

TELFORD & WREKIN COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

Section 78

PROOF OF EVIDENCE OF Mr Darren Richard Oakley BA(Hons) MA

ON BEHALF OF THE LOCAL PLANNING AUTHORITY

APPEAL BY JVH Town Planning Consultants Ltd/Redrow Homes Ltd

AGAINST Telford & Wrekin Council

LAND EAST OF KESTREL CLOSE and BEECHFIELDS WAY, NEWPORT

PLANNING INSPECTORATE REFERENCE: APP/C3240/W/16/3144445

LOCAL PLANNING AUTHORITY REFERENCE: TWC/2016/0704

1. PERSONAL INTRODUCTION

- 1.1 My name is Darren Richard Oakley. I am a Chartered Town Planner with 16 years' planning experience. I hold a Masters Degree in Town and Regional Planning from the University of Sheffield. I have been a member of the Royal Town Planning Institute since July 2001. I have been in post at Telford and Wrekin Council ('the Council') since November 2007.
- 1.2 I have considerable experience in the preparation of planning policy having worked for a number of local planning authorities in the West Midlands. I am also the officer with responsibility for preparing and maintaining the Council's five-year land supply statements.
- 1.3 I am instructed to give evidence on behalf of the Council.

2. SCOPE OF THE PROOF

- 2.1 This proof of evidence specifically addresses matters as they relate to the Council's five-year housing land supply ('HLS'). It will demonstrate that the Council's HLS policies are up to date for the purposes of determining planning applications. Separate submissions will cover the justification for the Council's stated objectively assessed need for housing (OAN), and my colleague Mr Owen will cover the justification for refusal of the planning application.

3. STRUCTURE OF EVIDENCE

- 3.1 The Council determined at its meeting of 8 June 2016 that, had an appeal not been submitted, the Council would have refused planning permission for the following two reasons.

- 1) *The site lies in countryside outside the built up area of Newport, as defined on the Wrekin Local Plan Proposals Map, where new development is to be controlled. The site also lies outside the settlements of High Ercall, Tibberton and Waters Upton, where new*

development within the rural area is expected to be focused. The Council has in excess of a five year housing land supply and there are no exceptional circumstances to justify the provision of new housing in this location. As such the development proposal is contrary to the NPPF, saved Wrekin Local Plan policies OL6 and Core Strategy policies CS6, CS7 and CS11 and Policy SP2 of the Telford & Wrekin Local Plan (Publication Version).

2) The proposal would result in the likely loss of two protected veteran oak trees that have a high ecological and amenity value. In addition the proposals do not accord with paragraph 99 of ODPM Circular 06/2005, or Standing Advice from Natural England nor do they provide necessary survey information relating to bats. The proposals do not contain sufficient information in order for the Local Planning Authority to be satisfied that their duty under regulation 9(5) of the Conservation of Habitats Regulations 2010 has been discharged, in that the use or otherwise of the dwellings to be demolished as bat roosts has not been established nor the extent to which any bat population may be affected by the proposals. Survey information is envisaged and no exceptional circumstances exist for the grant of permission in the absence of survey information. Nor has it been shown that any necessary disturbance caused by precautionary mitigation could not be avoided based upon survey information. Alternatives have not been explored. As such the proposal falls short of policy expectations set out in Policy CS12 of the Telford & Wrekin Core Strategy and national planning policy including the National Planning Policy Framework.

3) Insufficient information has been submitted to demonstrate that the development can be accommodated within the existing highway network without the need for mitigation. In addition the proposal would result in approximately 170 dwellings being accessed from a single point of access which would represent an unacceptable form of development. As such the development proposal is contrary to the NPPF and saved Wrekin Local Plan Policy UD2.

4) Insufficient information has been submitted to demonstrate that the quantity of development proposed can be accommodated on the site without it having a detrimental impact on the character and appearance of the wider landscape. As such the development proposal is contrary to the NPPF, to saved Wrekin Local Plan policy UD2 and to Core Strategy CS15.

5) *Insufficient information has been submitted to demonstrate that the development can provide acceptable living standards for potential future occupiers with regard to noise pollution from traffic travelling along the A41. As such the development is contrary to the NPPF.*

6) *In order to give officers flexibility during the progress of this appeal, that the Development Manager: Development , Business and Employment (or any other officer authorised by him), be authorised to add to, change or amend the reasons for refusal and add to, change or amend the above-mentioned heads of terms for the Section 106 planning obligations.*

3.2 The proof supports the Council's reasons for refusal by demonstrating that the Council has identified in excess of five years' supply of deliverable housing land to meet the housing requirement. The proof also responds to information submitted by the appellant.

3.3 The proof is structured as follows:

- In section 4, I consider the relevant policy background relating to HLS, both national and local.
- In section 5, I consider and assess the main issues relating to HLS.
- In section 6, I consider the other pertinent points on HLS raised by the appellant in this case.
- My summary and concluding points are then provided in section 7.
- Appendices.

4. RELEVANT POLICY BACKGROUND

4.1 The Inspector will be familiar with the National Planning Policy Framework (NPPF). I therefore do not intend to quote it at length, except to point out the following relevant policies.

National Planning Policy Framework (2012)

4.2 The overall policy approach to HLS and delivery that all local authorities must adhere to is set out in the NPPF. The NPPF advises that local planning authorities (LPAs) should significantly boost the supply of housing through local plan-making¹, and that decision takers should apply a positive approach to delivering sustainable development². Decision-takers should seek to approve applications for sustainable development where possible³. The NPPF also establishes the presumption in favour of sustainable development⁴, and planning applications are determined in accordance with the development plan, unless material considerations indicate otherwise⁵.

4.3 More specifically relating to the subject of housing land provision and the policies to be applied, the key relevant guidance in the NPPF concerning HLS is set out in paragraph 47 to 49. The application of that policy guidance can be summarised as follows:

- The NPPF directs local planning authorities (LPAs) to boost significantly the supply of housing (paragraph 47);
- This is to be done principally in two stages: firstly, by ensuring that their local plan meets their objectively assessed needs ('OAN') in full for market and affordable housing in the housing market area; and secondly, by identifying five years worth of deliverable⁶ housing sites against their housing requirement (paragraph 47);
- An additional buffer of 5% is to be applied to the supply to ensure choice and competition, or 20% where there is a record of persistent under-delivery (paragraph 47);
- The production of a housing trajectory to illustrate the expected rate of delivery for the plan period and a housing implementation strategy describing how a five year supply of deliverable site will be maintained to meet their housing target (paragraph 47);
- An allowance for windfall sites in the five year supply if a compelling case can be made (paragraph 48); and, significantly
- Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (paragraph 49).

¹ CD3.1, Paragraph 47

² CD3.1, Paragraph 186

³ CD3.1, Paragraph 187

⁴ CD3.1, Paragraph 197

⁵ CD3.1, Paragraph 196

⁶ As defined in the first footnote to paragraph 47 (CD3.1)

- 4.5 In addition, the footnote to paragraph 47 provides further guidance on what constitutes a *deliverable* site. To summarise the footnote, a site can be considered deliverable if it is available now, suitable now, and be achievable with a realistic prospect that housing will be delivered within five years [my emphasis]. Furthermore, sites with planning permission should be considered deliverable, unless there is clear evidence that schemes will not be implemented within five years.
- 4.6 The proof will demonstrate that in undertaking the five-year HLS assessment, the Council has complied with the NPPF and other government advice.

Planning Practice Guidance

- 4.7 In support of the NPPF, the government published in March 2014 an online resource known as ‘Planning Practice Guidance’ (or ‘PPG’).
- 4.8 The PPG sets out some additional guidance to assist parties in considering the matter of five year land supply, to supplement the NPPF. I would like to draw the Inspector’s attention to the following key aspects of the guidance that are pertinent.
- 4.9 Under the sub-section, “*What is the starting point for the five year housing land supply*”⁷ the PPG reiterates the requirements of the NPPF, as follows:
- Local Planning Authorities are the body responsible for demonstrating the 5 year supply of deliverable housing land, and that this is updated annually;
 - Housing requirement figures in up to date adopted plans should be used as the starting point;
 - Housing need evidence which dates back several years, such as that drawn from a revoked RSS, may not adequately reflect current needs;
 - Where a local plan has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information in the latest full assessment of housing needs should be considered.
- 4.10 Under the sub-heading “*What constitutes a deliverable site in the context of housing policy?*”⁸ the PPG provides further guidance and states that a deliverable site could comprise

⁷ CD3.2, Paragraph 30 Reference ID: 3-030-20140306

sites with planning permission, but also sites allocated for housing in a development plan. However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five year supply. LPAs will need to provide robust, up to date evidence to support the deliverability of sites, ensuring their judgments on deliverability are clearly and transparently set out. In addition, non-allocated sites or sites without planning permission can be included in the five year supply, provided they are not significantly constrained [my emphasis].

4.11 Under the sub-heading, *“Updating evidence on the supply of specific deliverable sites sufficient to supply five years worth of housing against housing requirements”*⁹, the PPG states that LPAs should undertake assessment on an annual basis [my emphasis] in a robust and timely fashion. This should be done every twelve months, unless the local authority wishes to update its assessment earlier.

4.12 Under the sub-heading, *“How should LPAs deal with past under-supply?”*¹⁰, the PPG states that the approach to identifying a record of ‘persistent’ under delivery is a question of judgement for the decision maker [my emphasis] having regard to the degree of under-delivery and triggers that bring forward additional land for supply. The factors behind persistent under-delivery will vary from place to place and, therefore, there can be no universally applicable test or definition of the term. The assessment of a local delivery record is likely to be more robust if a longer term view is taken to include the cycles within housing markets. Such relevant factors could include the effects of housing moratoriums and the influence this has had on delivery rates.

Development Plan Policies

4.13 The relevant development plan policies with regard to HLS in Telford & Wrekin are Core Strategy Policy CS1 (Homes), Policy CS7 (Rural Area), and Wrekin Local Plan Policy H9 (Suitable Settlements). The Core Strategy (CD3.9) was adopted in December 2007, whilst the

⁸ CD3.2, Paragraph 31 Reference ID: 3-031-20140306

⁹ CD3.2, Paragraph 33 Reference ID 3-033-20140306

¹⁰ CD3.2, Paragraph 35 Reference ID 3-035-20140306

Wrekin Local Plan (CD3.7) was adopted in February 2000. Recent Court of Appeal ruling¹¹ handed down on 17th March 2016 provided some clarity on the interpretation of ‘relevant supply policies’, given that the NPPF does not define this. The implication of the ruling is that a wider interpretation should be applied when deciding on whether or not a policy is a ‘relevant’ supply policy, rather than those policies specifically related to housing land supply and delivery. The result would be a much broader range of policies that could be at risk of being ‘not up to date’ should an LPA not be able to demonstrate a five year supply position. However, this ruling is now being challenged through the Supreme Court by the LPAs involved. No ruling has been handed down on this matter at the time of writing, and so this remains a matter for interpretation for the decision-taker on a case-by-case basis.

5. Main Issues

- 5.1 My evidence establishes the Council is correct in its considered opinion that it has in excess of five years worth of deliverable housing land.

Five Year Housing requirement

Starting point

- 5.2 As highlighted in paragraph 4.9, the starting point for the assessment of five year HLS is the housing requirement figures set out in an up-to-date, adopted local plan. For Telford and Wrekin, the starting point is Core Strategy Policy CS1. The policy sets out the latest adopted housing figures for the borough, and covers the period 2006-2016. The policy establishes a ‘stepped’ trajectory for the two five-year periods, whereby provision will be made for a maximum of 1,330 dwellings each year for the period 2006-11, reducing down to a maximum of 700 dwellings per year for the period 2011-16. The overall total housing figure is therefore a maximum of 10,150 dwellings for the whole period (2006-16).
- 5.3 The application of the current housing figures in CS1 as a basis for the housing requirement is not considered appropriate, for a number of reasons. Firstly, the housing figures set out in Policy CS1 are themselves taken from the Regional Planning Guidance for the West Midlands

¹¹ CD6.1, Suffolk Coastal DC & Hopkins Homes & SSCLG & Richborough Estates & Cheshire East BC & SSCLG [2016] EWCA Civ 168

(‘RPGWM’), which was adopted in July 2004 (over ten years ago), and updated in January 2008. The RPGWM defined the role of Telford & Wrekin as one of five *sub-regional foci for development* in order to support the towns of the region to meet their *local and sub-regional development needs*, rather than being an area subjected to a policy of restraint or one linked solely to meeting local housing need. The level of growth directed towards the borough was, therefore, adjusted to facilitate migration flows that would service the needs of the wider region in line with the regional strategy up to 2011. The RPGWM was formally revoked in May 2013. Secondly, the evidence base relating to population and household projections employed during the preparation of the RPGWM housing figures also predated the adoption date. This is important because in order for the evidence to be credible it must be *adequate, up to date, and relevant*¹². Clearly, employing housing figures adopted over ten years ago, using an evidence base that is even older, is not an appropriate basis for the assessment of housing land supply.

- 5.4 Thirdly, the Core Strategy time has run for nearly ten years and time expires in 2016. Post-2016, there are no adopted housing figures on which to base a housing requirement. Consequently, the Council is compelled to carry out all the required work necessary to establish an up to date housing requirement for the purposes of demonstrating it has a five-year supply.
- 5.5 Arising from the foregoing analysis presented above, the Council does not consider the housing figures set out Policy CS1 to reflect the latest position. Consequently, those figures are not considered to be an appropriate starting point for an assessment of five-year HLS.
- 5.6 Having determined that the current adopted housing figures do not represent the latest position in respect of housing requirement, the Council has sought to establish such a requirement based on current analysis of housing need, or OAN. This accords with the NPPF. In March 2015, the Council published a study carried out by Peter Brett Associates (PBA) that established an up-to-date assessment of housing need for the period 2011-31 (CD4.1). The study has also informed the preparation of the new local plan. From the study, the Council has applied the OAN as the most up to date housing requirement, as the basis for the assessment of HLS. Both parties accept in principle (but disagree on the specific amount)

¹² CD3.1, Paragraph 158

that an OAN-based housing requirement with a base date of 2011 should be applied to the HLS calculation.

Issues raised by the Local Plan Inspector

5.7 The foregoing commentary sets out the Council’s justification for applying an OAN-led housing requirement as the basis for the HLS calculation. In July 2016, the Council published the next iteration of the HLS position based on analysis of supply for the period 2016-2021 against this requirement. Since then, the Local Plan Inspector has requested that the Council revise the July statement to include a five-year supply calculation based on Local Plan (Plan-led) housing requirement (15,555 dwellings, or 778 per year). Consequently, an update to the July statement has been issued as part of the Local Plan examination setting out the calculation (CD4.13). For the purposes of this proof of evidence, I will present evidence that demonstrates that a five year supply exists based on both requirements. I will also present evidence that will demonstrate a five-year supply also exists when applying the appellant’s own housing requirement.

Shortfall

5.8 The first part of the calculation involves comparing actual delivery against the requirement in order to establish whether or not a shortfall exists at the base date (April 2016). This comparison is set out in detail in the latest housing land supply statement for the period up to April 2016 (CD4.13), which compares delivery achieved between 2011 and 2016.

	Net Completions 2011-16	Five-year requirement	Excess/Shortfall
OAN-based	4,498 ¹³	2,485 ¹⁴	2,013
Plan-based	4,498	3,890 ¹⁵	608
JVH-led	4,498	4,500 ¹⁶	-2

¹³ Taken from Table 2 of **CD4.13**

¹⁴ Taken from Table 1 of **CD4.13**

¹⁵ Taken from Table 3 of **CD4.13**

¹⁶ Derived from the appellant’s Statement of Case **CD2.26**

Table 1: Comparison of housing requirements and actual delivery, 2011-16

5.9 Table 1 above presents a summary, along with a comparison of delivery against a 'Plan-based' and 'JVH-based' requirement. This shows that delivery has exceeded both the OAN-based and the 'Plan-led' housing requirement. This demonstrates that no shortfall has occurred since the new starting point at 2011 on that basis. If a comparison is made with the appellant's own five-year requirement then this results in a very small shortfall. Consequently, the HLS calculation does not need to include any figure for shortfall when based on the OAN and TWLP requirement, and an inconsequential amount based on the appellant's own figure.

Persistent under-delivery

5.10 As highlighted in paragraph 4.12 above, identifying a record of persistent under-delivery (unlike shortfall) involves questions of judgment and is also influenced by the degree to which that under-delivery triggers the requirement to bring forward an additional supply of housing. If this logic is followed through, under-delivery cannot be determined through simple arithmetic. Consequently, and for the reasons set out in this proof¹⁷, I have considered under-delivery in the context of a development plan that does not contain up-to-date housing figures and instead based on the identification of an up-to-date OAN with a base date of 2011. This is itself a critical factor in the overall planning judgment.

5.11 The Council's latest position regarding past delivery is set out in the Housing Land Supply Statement (October update) (CD4.13)¹⁸. It is important to reflect on specific advice set out in the PPG¹⁹, in particular the need to take a longer-term view of past delivery. The Council considers a period of ten years (2006 onwards) to be a reasonable interpretation of the advice in the PPG. On this basis, the Council concludes that there is no evidence of persistent under-delivery during the last 10 years.

Buffer

5.13 The Council's approach to identifying a suitable buffer is set out in paragraphs 3.3.1-3.3.3 of the Housing Land Supply Statement (October update) (CD4.13). Based on the foregoing

¹⁷ Paragraphs 5.2-5.6

¹⁸ Paragraphs 3.2.6-3.2.10 of CD4.13

¹⁹ CD3.2, Paragraph: 035 Reference 3-035-20140306

analysis in relation to shortfall and past delivery, I consider that it is appropriate to apply a 5% buffer to the five year requirement for the period 2016-2021.

Housing Land Supply

Supply of deliverable sites

- 5.15 It is important to note that no single methodology exists for the assessment of HLS. Some helpful advice is set out in Planning Practice Guidance (as summarised above). The approach I have taken is therefore based on the application of sound planning judgments relating to the various categories of available information.
- 5.16 The approach to assessing deliverability of sites is set out in section 4 of Housing Land Supply Statement (October update) (CD4.13). It is important to point out that the High Court²⁰ (CD6.2) has recently issued some helpful guidance in relation to assessing deliverability, and relevant parts of the ruling are quoted in the October update²¹. The ruling (at paragraph 21) provides very useful clarity on the interpretation that should be applied to *available now* in the footnote to *deliverable*. For reference, the paragraph is set out below:

"...Availability now" cannot be demonstrated by showing that development on a site is "achievable with a realistic prospect that housing will be delivered on the site within five years..."But that last phrase covers an important aspect of "deliverability". The planning judgment as to "deliverability" can clearly be made in respect of sites which do not have planning permission now, but can reasonably be expected to receive it so as to enable housing to be built on them within the next five years. These would include allocations in an emerging local plan, once assessed for the purpose of inclusion in the housing land supply, or indeed in an adopted plan..."Now" means "now", and I accept that "available now" looks to the present availability of the land in question. But...argument that that phrase covers the grant of planning permission and requires planning permission to have been granted "now", lacks a sound planning basis, and that is the first reason why it is wrong."

²⁰ St Modwen Developments Ltd v SCLG and East Riding of Yorkshire Council and Save Our Ferriby Action Group [2016] EWHC 968 (Admin) (CD6.2)

²¹ CD4.13, Section 4.1

- 5.17 The supply of sites considered to be deliverable is appended to the Housing Land Supply Statement (October update) (CD4.13). The deliverable supply is drawn from a range of sources or *components*, which include sites with and without planning permission at April 2016. The estimate of the number of dwellings likely to be achieved within five years for each site has then been qualified by applying two factors; lead-in time, and build-out rates, for the five-year period. These are explained in more detail in section 4.3 of the statement (CD4.13). The assumptions used are appropriate having been determined by the Council's Development Delivery Group Specialist. I have reviewed the schedule and the assumptions applied and consider these to be realistic and reflective of current delivery being achieved across the borough. The assessment has also involved direct contact with applicants to determine likely timescales for progressing sites, with a summary of the responses provided in relation to those sites also included in the deliverable sites schedule.
- 5.18 The overall total of deliverable sites with realistic prospects of being delivered within five years also includes a small allowance for future windfalls²². I assume that new, additional windfalls will only deliver towards the back end of the five year period due to lead-in times and to reduce the potential for double-counting those windfalls that already have planning permission at April 2016. Appendix 1 of this proof includes a record of recent completions rates for windfall sites of 0.1 hectares or less between 2005 and 2015.

The calculation

- 5.19 The Housing Land Supply Statement (October update)²³ (CD4.13) sets out the HLS calculation based on an OAN requirement (CD4.1). This is the Council's formal position on the matter. However, in response to the Local Plan Inspector, an additional table is included in the statement that presents a Plan-based five year supply calculation²⁴. Table 2 below sets out the five-year supply calculation based on the both these assumptions regarding the five year requirement. For illustrative purposes, the table also includes a calculation based on the appellant's housing requirement, and also assesses the effect of a 20% buffer.

²² For the purposes of HLS, windfalls comprise previously-developed sites of 0.1 hectare or less

²³ Table 5 of **CD4.13**

²⁴ Table 7 of **CD4.13**

5.20 Table 2 shows that after applying each housing requirement the deliverable supply exceeds five years. This also take into accounts a 20% buffer. If the proper buffer of 5% is applied, the supply is at the very least seven years based on the appellant’s own housing requirement. Therefore, based on the analysis presented in Table 2, the LPA can demonstrate a sufficient supply of homes to meet the up to date five year housing requirement. Consequently, it follows that the the relevant housing supply policies are up to date for the purposes of determining planning applications.

Five-year housing requirement assumptions			
	OAN-based	TWLP-based	JVH-based
Basic housing requirement	2,485	3,890	4,500
Annual rate	497	778	900
Annual rate, plus 5%	522	816	945
Annual rate, plus 20%	596	934	1,080
Total five-year requirement (5%)	2,610	4,080	4,725
Total five-year requirement (20%)	2,980	4,670	5,400
Total deliverable supply ²⁵	6,727	6,727	6,727
Five – year supply, in yrs (5%)	12.9	8.2	7.1
Five – year supply, in yrs (20%)	11.3	7.2	6.2

Table 2: Five Year Supply of Housing Land for Telford & Wrekin 2016-21 (at April 2016)

5.21 Consequently, I reject the appellant’s claim that a five year supply cannot be demonstrated.

²⁵ Taken from Table 4 of CD4.13

6. OTHER ISSUES

- 6.1 The appellant suggests that the housing requirement should be 900 dwellings per year, or 4,500 over the five year period. The appellant also argues that a shortfall existed over the period 2011-15 and that, as a result, a 20% buffer should be applied to the requirements and the shortfall. The Council does not accept this as a suitable basis for a housing requirement due to the lack of clear justification for the 900 figure as an alternative to the Council's OAN-based approach. And, in any case, the Council has demonstrated that a five-year supply exists even if that figure were applied as the housing requirement.

7. SUMMARY & CONCLUSION

- 7.1 My proof of evidence demonstrates that the Council can identify substantially more than five years' supply of deliverable housing land. It has been prepared in response to the appellant's claim that the Council's housing supply policies are out of date, and that paragraph 49 of the NPPF is engaged.

- 7.2 The starting point for the assessment of a five year housing land supply must be an up to date housing requirement. This should be derived from the figures set out in an up to date adopted local plan. However, I do not consider the housing figures set out in Core Strategy Policy CS1 to be an appropriate starting point for the housing requirement. This is for a number of reasons:

- Firstly, the current figures are derived from the West Midlands Regional Planning Guidance (WMRPG), adopted in 2004 (updated 2008). These pre-date the NPPF and do not represent the borough's objectively assessed need for housing. The WMRPG was legally revoked in April 2013;
- Secondly, the figures are expressed as *maxima* and so do not represent an appropriate 'target' to measure delivery against and, hence, consider issues such as under-delivery;
- Thirdly, the current plan period runs out in 2016, Consequently, there exists no suitable housing figures beyond 2016 against which to measure delivery of housing or to derive a suitable housing requirement.

7.3 In accordance with the NPPF, the Council must establish the objectively assessed need for housing based on available evidence. In March 2015, the Council published an up to date assessment of the borough's objectively assessed need (OAN), prepared by a leading consultancy in this area (Peter Brett Associates). As presented in evidence by Ms Howick, the OAN for the borough was calculated to be 9,940 dwellings between 2011-31. The Council has therefore applied the findings of the work on OAN as a basis for the housing requirement for the purposes of the five year land supply assessment. This demonstrates that the five year requirement for the period 2016-21 is 2,485 dwellings.

7.4 The evidence presented in this proof demonstrates that the Council has identified a supply of deliverable land in excess of the housing requirement. The Council has identified a deliverable supply of 6,727 dwellings for the period 2016-21. This equates to 12.9 years supply of housing land. The Council considers the assessment of land supply to be 'conservative' given that the vast majority of sites have an extant planning permission and relatively limited reliance on other sources. Furthermore, the Council can also demonstrate that there exist in excess of five years deliverable supply, even when measured against the appellant's own housing requirement.

7.5 Based on the analysis I have presented in this proof, I reject the appellant's arguments that the LPA cannot demonstrate a five-year HLS. In coming to this conclusion, I have considered the relevant national and local policy, planning guidance, high court rulings, and other relevant information. The professional opinions I have expressed in this proof are mine and they are based on my own experience and understanding of five-year HLS.

7.6 There are a number of implications stemming from the evidence presented in this proof:

- Given the delivery of homes against the up to date housing requirement, it is appropriate to apply a 5% buffer to the supply of sites in line with the NPPF, and not a 20% buffer;
- That the Council is not required to engage paragraph 49 of the NPPF.

7.7 Consequently, I respectfully invite the Inspector to prefer the Council's evidence to that of the appellant in respect to HLS.

APPENDICES

Appendix 1 Historic Windfall Completions (2005-15)

Historic Windfall Completions (2005-2015)

AMR period	Completions
2004-5	19
2005-6	30
2006-7	54
2007-8	34
2008-9	12
2009-10	11
2010-11	6
2011-12	22
2012-13	28
2013-14	51
2014-15	32

Source: Figures compiled from Telford & Wrekin Annual Monitoring Reports and Annual Land Statements