk

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Do it online: Rent & Council tax balances, bin collections, change in circumstances, street issues, housing, blue badges and a host of other services.

For further information go on www.tamworth.gov.uk

Tamworth Borough Council

Marmion House

Lichfield Street

Tamworth

Staffordshire

B79 7BZ

Opening hours Monday - Thursday 8.45am - 5.10pm, Friday - 8.45am - 5.05pm

Tamworth - celebrating our heritage, creating a better future

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	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	Total
Net delivery	444	216	196	154	138	79	124	48	48	88	167	163	332	566	510	395	367	249	4,284
Affordable	17	31	11	11	0	0	0	1	42	18	44	101	77	138	163	91	41	57	843

Appendix JS2

Supporting statement from Platform Housing Group





Supporting Statement Browns Lane

Foreword



Gerraint Oakley

Executive Director
Growth and Development

Platform Housing Group

A home to call our own is fundamental to our health and wellbeing. Providing an affordable, safe, warm, and private space for someone in need, has been proven to provide the stepping stone to bettering one's life. Decent and affordable homes must be available for everyone in the UK, but right now they're not.

The lack of a collective, long-term, dynamic plan for housing has led to the housing crisis we are living through today. The issues we face around housing are systemic. If key stakeholders within the housing industry don't act to fix the housing crisis, living conditions, and the aspirations for those who are currently locked out of the housing market, will continue to worsen.

At Platform Housing Group we are at the forefront of a number of likeminded organisations, seeking to address the UK's housing crisis. Across the Group we manage and maintain in excess of 48,000 affordable homes, across a vast geography encompassing 100 Local Authorities, from Shropshire to Lincolnshire and from Staffordshire to Oxfordshire.

We are proud to be one of the largest and most trusted developers of affordable homes in the UK, a fact recently recognised by the Regulator of Social Housing, who maintained the Group's V1/G1 rating in March 2024, endorsing Platform's strong Financial and Governance credentials.

With the numerous current issues facing the housing sector, one of the most pressing is the lack of an adequate supply of new homes being consented through the planning system. At Platform we are consistently looking for new opportunities to develop affordable homes where they are needed across our operating area. Our aspirations in this regard have been proven in our previous financial year with large-scale land acquisitions at the Boots Residential Quarter site in Nottingham (319 homes), Sphinx Drive, Coventry (196 homes) and Handley Chase Parcels 6 & 8 in Sleaford (160 homes). Each of these schemes have already achieved their relevant planning consents and have commenced on site.

Our proposals for Browns Lane, Tamworth are a continuation of this aspiration, showcasing not only our commitment to directly address the supply challenges faced by the social housing sector, but also that delivery of the benefits of social housing do not stop once the final brick has been laid.

Through working with our trusted contractors and passionate internal teams we will deliver a vibrant and diverse new addition to the already thriving north of Tamworth community.

Our delivery of this scheme will feature:

- All homes being delivered using the latest in sustainable heating and heat retention technology, ensuring that they are futureproofed against forthcoming changes to the building regulations.
- Over 50% of the scheme will be dedicated to public open space, with opportunity for outdoor enrichment on the doorstep of both new and existing members of the community.
- We will make it our priority to engage with the local community and ensure that our residents become active members. Our industry leading internal Community Engagement Team are ready to begin this work now ahead of a forthcoming Reserved Matters planning application.
- The scheme will be designed in a sympathetic, tenure blind fashion. We want our new community to blend seamlessly into the existing.
- 20% biodiversity net gain, providing a space for nature flourish.

In submitting the current planning application for Browns Lane, Platform Housing Group, and our landowner partners Summix have decided that they are prepared to deliver the affordable homes which Lichfield and Tamworth require.

We have the resources, experience, capability, and belief in our social mission to make Browns Lane a success and we are thrilled to have been given the opportunity.

Who we are.

Following the successful merger of Fortis Living and Waterloo Housing Group in 2018, Platform Housing Group now owns and manages in excess of 48,000 homes across the Midlands and Central England, supporting over 120,000 customers, consistently placing us as one of the largest builders and owners of affordable housing in the UK.



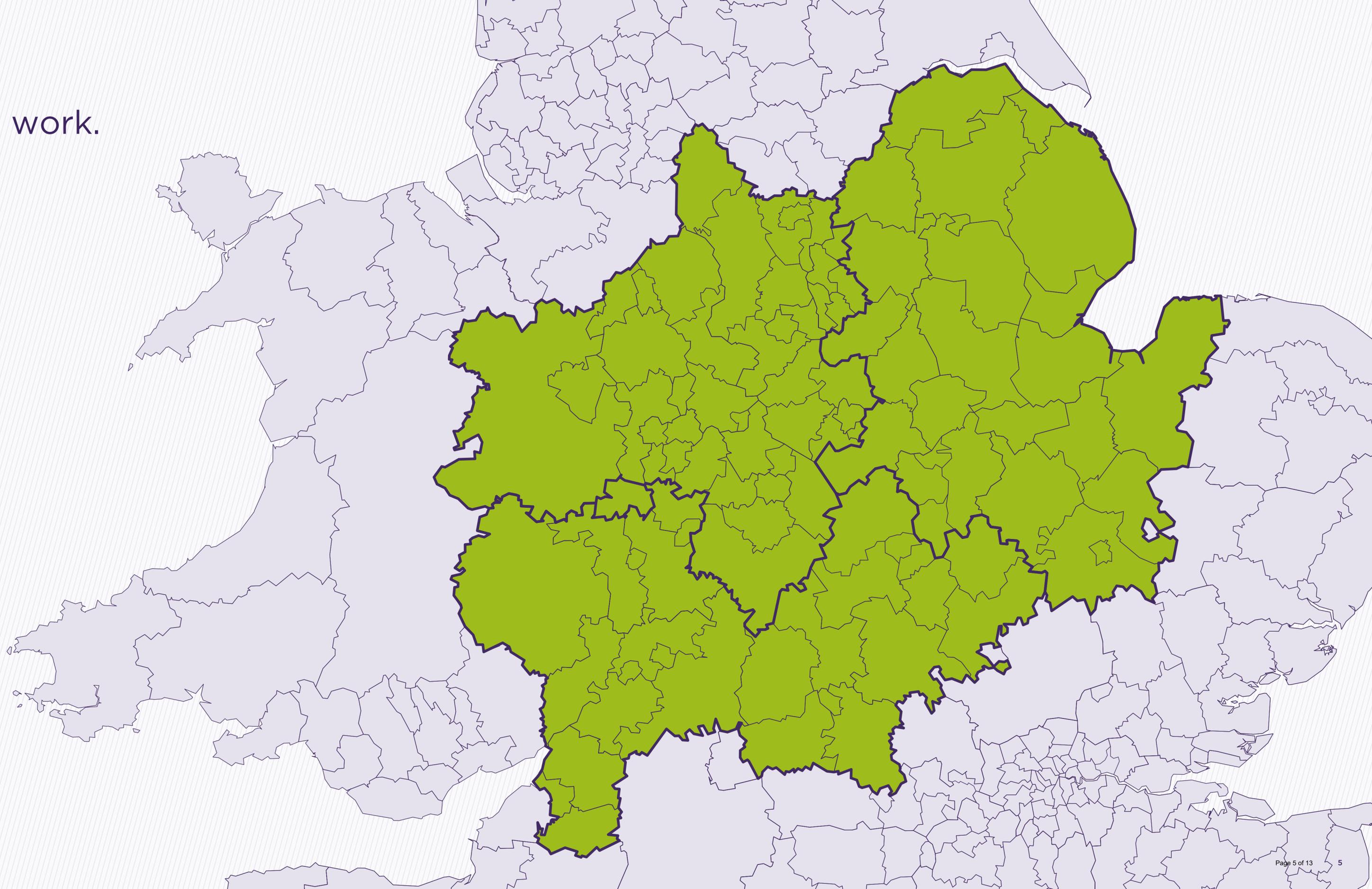
We are a Registered Housing Association that builds homes for Shared Ownership, Rent to Buy, Affordable Rent and Social Rent. By consistently putting the customer at the heart of everything we do, we make sure that we buy, design and deliver the right development sites, in the right locations.

Platform Housing Group are one of Homes England's 31 Strategic Partners and we are proud to be one of the few Registered Providers that holds a Long Term Strategic Partnership with Homes England. Through our current Strategic Partnership programme, we hold grant funding to deliver affordable homes through to March 2029. We hold over £250m grant to deliver over 3,750 affordable homes, assisting in delivering our Corporate growth target of 1,600 new homes per annum. Through grant funding we can deliver social rented, affordable rented, rent to buy and shared ownership tenures which allows customers to access new homes at all levels, as we drive on building new sustainable communities.

In FY23/24 alone, Platform Housing Group recorded 1534 starts on site, with a further 2330 homes across 27 sites going into contract. Where other Registered Providers are currently scaling back their development programmes, Platform are continuing to expand our reach and further strengthen our brand and service levels with acquisitions of quality and quantity.

We continue to seek new opportunities to add to our pipeline. In addition to our strong s106 and 'package deal' offerings, we have recently increased our focus on securing new land led opportunities – such as Browns Lane – looking to diversify our pipeline and better control the supply and quality of new homes for our customers.

Where we work.



What is Social Rent, Affordable Rent, Shared Ownership and Rent to Buy?

These are the types of affordable housing that we currently provide for across our geography. Broadly speaking we split our products into 'ownership' and 'occupier' types, with both Shared Ownership and Rent to Buy focused on assisting our customers to eventually own their own home outright, while Social and Affordable rent provide a discounted rental option to those who are not quite ready or able to get on the ownership housing ladder. The types of affordable housing we offer are all compliant with the definition in Annex 2 of the NPPF.

Shared Ownership

This is our most popular ownership tenure and typically consists of half of the new homes that we provide on newly designed schemes. When a customer agrees to purchase a new shared ownership home from Platform (or any other Housing Association), they will be looking to initially acquire a 'share' of that property. This will typically be a percentage of between 30% - 40% of the overall value of the home, for which they will then secure a widely available specialist mortgage. The remaining share of the property will be subject to a rental agreement with the housing association, whereby they will be charged a set rent each month reflective of the lesser share of the property.

This tenure provides a much-needed boost to aspiring homeowners of all backgrounds, as the lesser initially owned share necessitates a much-reduced initial deposit in comparison to a similar new build home. In addition, Shared Ownership owners are also offered the ability to purchase further shares of their home (known as 'staircasing'), whereby they can incrementally over time increase their overall ownership to 100%.

In the latest financial year 23/24, we completed 418 Shared Ownership sales, with 78 instances of staircasing, 31 of which were owners staircasing to full 100% ownership.

Rent to Buy

Very similar to Shared Ownership, however this tenure is aimed at the 'squeezed middle', i.e. those who have largely been stuck in the private rental cycle and have no savings to offer for an initial deposit. Under the Rent to Buy tenure, our aspiring homeowners will first rent the property for a period of 5 years, paying a discounted rent of 80% of market value. The intention is to give the tenants the ability to save the resulting 20% of their rent towards converting their tenancy into a shared ownership arrangement at the expiry of the 5th year. With many young professionals and young families currently stuck in private rentals unable to afford to save for their own home, we have seen a significant amount of interest in these homes whenever they are marketed and have recently started seeing the first significant tranche of tenants converting their tenancy into shared ownership.

Affordable Rent

As suggested by its name, affordable rent is a discounted rental product aimed at those who cannot quite afford the full market value rent of a similar property on the open market. Affordable rented properties are let on an 80% of market value basis, whereby comparable rental values will be assessed for similar property and then the discount applied. The choice of who gets allocated these properties will usually be for the Housing Association to decide, in conjunction with the local Council.

Social Rent

Social rent is a government-subsidised rent for people on lower incomes and could be considered the most up to date version of what would have been considered traditional social housing. In the case of Socially Rented homes, rather than relying almost solely on the market rent of a property (as in the case of affordable rent), Social Rent relies on a formula to establish what should be the 'target rent' for that particular area. This 'target rent' is calculated by assessing the market value of the home and the average earnings in the local area. To protect residents in higher value areas, the formula is then further capped according to the number of bedrooms in a home.



- Our aspiration is to see those locked out of the housing ladder to be given the same chances as those more fortunate.

How do we build, manage, maintain and future proof our stock to the highest standards for our owner/occupiers?

The quality of our housing stock is essential to the onwads functioning of the Association for several reasons.

First and foremost, the quality of our homes (both new and old) is directly linked to our core business mission of putting the customer at the heart of everything we do. We passionately believe that everyone deserves a safe, warm, and affordable place to live, grow and prosper. Building and maintaining industry leading affordable housing is therefore paramount to everyone connected to Platform Housing Group.

This starts with considerate and sustainable site design, incorporating kerb appeal of individual plots, accessible open space and play areas, easy to understand road layouts, more than sufficient parking provision and connectivity into the local community. In addition to this, we are already looking ahead to how our housing stock will contribute to a greener and more sustainable future. All new homes delivered by Platform Housing Group will be 'gas free' incorporating sustainable heating and energy solutions such as Air/Ground Source Heat Pumps, solar panels and the latest in heat retention building technology.

We next apply the strictest of standards to our delivery partners, making sure that they deliver what we design, to the standards that we expect and to the timescales that we dictate. Platform Housing Group have worked hard to establish a trusted base of contractors who we can rely on nationally to assist us in making more excellent affordable housing a reality. Finally, we have an extensive internal property maintenance team - Platform Property Care - who look after both the internal and external elements of each home, as well as maintaining the wider site in terms of keeping any open spaces - not managed by the local authority - clean, tidy and presentable. Platform Housing Group have a proven track record of assets management, managing a portfolio of over 48,000 properties across 100 Local Authorities, with a geographical reach which exceeds 11,500 square miles. Across the West Midlands alone, Platform have responsibility for grounds maintenance on more than 14,500 sites.

Whilst our owner occupiers are our number 1 priority, providing industry leading affordable housing is also a closely monitored obligation on Platform and our peers. In late 2023 into early 2024, The Regulator of Social Housing conducted and returned their latest audit of Platform's financial and governance strength, confirming that we have again maintained the highest rating possible (G1/V1), showing the confidence that the industry regulators have in our ability to operate at the top end of the industry.

Provided for below are a selection of site photographs, showcasing the wide array of Platform product available.



- Our homes are constantly challenging long held beliefs that affordable housing is built cheap.



- Immediate access to safe open space and areas of play is a fundamental requirement of our schemes.



Why Browns Lane and Why Platform?

Platform Housing Group are an established leading provider of affordable housing in both Tamworth and Lichfield. As one of the largest Social Landlord's and developers of affordable housing in the Midlands and Central England, we have both the resources and capacity to bring Browns Lane forward through the planning process quickly, and to deliver much needed affordable housing to both Districts.

Our capacity to then service these properties and our owner/occupiers is already well established. As of May 2024 we control and manage a combined 648 homes across the two regions, with only 8 of those properties currently showing as voids due to ongoing repairs. When combined with our stock levels in the immediately adjacent neighboring major authorities of Birmingham and North Warwickshire, our stock increases to 4,315 homes, further reinforcing our significant presence in the locality.

Beyond our maintenance obligations, Platform also seek to embed both ourselves and our owner/occupiers into the community from Day 1. Our dedicated Community Engagement team work across a diverse variety of communities and neighbourhoods to support the delivery of a range of activities, and initiatives with the aim of promoting community cohesion and an array of other community objectives including:

- Digital inclusion
- Environmental sustainability
- Health and Wellbeing
- Community Safety

We recognise that each community has its own unique strengths and challenges, and that community engagement is therefore an evolving process that continues for long after the diggers have left site. We develop our approach in each area based on local insight and continuous feedback from community engagement. We have a range of roles, activities and programmes to support us to engage with local residents, and understand the needs of each community, from which we develop and implement local plans and initiatives.

The opportunity presented by the current proposals at Browns Lane is fundamentally the ability to assist in tackling the nation's housing crisis head on. The latest published Department for Levelling Up, Housing and Communities housing register data for 2023, for both local authorities, points to a combined total of 750 families on the current waiting list for a home. It should be noted that this data only represents those who are currently awaiting Social, Affordable or Intermediate Rented homes. When combined with the 567 online sales enquiries for Shared Ownership or Rent to Buy Homes that our sales team have received in the past 12 months for Lichfield and Tamworth, the picture of apparent need only becomes clearer.

In a locational sense, the proposed scheme at Browns Lane is sustainably located on the edge of the Tamworth settlement, with a variety of transport methods available to connect our prospective owner/occupiers to the town and beyond. We are excited by the open space opportunities that the scheme presents, with over half of the site being dedicated as green space, being made freely available for use by both our residents and the wider community.

Alongside our commitment to the local community, our scheme will also seek to provide a minimum of 20% biodiversity net gain, therefore also seeking to give local wildlife a place to thrive.



- Providing a voice for both our customers and the local community is an essential pillar of our engagement strategy.



- Our engagement does not just extend to lip service, we are proud to be on the ground helping those in need.

Our Track Record



Pickersleigh Grove, Malvern Hills

LOCATION:	MALVERN HILLS DC
DATE:	CONTRACT COMPLETE APRIL 2017
HOMES:	92
SCHEME COST:	£14,000,000
TENURE PROFILE:	SHARED OWNERSHIP AND AFFORDABLE RENT

A flagship development for Platform Housing Group, establishing both our name and brand as a trusted delivery partner on land led schemes.

This brownfield opportunity was purchased through a competitive tender process in 2016. Working with our chosen contractor partner Speller Metcalfe, we were able to deliver a wholly affordable scheme of 92 new homes, with 32 affordable rented homes and 60 shared ownership.

Testament to the quality of the final product, the scheme was nominated and shortlisted as a finalist in the 2021 Inside Housing Development Awards under the Best Shared Ownership Development (Urban) Category.



Nortenham Allotments, Bishops Cleeve

LOCATION:	TEWKESBURY BOROUGH COUNCIL
DATE:	CONTRACT COMPLETE SEPTEMBER 2022
HOMES:	113
SCHEME COST:	£37,000,000
TENURE PROFILE:	AFFORDABLE RENT AND SHARED OWNERSHIP

One of our latest acquisitions is an excellent case in point for dispelling some of the common misconceptions around affordable housing providers, and their ability to meet the commercial timescales required for land transactions.

At Nortenham Allotments Platform were able to move from offer acceptance to unconditional exchange in just 4 weeks, and actual completion within 8 weeks. This was made possible both by our excellent project team, and the commitment from the Platform Housing Group to growing its land led programme.

Our contractor partner Lovell Partnerships is on site, with delivery of completed units expected later in 2024. We are excited to further build on our excellent relationship with the Local Authority, to continue delivering much needed affordable housing in the area.

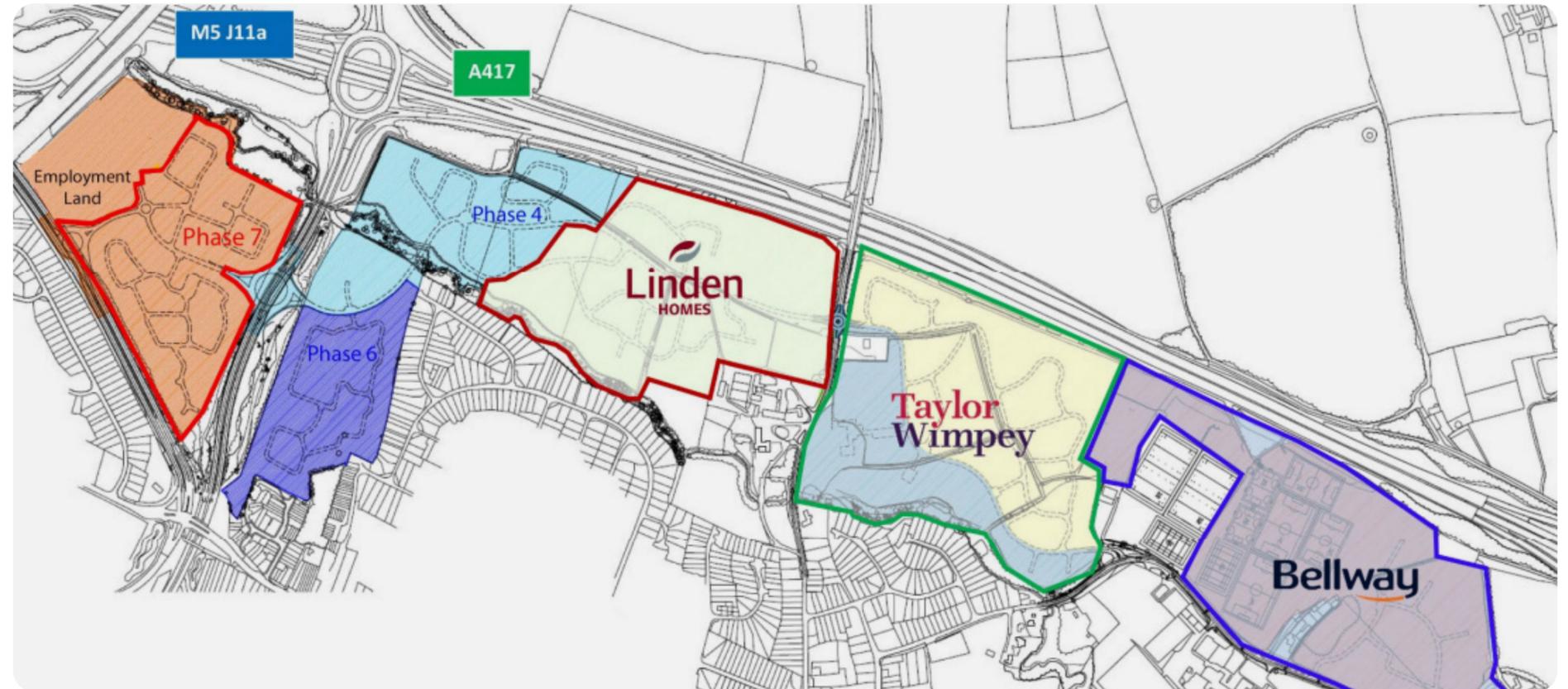


Perrybrook Phase 7, Tewkesbury

LOCATION:	TEWKESBURY BOROUGH COUNCIL
DATE:	UNCONDITIONALLY EXCHANGED OCTOBER 2021
HOMES:	272
SCHEME COST:	£65,000,000
TENURE PROFILE:	RENT, AFFORDABLE HOME OWNERSHIP AND OUTRIGHT SALE

In our most significant land led scheme to date, Platform Housing Group worked alongside agents Carter Jonas and Bruton Knowles to secure the final residential phase of the Perrybrook Development Masterplan, located east of Gloucester City Centre. The Platform team were further assisted by our key consultants Shakespeare Martineau, Clarkebond, Pad Design, Fellows Construction Consultants, Ridge & Partners LLP and Utilities Connection Management Ltd.

In a showcase example of our ability to work in partnership, Platform have sought to work closely with the purchasers of the adjacent phases 4 and 6, to deliver the significant required infrastructure which borders the scheme. Crest Nicholson have purchased phases 4 & 6, which were marketed at the same time as phase 7. To enable the scheme requires - most significantly - the provision of two new roundabouts on Delta Way and Valiant Way. Platform Housing Group are seeking to enter into a tripartite agreement with both Crest Nicholson and the landowners for these works, to be secured by way performance bonds from both Platform and Crest.



Appendix JS3

Consequences of Failing to Meet Affordable Housing Needs



Consequences of Failing to Meet Affordable Housing Needs

Appendix JS2

Introduction

- 1.1 The National Housing Strategy¹ sets out that a thriving housing market that offers choice, flexibility and affordable housing is critical to our social and economic wellbeing.
- 1.2 A debate took place in the House of Commons on 24 October 2013 concerning the issue of planning and housing supply. Despite the debate taking place over a decade ago the issues remain, and the commentary is sadly still highly pertinent to the issues surrounding affordable housing in North Somerset.
- 1.3 The former Planning Minister, Nick Boles, provided a comprehensive and robust response to the diverse concerns raised, emphasising the pressing need for more housing, and in particular affordable housing across the country. He opened by stating:

“I need not start by underlining the scale of the housing crisis faced by this country, the extent of the need for housing or the grief and hardship that the crisis is visiting on millions of our fellow citizens.”
- 1.4 When asked to clarify the word “*crisis*” by the Member for Tewkesbury, Nick Boles commented that in the past year the percentage of first-time buyers in England who were able to buy a home without their parents’ help had fallen to the lowest level ever, under one third. He also commented that the first-time buyer age had crept up and up and was now nudging 40 in many parts of the country. He stated that the crisis “*is intense within the south-east and the south, but there are also pockets in parts of Yorkshire*”.
- 1.5 In response to questions, Nick Boles reaffirmed that:

¹ Laying the Foundations: A Housing Strategy for England (November 2011)

“Housing need is intense. I accept that my hon. Friend the Member for Tewkesbury (Mr Robertson) does not share my view, but many hon. Members do, and there are a lot of statistics to prove it”.

- 1.6 He went on to say: *“It is not unreasonable, however, for the Government to tell an authority, which is representing the people and has a duty to serve them, “Work out what’s needed, and make plans to provide it”. That is what we do with schools. We do not tell local authorities, “You can provide as many school places as you feel like”; we say, “Provide as many school places as are needed”. We do not tell the NHS, “Provide as many GPs as you feel you can afford right now”; we say, “Work out how many GPs are needed.” The same is true of housing sites: we tell local authorities, “Work out how many houses will be needed in your area over the next 15 years, and then make plans to provide them.”*
- 1.7 Mr Boles’ full response highlighted the Government’s recognition of the depth of the housing crisis and continued commitment to addressing, in particular, affordable, housing needs. The final quote above also emphasised the importance of properly assessing and understanding the needs; and planning to provide for them.
- 1.8 Mr Boles indicates that there are *“a lot of statistics to prove it”*. My evidence in subsequent sections sets out an array of statistics, which I consider demonstrates that the crisis remains as prominent now as it did in 2013.

Consequences of Failing to Meet Affordable Housing Need

- 1.9 This section highlights some of the evidence gathered in recent years demonstrating the significant consequences of failing to meet affordable housing needs.
- 1.10 In August 2019 the Children’s Commissioner produced a report titled *“Bleak Houses: Tackling the Crisis of Family Homelessness in England”* to investigate the impact of homelessness and in particular the effect of this upon children.
- 1.11 The report identified that family homelessness in England today is primarily a result of structural factors, including the lack of affordable housing and recent welfare reforms².
- 1.12 It stated that the social housing sector has been in decline for many years and that between the early 1980s and early 2010s, the proportion of Britons living in social

² The Children’s Commissioner Report references a National Audit Office Report titled ‘Homelessness’ (2017) which concludes that government welfare reforms since 2011 have contributed towards homelessness, notably capping, and freezing Local Housing Allowance.

housing halved, because of losses to stock through the Right to Buy and a drop in the amount of social housing being built.

- 1.13 The research found that the decline in social housing has forced many households, including families, into the private rented sector. High rents are a major problem: between 2011 and 2017 rents in England grew 60% quicker than wages. It stated that *“Simply put, many families cannot afford their rent. It is telling that over half of homeless families in England are in work”*.
- 1.14 The report particularly focused on the effect on children. The report revealed that many families face the problem of poor temporary accommodation and have no choice but to move out of their local area, which can have a *“deeply disruptive impact on family life”*. This can include lack of support (from grandparents for example) and travel costs.
- 1.15 It found that a child’s education can suffer, even if they stay in the same school, because poor quality accommodation makes it difficult to do homework and that younger children’s educational development can also be delayed.
- 1.16 Temporary accommodation also presents serious risks to children’s health, wellbeing, and safety. This is particularly so for families in B&Bs where they are often forced to share facilities with adults engaged in crime, anti-social behaviour, or those with substance abuse issues.
- 1.17 Other effects include lack of space to play (particularly in cramped B&Bs where one family shares a room) and a lack of security and stability. The report found (page 12) that denying children their right to adequate housing has a *“significant impact on many aspects of their lives”*.
- 1.18 More recently, in May 2021, Shelter published its report *“Denied the Right to a Safe Home – Exposing the Housing Emergency”* which sets out in stark terms the impacts of the affordable housing crisis. The report affirms that affordability of housing is the main cause of homelessness (page 15) and that *“we will only end the housing emergency by building affordable, good quality social homes”* (page 10).
- 1.19 In surveying 13,000 people, the research found that one in seven had to cut down on essentials like food or heating to pay the rent or mortgage. In addition, over the last 50 years the average share of income young families spend on housing has trebled. The following statements on the impacts of being denied a suitable home are also made in the report:

“Priced out of owning a home and denied social housing, people are forced to take what they can afford – even if it’s damp, cramped, or away from jobs and support networks.” (Page 5)

“... people on low incomes have to make unacceptable sacrifices to keep a roof over their head. Their physical and mental health suffers because of the conditions. But because of high costs, discrimination, a lack of support, and fear of eviction if they complain to their landlord, they are left with no other option.” (Page 5)

The high cost of housing means the private-rented sector has doubled in size over the last 20 years. [...] Most private rentals are let on tenancies of 6 to 12 months, and renters can be evicted for no reason because of section 21. This creates a permanent state of stress and instability. (Page 6)

If you live in an overcrowded home, you’re more likely to get coronavirus. If you live in a home with damp and black mould on the walls, your health will suffer. (Page 9)

“14% of people say they’ve had to make unacceptable compromises to find a home they can afford, such as living far away from work or family support or having to put up with poor conditions or overcrowding” (Page 12)

“Spending 30% of your income on housing is usually the maximum amount regarded as affordable. Private renters spend the most, with the average household paying 38% of their income on rent, compared to social renters (31%) and owner-occupiers (19%).” (Page 14)

“19% of people say their experiences of finding and keeping a home makes them worry about the likelihood they will find a suitable home in the future.” (Page 15)

“Families in temporary accommodation can spend years waiting for a settled home, not knowing when it might come, where it might be, or how much it will cost. It’s unsettling, destabilising, and demoralising. It’s common to be moved from one accommodation to another at short notice. Meaning new schools, long commutes, and being removed from support networks. Parents in temporary accommodation report their children are ‘often unhappy or depressed’, anxious and distressed, struggle to sleep, wet the bed, or become clingy and withdrawn.” (Page 25)

“Landlords and letting agents frequently advertise properties as ‘No DSS’, meaning they won’t let to anyone claiming benefits. This practice

disproportionately hurts women, Black and Bangladeshi families, and disabled people.” (Page 29)

“The situation is dire. A lack of housing means landlords and letting agents can discriminate knowing there is excess demand for their housing.” (Page 30)

1.20 Shelter estimate that some 17.5 million people are denied the right to a safe home and face the effects of high housing costs, lack of security of tenure and discrimination in the housing market (Page 32).

1.21 The Report concludes (page 33) that for change to happen, *“we must demand better conditions, fight racism and discrimination, end unfair evictions, and reform housing benefit. But when it comes down to it, there’s only one way to end the housing emergency. **Build more social housing**”* (emphasis in original).

1.22 In April 2022 Shelter published a further report titled *“Unlocking Social Housing: How to fix the rules that are holding back building”*. The first paragraph of the Executive Summary is clear that:

“Our housing system is broken. Across the country, renters are stuck in damp, crumbling homes that are making them sick. Private renters are forced to spend more than 30% of their income on rent. As a result, nearly half have no savings. Desperate parents fighting to keep a roof over their heads are forced to choose between rent and food.”

1.23 The Executive Summary goes on to state that **“An affordable and secure home is a fundamental human need”** (emphasis in original) noting that one in three of us don’t have a safe place to call home and that finding a good-quality home at a fair price is impossible for so many people.

1.24 At page 6 the report considers the impacts of the Government plans to scrap developer contributions (Section 106 – s106) and replace it with a flat tax called the 'infrastructure levy'. It states that:

“This would mean that developers no longer build social housing on site, in return for planning permission, but instead pay a tax to the local council when they sell a home. The unintended consequence could add yet more barriers to social housebuilding and spell the end of mixed developments where social tenants live alongside private owners.” (My emphasis).

1.25 In considering the impact of the PRS the report highlights at page 7 that nearly half of private renters are now forced to rely on housing benefit to pay their rent – *“That’s*

taxpayer money subsidising private landlords providing insecure and often poor-quality homes.” The paragraph goes on to note that:

“The lack of social housing has not just pushed homeownership out of reach, it’s made it nearly impossible for working families to lead healthy lives and keep stable jobs. Poor housing can threaten the life chances and educational attainment of their kids. If we want to level up the country, we must start with home.”

- 1.26 Regarding the temporary accommodation (“TA”) the report notes on page 10 that number of households living in such accommodation has nearly doubled over the last decade and the cost to the taxpayer has gone through the roof. The page also notes that *“TA cost councils £1.45bn last year (2020/21). 80% of this money went to private letting agents, landlords or companies.”*
- 1.27 Page 11 goes on to highlight that *“Of the nearly 100,000 households living in TA, more than a quarter (26,110) of these households are accommodated outside the local authority area they previously lived in.”* This means that *“Families have been forced to endure successive lockdowns in cramped, unhygienic, and uncertain living conditions, away from jobs, family, and support networks.”*
- 1.28 The page goes on to conclude that *“As a result, the national housing benefit bill has grown. Tenants’ incomes and government money is flowing into the hands of private landlords, paying for poorer quality and less security. **There are now more private renters claiming housing benefit than ever before.**”* (emphasis in original).
- 1.29 Page 9 is also clear that *“Since 2011, freezes to Local Housing Allowance (housing benefit for private renters) and blunt policies like the benefit cap have been employed to limit the amount of support individuals and families can receive. As a result, many thousands of renters’ housing benefit simply doesn’t meet the cost of paying the rent.”*
- 1.30 In considering the consequences of this page 12 notes that *“With fast growing rents, mounting food and energy bills, and a dire shortage of genuinely affordable social housing, these policies have failed to curb the rising benefits bill. Instead, they have tipped people into poverty, destitution and homelessness.”*
- 1.31 Finally, page 21 is clear that:

“For the over 1 million households on housing waitlists across England, who in the current system may never live with the security, safety, and stability that a good quality social home can provide, reforms cannot come any faster. Access to good housing affects every aspect of one’s life and outcomes like health, education, and

social mobility. More to the point, the outcomes and holistic wellbeing of an individual or an entire household is not only meaningful for their trajectory, but also contributes to the threads of society by helping people contribute to their communities.

The evidence is clear, the financial requirements to own one's home are out of reach for many. And many will spend years stuck in a private rented sector that's not fit for purpose. The answer is clear: build many more, good quality social homes for the communities that so desperately need them." (My emphasis).

- 1.32 The consequences of failing to provide enough affordable homes were also recognised by the Inspector in a recent decision in Mole Valley where I provided affordable housing evidence. Inspector McGlone (**CD8.2.2, p.16, [88]**) was clear at paragraph 88 of his decision that:

"The consequences of not providing enough affordable homes affect people. Being able to access good housing has a bearing upon everyday life and there are socio-economic effects such as financial security and stability, physical and mental health, decreased social mobility and adverse effects on children's education and development. In Mole Valley the number of people on the housing register has risen, there are increasing affordability ratios and people are paying significantly over 30% of their income on rent."

- 1.33 It is also pertinent to highlight that Lichfield District Council and Tamworth Borough Council themselves recognise the consequences of failing to meet affordable housing needs.

The Cost of Living Crisis

- 1.34 On 8 March 2024, the House of Commons published its 'Rising Cost of living in the UK' briefing report³ which highlights that the annual rate of inflation reached 11.1% in October 2022, a 41-year high, affecting the affordability of goods and services for households.
- 1.35 The briefing report details at Section 5.1 that *"47% of adults in Great Britain reported an increase in their cost of living in February 2024 compared to a month ago."* Moreover, Section 5.1 further specifies that *"64% of those who reported a rise in the cost of living between 14 and 25 February 2024 said they are spending less on non-essentials as a result, while 45% reported using less energy at home and 40% report*

³ Source: <https://commonslibrary.parliament.uk/research-briefings/cbp-9428/>

cutting back on essentials like food shopping. 3% were being supported by a charity, including food banks.”

- 1.36 Additionally, page 45 of the House of Commons report recognises that renting in the private sector is becoming more unaffordable to people receiving benefits.
- 1.37 Shelter published a briefing report in September 2022 titled ‘Briefing: Cost of Living Crisis and the Housing Emergency’ which further explains the private rented sector problem on page one:

“LHA which determines the amount of housing benefit private renters receive has been frozen since March 2020 while private rents have risen 5% in England – and even more in some parts of the country. The freeze has left low-income private renters in an incredibly precarious position. 54% of private renters claiming housing benefit have a shortfall to their rent.” (My emphasis).

- 1.38 The Shelter briefing sets out that low-income households (including those at risk of homelessness) have no choice but to turn to the private rented sector due to a severe shortage of affordable housing, and concludes on page two that *“the only sustainable solution is to address the causes of the housing emergency by investing in truly affordable social homes”*.

The Cost of Temporary Accommodation

- 1.39 In my opinion the cost of temporary accommodation is an important material consideration in the determination of this appeal.
- 1.40 BBC News reported on 13 October 2023 that English Councils spent more than £1.7bn on temporary accommodation for homeless people in the 2022/23 financial year. In my opinion this is a significant cost arising primarily as a consequence of a lack of affordable housing to adequately house people in need.
- 1.41 The article highlighted that the figure, published by the Department for Levelling Up, Housing and Communities (“DLUHC”), has increased by around 9% from the previous year. B&B accommodation alone in 2022/23 accounted for almost £500m in gross costs, increasing by a third on the previous year.
- 1.42 Shelter's chief executive Polly Neate was quoted in the article, stating that the amount spent on temporary accommodation was not only *“outrageous, but it's also illogical”*. She went on to say that:

"We simply can't keep throwing money at grim B&Bs and hostels instead of focusing on helping families into a home. [...]"

This decision combined with the decades of failure to build enough social homes has meant that families can't find anywhere affordable to live and as a result are forced into homelessness in cramped and unsuitable temporary accommodation, often miles away from their children's schools and support networks." (Emphasis added)

- 1.43 Inside Housing reported in October 2023 that homelessness in England is continuing to increase, with figures published in July 2023 showing the number of people in temporary accommodation was at a record high and that the number of children in this situation is also at the highest level since records began in 2004.
- 1.44 On the 5 March 2024 the Department for Levelling Up, Housing and Communities published data on the age of children under ten in temporary accommodation. The study found that there were 86,945 children under the age of ten living in temporary accommodation at the 30 June 2023, with 19,430 of these children less than 12 months old.
- 1.45 The Inside Housing article also highlighted that the growing cost of temporary accommodation is putting local authorities' budgets under strain. It noted that that Hastings Borough Council recently faced bankruptcy, partly due to its large expenditure on temporary accommodation, which had risen to £5.6m per year, compared with £730,000 in 2019.
- 1.46 The report added that London councils are expected to overspend on temporary accommodation by £90m this year.
- 1.47 In December 2023, ITV News reported that almost one in five council leaders in England expect to issue Section 114 notices⁴ in 2024.
- 1.48 On the 23 January 2024, ITV News reported that the increasing cost of housing homeless people in temporary accommodation is putting local authorities on the brink of financial ruin.
- 1.49 The ITV News article added that according to homelessness charity Crisis, some 298,430 households approached their local council for homelessness support in the past year. Jasmine Basran, head of policy and campaigns at Crisis, said:

⁴ A section 114 notice means the council cannot make new spending commitments and must meet within 21 days to discuss what to do next.

"Crippling financial pressures from rising living costs, unaffordable rents and a severe lack of social homes is forcing more and more people into homelessness."
(Emphasis added)

1.50 The ITV News article continued, adding that Eastbourne Borough Council ("EBC") is currently spending 49p of every £1 on temporary accommodation for homeless people. Stephen Holt, the leader of EBC said ministers must "recognise the gravity of this situation" and work out how to resolve it "before it is too late", adding that:

"Simply put, without government intervention to tackle the tremendous cost of temporary accommodation and homelessness, the next step for many councils of all stripes is emergency budgets and section 114 notices."

1.51 A further article from Inside Housing on 24 January 2024 reported that the surge in spending on temporary accommodation could spell the "end of local government".

1.52 The article highlighted that Councillors from across the political spectrum had expressed serious concerns over temporary accommodation spending at an emergency meeting in Westminster on 23 January 2024 where more than 50 local leaders met to discuss the "national crisis" caused by the cost of temporary accommodation.

1.53 I agree that the cost of housing people in affordable housing is spiralling out of control. I also agree with Polly Neate that, "*We simply can't keep throwing money at grim B&Bs and hostels instead of focusing on helping families into a home.*"

Summary and Conclusions

1.54 Evidently, the consequences of failing to meet affordable housing needs in any local authority are significant. Some of the main consequences of households being denied a suitable affordable home have been identified as follows:

- A lack of financial security and stability;
- Poor impacts on physical and mental health;
- Decreased social mobility;
- Negative impacts on children's education and development;
- Reduced safety with households forced to share facilities with those engaged in crime, anti-social behaviour or those with substance abuse issues;
- Being housed outside social support networks;

- Having to prioritise paying an unaffordable rent or mortgage over basic human needs such as food (heating or eating); and
 - An increasing national housing benefit bill.
- 1.55 These harsh consequences fall upon real households, and unequivocally highlight the importance of meeting affordable housing needs. These are real people in real need. An affordable and secure home is a fundamental human need, yet households on lower incomes are being forced to make unacceptable sacrifices for their housing.
- 1.56 I am strongly of the opinion that a step change in the delivery of affordable housing is needed now.
- 1.57 The acute level of affordable housing need in Lichfield and Tamworth coupled with worsening affordability, will detrimentally affect the ability of people to lead the best lives they can. The National Housing Strategy requires urgent action to build new homes, acknowledging the significant social consequences of failure to do so.

Appendix JS4

Extracts from Planning Practice Guidance (March 2014,
Ongoing Updates)



Extracts from Planning Practice Guidance

*as of 23/11/2022

Section	Paragraph	Commentary
Housing and Economic Needs Assessment	006 Reference ID: 2a-006-20190220	<p>This section sets out that assessments of housing need should include considerations of and be adjusted to address affordability.</p> <p>This paragraph sets out that <i>“an affordability adjustment is applied as household growth on its own is insufficient as an indicators or future housing need.”</i></p> <p>This is because:</p> <ul style="list-style-type: none"> • <i>“Household formation is constrained to the supply of available properties – new households cannot form if there is nowhere for them to live; and</i> • <i>people may want to live in an area in which they do not reside currently, for example to be near to work, but be unable to find appropriate accommodation that they can afford.”</i> <p><i>“The affordability adjustment is applied in order to ensure that the standard method for assessing local housing need responds to price signals and is consistent with the policy objective of significantly boosting the supply of homes. The specific adjustment in this guidance is set at a level to ensure that minimum annual housing need starts to address the affordability of homes.”</i></p>
Housing and Economic Needs Assessment	018 Reference ID 2a-01820190220	<p>Sets out that <i>“all households whose needs are not met by the market can be considered in affordable housing need. The definition of affordable housing is set out in Annex 2 of the National Planning Policy Framework”</i>.</p>
Housing and Economic Needs Assessment	019 Reference ID 2a-01920190220	<p>States that <i>“strategic policy making authorities will need to estimate the current number of households and projected number of households who lack their own housing or who cannot afford to meet their housing needs in the market. This should involve working with colleagues in their relevant authority (e.g. housing, health and social care departments).</i></p>
Housing and Economic Needs Assessment	020 Reference ID 2a-02020190220	<p>The paragraph sets out that in order to calculate gross need for affordable housing, <i>“strategic policy-making authorities can establish the unmet (gross) need for affordable housing by assessing past trends and current estimates of:</i></p> <ul style="list-style-type: none"> • <i>the number of homeless households;</i> • <i>the number of those in priority need who are currently housed in temporary accommodation;</i> • <i>the number of households in over-crowded housing;</i> • <i>the number of concealed households;</i>

		<ul style="list-style-type: none"> • <i>the number of existing affordable housing tenants in need (i.e. householders currently housed in unsuitable dwellings); and</i> • <i>the number of households from other tenures in need and those that cannot afford their own homes, either to rent, or to own, where that is their aspiration.</i>
Housing and Economic Needs Assessment	024 Reference ID 2a-02420190220	<p>The paragraph states that <i>“the total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need) and converting total net need into an annual flow based on the plan period”</i>.</p> <p>It also details that: <i>“An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.”</i></p>
Housing Supply and Delivery	031 Reference ID: 68-031-20190722	<p>With regard to how past shortfalls in housing completions against planned requirements should be addressed, the paragraph states: <i>“The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgfield approach)...”</i></p>

Appendix JS5

Affordable Housing as a Separate Material Consideration



Affordable Housing as a Separate Material Consideration

1. Regarding the weight to be attached to the proposed affordable housing benefits at the appeal site, the need is acute, the benefits are significant, and the weight in the planning balance should be **very substantial weight**. Affordable housing is a material benefit and should therefore be awarded its own weight in the planning balance.
2. Many appeal decisions issued by Inspectors and the Secretary of State (“SoS”) have recognised affordable housing as an individual benefit and have specifically awarded affordable housing provision its own weight in the planning balance. Some examples are summarised below.

Appeal Ref.	Site Name	Decision Type	Decision	Date	Paragraph Ref.	Weight to Affordable Housing	Paragraph Text
APP/M0655/W/17/3178530	Land at Peel Hall, Warrington	SoS	Allowed	09-Nov-21	24	Very substantial	<i>" He further agrees (IR524) that <u>the provision of affordable housing attracts very substantial weight</u>, for the reasons given."</i>
APP/A2280/W/20/3259868	Land off Pump Lane, Rainham, Kent	SoS	Dismissed	03-Nov-21	33	Substantial	<i>"...The Secretary of State considers that the weight to be afforded to the delivery of housing in the light of the housing land supply shortfall is substantial (all IR12.201). Similarly, the Secretary of State agrees at IR12.202 that for the reasons given there is an acute need for affordable housing and in light of that, <u>the delivery of at least 25% of the residential units as affordable accommodation attracts substantial weight</u>."</i>
APP/W1850/W/20/3244410	Land North of Viaduct adj. Orchard Business Park, Ledbury	SoS	Allowed	15-Mar-21	27	Substantial	<i>"For the reasons given in IR16.122-16.123, the <u>Secretary of State also gives substantial weight to the delivery of affordable housing</u>."</i>
APP/Y0435/W/17/3169314	Newport Road and Cranfield Road	SoS	Dismissed	25-Jun-20	32	Significant	<i>"Weighing in favour of the proposal, <u>the Secretary of State affords the provision of affordable housing significant weight</u> and also affords the provision of market housing significant weight."</i>
APP/E5330/W/19/3233519	Land at Love Lane, Woolwich	SoS	Dismissed	03-Jun-20	28	Substantial	<i>"The Secretary of State considers that, in terms of benefits, <u>the provision of housing benefits and affordable housing benefits each carry substantial weight</u>."</i>

APP/Q3115/W/1 9/3230827	Oxford Brookes University, Wheatley Campus	SoS	Allowed	23-Apr-20	35	Very substantial	35 "...Given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, he agrees with the Inspector at IR13.111, that the delivery of up to 500 houses, 173 of which would be <u>affordable, are considerations that carry very substantial weight.</u> " IR 13.111 " <u>The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded very substantial weight irrespective of the fact that the Council can demonstrate a 3/5YHLS.</u> "
APP/G1630/W/1 8/3210903	Land at Fiddington, Ashchurch near Tewkesbury	SoS	Allowed	22-Jan-20	20	Substantial	"...The Secretary of State agrees with the Inspector, and further considers that <u>the provision of affordable housing in an area with a serious shortfall would be of significant benefit and attracts substantial weight in favour of the proposal.</u> "
APP/A0665/W/1 4/2212671	Darnhall School Lane	SoS	Dismissed	04-Nov-19	28	Substantial	"The Secretary of State agrees that the social benefits of <u>the provision of affordable housing should be given substantial weight</u> , for the reasons set out at IR408-411."
APP/P4605/W/1 8/3192918	Former North Worcestershire Golf Club, Hanging Land, Birmingham	SoS	Allowed	24-Jul-19	33	Significant	30 " <u>Weighing in favour the Secretary of State considers that the 800 family homes, including up to 280 affordable homes is a benefit of significant weight.</u> "
APP/E2001/W/1 8/3207411	Hutton Cranswick	Inspector	Dismissed	05-Jun-19	39	Significant	"However, <u>aside from the provision of affordable housing (to which I attach significant weight)</u> , the provisions are essentially intended to mitigate the effect of the development-although they could be of some benefit to the wider public, and I have therefore given them very limited weight."
APP/P0119/W/1 7/3191477	Coalpit Heath, South Gloucestershire	Inspector	Allowed	06-Sep-18	61	Substantial	"There are three different components of the housing that would be delivered: market housing, affordable housing (AH) and custom-built housing(CBH). <u>They are all important and substantial weight should be attached to each component for the reasons raised in evidence by the appellants, which was not substantively challenged by the Council, albeit they all form part of the overall housing requirement and supply. The fact that the much needed AH and CBH are elements that are no more than that required by policy is irrelevant –they would still comprise significant social benefits that merit substantial weight.</u> "
APP/L3815/W/1 6/3165228	Land at the Corner of Oving Road and A27, Chichester	Inspector	Allowed	18-Aug-17	63	Substantial	"Moreover, the provision of 30% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need for affordable housing in the District. <u>Consequently I attach substantial weight to this element of the proposal.</u> "

APP/P1425/W/1 5/3119171	Mitchelswood Farm, Newick, Lewes	SoS	Allowed	23-Nov-16	18	Significant	"For the reasons given at IR196-201 the Secretary of State agrees that <u>the provision of 20 affordable homes is a tangible benefit of significant weight.</u> "
APP/G1630/W/1 4/3001706	Cornerways, High Street, Twynning	Inspector	Allowed	13-Jul-15	63	Very substantial	"... Table 7.16 of the Strategic Housing Market Assessment [SHMA] Update [CDA17] identifies that the net annual need for affordable housing in Tewkesbury is 587 dwellings. This is more than twice the equivalent figure for the neighbouring District of Wychavon, despite the fact that Tewkesbury's population is little more than two thirds of that in Wychavon. <u>The Inspector in the Wychavon appeal found that the provision of affordable housing in that case: "...is a clear material consideration of significant weight that mitigates in favour of the site being granted planning permission"; the Secretary of State agreed.</u> Given the much larger quantum of identified need in Tewkesbury and the magnitude of the accumulated shortfall in affordable housing delivery, <u>it would be appropriate to attribute very substantial weight to this important benefit of the proposal.</u> "
APP/E2001/A/13 /2200981 and APP/E2001/A/14 /221394	Brickyard Lane, Melton Park, East Riding	SoS	Dismissed	25-Jun-15	11	Substantial	"However, he also agrees with the Inspector's conclusion that <u>substantial weight should attach to the proposals in proportion to the contribution they would make to the supply of affordable housing.</u> "
APP/K2420/A/13 /2208318	Land surrounding Sketchley House, Watling Street, Burbage, Leicestershire	SoS	Allowed	18-Nov-14	13 / IR 6.19	Substantial	13. "For the reasons given at IR11.20-IR11.23, the Secretary of State agrees with the Inspector's findings in relation to affordable housing, and with his conclusion at IR11.23 that the need for affordable housing is acute and warrants the provision offered by the appeal proposal." IR 6.19 "In those circumstances, there is no reason to depart from the statutory basis to providing for affordable housing set out in policy 15 of the Core Strategy. The policy takes account of the needs identified in the SHMA (2008) and was found to be sound by the Core Strategy Inspector. Hence, although <u>substantial weight should be given to the affordable housing offered, that weight should not be overwhelming.</u> "
APP/H1840/A/1 3/2199085 and APP/H1840/A/1 3/2199426	Pulley Lane, Droitwich Spa	SoS	Allowed	02-Jul-14	23 / IR 8.126	Very significant	23. "For the reasons given at IR8.112-8.126, the Secretary of State agrees with the Inspector's conclusion at IR8.127 that the Council does not have a 5-year supply of housing land and the appeal scheme is necessary to meet the housing needs of the district, including the need for affordable housing." IR 8.126 "It seems to me that the Council has largely ignored the affordable housing need in its evidence. The poor delivery record of the Council has also been largely overlooked. The Council's planning balance is struck without any apparent consideration being given to one of the most important reasons why housing in Droitwich Spa is needed. <u>From all evidence that is before me the provision of affordable housing must attract very significant weight in any proper exercise of the planning balance.[4.47]"</u>

Appendix JS6

Relevant Secretary of State and Appeal Decisions



Relevant Secretary of State and Appeal Decisions

Appendix JS5

- 1.1 Brief summaries of appeal decisions relevant to the appeal are summarised below. The full decisions are included as Core Documents.

Appeal Decision: Land at the Corner of Oving Road and A35, Chichester (August 2017) – CD8.2.3

- 1.2 DLUHC statistics show that there have been two big drops in the number of households on the housing register in Lichfield; from 2,910 households in 2013 to 1,575 in 2014, and from 1,451 households in 2021 to 404 households in 2022. These drops do not correlate with a sudden and significant increase in affordable housing delivery as can be seen in Appendix 1 of the Affordable Housing Statement of Common Ground (**CD5.27**).
- 1.3 A similar scenario can be seen in Tamworth; the number of households on the housing register dropped from 1,415 households in 2020 to 451 in 2021.
- 1.4 In considering the appeal at Oving Road which sought to provide 100 dwellings to the east of Chichester, the Planning Inspector acknowledged the provisions of the Localism Act 2011 which allowed for Local Housing Authorities to set their own set of qualification criteria in order to register on the respective housing waiting lists.
- 1.5 Local Housing Authorities such as Chichester used these freedoms to generate a more rigid set of requirements, which inevitably resulted in a reduction on those on housing waiting lists. However, whilst this was acknowledged by the Inspector, it was noted at Paragraph 63:

“Moreover, the provision of 35% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need

for affordable housing in the District. Consequently, I attach substantial weight to this element of the proposal.” (my emphasis)

- 1.6 The recognition by the Inspector presiding over the Chichester appeal highlights the impact of the freedoms brought by the Localism Act 2011, and the significant reduction in those households on Councils’ Housing Registers. The Inspector’s comments acknowledged that there is a wider cohort that have been wiped off such waiting lists as a result of the changes, and in my opinion, are still in desperate need for affordable housing. The appeal was allowed on 18 August 2017.

Secretary of State Decision: Oxford Brookes University, Wheatley Campus, College Close, Wheatley, Oxford (April 2020) – CD8.2.4

- 1.7 Inspector DM Young asserted at paragraph 13.101 of his decision that in the context of a lengthy housing register of 2,421 households *“It is sometimes easy to reduce arguments of housing need to a mathematical exercise, but each one of those households represents a real person or family in urgent need who have been let down by a persistent failure to deliver enough affordable houses” (my emphasis).*
- 1.8 He went on to state at paragraph 13.102 that *“Although affordable housing need is not unique to this district, that argument is of little comfort to those on the waiting list” before concluding that “Given the importance attached to housing delivery that meets the needs of groups with specific housing requirements and economic growth in paragraphs 59 and 80 of the Framework, these benefits are considerations of substantial weight” (my emphasis).*
- 1.9 In the planning balance the Inspector stated at paragraph 13.111 that, *“The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as “acute” by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded very substantial weight” (my emphasis).*
- 1.10 In allowing the appeal, the Secretary of State concurred with these findings at paragraph 46, including that the delivery of houses, and affordable houses *“are both considerations that carry very substantial weight” (my emphasis).*
- 1.11 The Secretary of State’s decision also underlines the importance of addressing needs on the Housing Register (especially if the local connection criteria is going to be relaxed), in the face of acute needs and persistent under delivery.

Appeal Decision: Former North Worcestershire Golf Club Ltd, Hanging Lane, Birmingham (July 2019) – CD8.2.1

- 1.12 The impact of Right to Buy losses was considered by the Secretary of State at the recovered appeal at North Worcestershire Golf Course, Birmingham. In that case, Right to Buy losses were substantial and almost counteracted the new (gross) affordable houses entirely, resulting in an overall increase of affordable provision of just 1% of total completions and 3% of affordable housing need. The Inspector noted at paragraph 9.49 of their report that:

“When the losses of social rented dwellings through right to buy purchases is taken into account that equates to a net provision of only 151 new affordable homes over that period [...] against an identified need for 970 affordable homes each year. This represents only 1% of all completions over those 6 years and 3% of the affordable housing need for that period”.

Overview of Secretary of State and Appeal Decisions

- 1.13 The decisions above emphasise the great weight which the Secretary of State has, on various occasions, attached to the provision of affordable housing in the consideration of planning applications.
- 1.14 Inspectors and the Secretary of State have agreed that affordable housing is a benefit in its own right irrespective of the number of units or whether the affordable housing offer is above, below or meets policy requirements.