

EPPING FOREST LOCAL PLAN EXAMINATION IN PUBLIC

HEARING STATEMENT

MATTER 3: QUANTITATIVE REQUIREMENTS FOR DEVELOPMENT

**ON BEHALF OF MARTIN GRANT HOMES, PERSIMMON HOMES &
TAYLOR WIMPEY (STAKEHOLDER ID: 19LAD0107)**

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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“THE COUNCILS SET TO FACE SANCTIONS UNDER THE HOUSING DELIVERY TEST”,
PLANNING, 21 NOVEMBER 2018

1. Introduction

1.1 This Hearing Statement is prepared by Pegasus Group on behalf of Martin Grant Homes, Persimmon Homes and Taylor Wimpey, who are promoting land at West of Katherines within the Water Lane Area Allocation (SP 5.2).

2. Issue 1 – Is the housing requirement for the plan period 2011-2033 appropriately defined having regard to the composition of the Housing Market Area (HMA); and the objectively Assessed Housing need (OAN) for housing within the HMA?

Response to Questions 1, 2 and 4

2.2 We submitted comments in relation to this matter during the Submission Draft consultation in January 2018. We support the proposed housing strategy for the period 2011-2033 and consider that this is the most suitable spatial option for delivering a minimum of 11,400 homes. Policy SP2 should enable the Local Plan to meet its objectives in relation to economic development, the environment and infrastructure. However, as the LPA is not planning on meeting it's full OAN as set out in the 2017 SHMA, there is a risk that the Plan may not support the future need of residents in providing a mix of housing types, sizes, forms and tenures, ensuring better affordability levels in the process.

2.3 The Housing Delivery Test results were due for publication from Central Government in November 2018. These have been delayed and at time of writing are still to be published; however, interim analysis undertaken by industry publication *Planning (Appendix 1)* indicates that for the period 2015-18, Epping Forest delivered just 49.4% of its housing requirement. This clearly represents a significant shortfall in housing delivery in Epping Forest in recent years and therefore it is imperative that a flexible strategy is put in place to ensure that housing can be delivered upon adoption of the Plan. The proposed Water Lane Allocation (Policy SP5.2) which forms part of the proposed Garden Town will make a valuable contribution to the LPA in meeting and even exceeding the District's housing requirement.

2.4 In view of this, it is considered that it would be prudent to state all housing provision figures in Policy SP2 to be minimum figures and to replace ~ with the wording 'at least' to ensure that where opportunities arise to increase the

efficiency of sites, these are encouraged which will result in increased housing supply.

- 2.5 It would be beneficial for the Epping Forest Local Plan to provide clarity regarding the relationship between Epping Forest’s housing need and the provision of strategic sites on the periphery of Harlow. It is clear that by providing major residential development within the Garden Town in close proximity to Harlow, the largest settlement of the HMA, this will meet the needs of the wider housing market area whilst supporting economic development and the regeneration of Harlow. Table 2.1 in the Epping Forest Submission Local Plan provides a breakdown of housing provision per LPA and states that within the 51,000 net new dwellings provided in the HMA, 16,100 new dwellings will be provided in and around Harlow. It is not clear what the proportion of the proposed 3,900 dwellings to be built on strategic sites around Harlow (but located within Epping Forest District) is that will contribute towards Harlow Council’s OAN rather than Epping Forest’s.
- 2.6 It is considered that this should be clearly set out within Policy SP2 or the preamble to the Policy, in order to provide certainty to all parties involved.

3. Changes required:

Policy SP2 Criteria B.

Settlement	Allocated Housing
Sites around Harlow	<i>At least</i> ~3,900
Epping	<i>At least</i> ~1,305
Loughton	<i>At least</i> ~1,021
Waltham Abbey	<i>At least</i> ~858
Ongar	<i>At least</i> ~590
Buckhurst Hill	<i>At least</i> ~87
North Weald Bassett	<i>At least</i> ~1,050
Chigwell	<i>At least</i> ~376
Theydon Bois	<i>At least</i> ~57
Roydon	<i>At least</i> ~62

Nazeing	<i>At least</i> ~122
Thornwood	<i>At least</i> ~172
Coopersale, Fyfield, High Ongar, Lower Sheering, Sheering and Stapleford Abbots	<i>At least</i> ~175
Rural East	<i>At least</i> ~41

4. Issue 2: Does the Plan include an appropriate target for accommodation for Gypsies & Travellers and Travelling Showpeople in the District?

Response to Question 1

- 4.1 Point D in Local Plan Policy SP2 requires provision of Traveller sites to be delivered via a sequential approach. Fifth in the sequence is the provision of land as part of the development of the Garden Town Communities around Harlow. It is our continued view that provision of Traveller sites should be considered as a whole and based on sound evidence as set out in Paragraph 158 of the NPPF which states that Local Planning Authorities *"should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about economic, social and environmental characteristics and prospects of the area"*. In this case, the Council does not have adequate evidence, as required by the NPPF, to justify the proposal to incorporate Gypsy and Traveller sites within the Garden Town Communities.
- 4.2 The evidence relates largely to the quantum of pitches required in each Local Authority area within Essex. The Essex Gypsy, Traveller and Travelling Showpeople Accommodation Assessment undertaken by Opinion Research Services in 2014, does not give any indication of where those pitches should be located. The interim briefing note produced specifically for Epping Forest Council by Opinion Research Services in August 2016 only provides an update on the 2014 Assessment for Epping Forest based on 2014-based projections for West Essex & East Herts. Similarly, the subsequent study produced by Opinion Research Services in September 2017 only offers a revised assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Epping Forest District for the period 2016-2033.

- 4.3 In ARUP's Site Selection Methodology (August 2016; updated 2017), paragraph 16 states that the Council has identified a number of potential sources of sites, tenth in this list is: *(j) If insufficient potential suitable traveller sites are promoted by developers identified from the sources identified in (a) to (i) above an allocation within a strategic site allocation will be considered.* This wording is more appropriate in our view than the wording in the policy which makes the provision of land a requirement of each of the Garden Town Communities. Similarly, paragraph 53 states *"If, having followed the sequential approach outlined above, there remains a shortage of sites consideration will be given to the feasibility and scope for providing a traveller site in a strategic site"* again this wording is more reasonable and offers a great deal more flexibility than the wording in the policy.
- 4.4 Land uses should be directed to the most sustainable and appropriate locations and Local Plans need to be supported by the appropriate evidence to ensure that allocations are directed to the most suitable locations for all use types, including Gypsy and Traveller accommodation. National policy relating to Gypsy and Traveller accommodation is contained within the 2015 Planning Policy for Traveller Sites. Paragraph 11 of the document states that *"criteria should be set to guide land supply allocations where there is identified need"*. It is clear from this that, in identifying the most appropriate locations for Gypsy and Traveller accommodation, the plan-making process should involve a criteria-based approach, taking into account national and local policy, as well as the views of the Gypsy and Traveller community and relevant stakeholders. The Local Plan should direct Gypsy and Traveller sites to specific locations, taking into account the location from which the need arises, together with the capacity of the local infrastructure to support this type of development.
- 4.5 As it stands, it is not clear on what basis the Local Plan Submission Version includes a requirement for the provision of a Gypsy and Traveller site within the Garden Town Communities around Harlow. In the absence of any robust evidence for this, we consider that Policy SP2 should not include a specific requirement for traveller pitches within the Garden Town Communities.
- 4.6 It is evident from the results of the Stage 1 Assessment of Traveller Sites (ARUP, 2016), that three parcels of land within the West Katherine's site which forms part of the Water Lane allocation were assessed as part of 871 potential traveller's sites but each one failed to proceed to Stage 2 as their locations were deemed unsuitable. No other parcels of land within the site area were considered

as part of the assessment. Furthermore, there is no evidence within the published information supporting the Submission Version Local Plan that the Council has engaged with the Gypsy and Traveller community in proposing the inclusion of Gypsy and Traveller sites in the Garden Town Settlements around Harlow.

5. Changes required:

Local Plan Policy SP2:

Criterion D. (v) the provision of land as part of the development of the Garden Town Communities around Harlow and other allocated sites in this Local Plan, *if the need is evidence based and is not met elsewhere*; and...

APPENDIX 1

"THE COUNCILS SET TO FACE SANCTIONS UNDER THE HOUSING DELIVERY TEST", PLANNING, 21 NOVEMBER 2018

The councils set to face sanctions under the housing delivery test

21 November 2018 by John Geoghegan

Just under two-fifths of councils are set to face penalties under the government's new housing delivery test this year, though none would face the most severe sanction, *Planning* research has found. [This item was corrected at 9am on 27/11/18 – see explanation at the end of the article].



Housing delivery: new NPPF test introduced in July

The delivery test, which was introduced in July's revised National Planning Policy Framework (NPPF), aims to ensure that local authorities actually build enough homes as well as plan for them.

It works by imposing various sanctions on authorities who fail to deliver over the previous three years against their housing requirement.

Authorities who deliver less than 95 per cent of their requirement must devise an action plan outlining how

Analysis: How new homes figures could impact on the government's delivery test

- Following the publication of new homes figures, research by *Planning* suggests that more than a third of local authorities are set to face sanctions under the new housing delivery test.

they will boost home-building in their area. Those who deliver less than 85 per cent must also identify a "buffer" of 20 per cent more housing sites to add to their land supply position, while those delivering less than 25 per cent face the NPPF's presumption in favour of sustainable development.

The government will formally publish its first delivery test results, for the three years from 2015 to 2018, before the end of this month.

However, research by *Planning* (see analysis below) using the government's latest 2017/18 net housing additions figures found that 120 councils, or 37 per cent, are set to face a sanction under the test (see list at end of article).

Our findings, in line with the higher 2017/18 net housing addition figures, show an overall improvement in authorities' position under the test when compared with a previous *Planning* analysis in April, which looked at authorities' 2014-17 delivery rates.

Following the government's delivery test criteria, we compared net additions in 2015-18 to each councils' housing requirement over the same period, which is based on either an up-to-date local plan target or the household projections, whichever was the lower.

We found that no authorities are set to fail on the 25 per cent threshold and face the most severe penalty.

However, 37 per cent are likely to have to produce an action plan, while 30 per cent would be required to have a 20 per cent buffer in their housing land supply.

Almost two-thirds of councils – 63 per cent – are above the 95 per cent threshold and face no HDT sanction, a rise from 54 per cent compared with our April analysis.

Next year, the delivery test threshold for the presumption penalty will be raised to 45 per cent of delivery against the target, and in 2020 to 75 per cent.

Planning's research found that nine councils had a delivery rate of under 45 per cent in 2015-18, while 74 - just over a fifth - were under 75 per cent.

In our research, to produce a housing requirement figure, we used analysis by the Planning Advisory Service (PAS) of household projections, along with local authorities' latest local plan data.

Which councils face a housing delivery test sanction in 2018?

Under the housing delivery test, all councils under 95% have to produce an action plan showing how they intend to boost delivery. Those under 85% must also have a 20% buffer on their housing land supply.

Local Authority	Percentage delivered vs housing required, 2015-18 ▼
Redbridge	37.7
New Forest	39.0

Adur	39.4
Calderdale	40.3
Trafford	41.0
East Cambridgeshire	43.7
Oldham	44.0
Thanet	44.3
Three Rivers	44.9
Barking & Dagenham	47.0
Medway	47.1
Sefton	48.0
Castle Point	48.1
Southend-on-Sea	49.0
Havering	49.3
Epping Forest	49.4
Elmbridge	50.2
Brentwood	50.8
Sandwell	52.6
Gedling	52.8
Welwyn Hatfield	53.0
Epsom and Ewell	53.2
Portsmouth	53.5
Bolton	53.6
Islington	54.5
Gateshead	54.9
North Hertfordshire	55.0
Warrington	55.3
St Albans	56.4
Gravesham	56.8
Great Yarmouth	58.6
Bury	59.8

Council	Percentage
Ipswich	61.6
Tandridge	62.5
Braintree	63.4
Broxbourne	63.4
West Devon	63.8
Kingston Upon Thames	64.8
Spelthorne	64.9
Stockport	64.9
Erewash	65.3
Tameside	65.7
Chesterfield	66.5
Herefordshire	67.0
Broxtowe	67.2
City of London	67.3
Staffordshire Moorlands	67.8
Bexley	67.9
Poole	67.9
Brent	68.0
Christchurch	68.5
East Dorset	68.5
Hackney	68.6
Isle of Wight	69.0
Oxford	69.2
South Holland	70.7
Southwark	70.9
North Lincolnshire	71.0
Rother	71.1
Worthing	71.1
Blackburn with Darwen	71.6
Doncaster	72.1

Pendle	72.1
Basingstoke and Deane	72.7
Mole Valley	72.7
Rochford	73.0
Wirral	73.1
Norwich	73.2
Bracknell Forest	73.7
East Hertfordshire	73.7
Waveney	73.9
Rossendale	74.2
Swale	74.3
Brighton & Hove	74.9
Guildford	74.9
Basildon	75.1
Sevenoaks	75.3
Eastbourne	75.4
South Cambridgeshire	75.5
Bradford	75.7
Kirklees	76.3
North Somerset	76.9
Lewes	77.4
Tunbridge Wells	78.4
Gloucester	78.7
Hounslow	79.0
Fareham	80.3
Northampton	80.6
Barnet	80.8
Babergh	80.9
Mid Suffolk	81.3
South Kesteven	81.4

North Dorset	81.6
Enfield	81.7
Wigan	82.1
Stevenage	82.3
Melton	82.6
Fenland	83.7
Tamworth	83.8
Harlow	83.9
Milton Keynes	85.2
Torbay	85.4
Slough	85.6
Cheltenham	87.0
Waverley	87.0
Thurrock	87.5
Lewisham	88.3
Bournemouth	88.5
Haringey	88.6
Sedgemoor	88.6
Huntingdonshire	88.7
Kings Lynn & West Norfolk	88.7
Walsall	89.6
Bristol	90.5
Rotherham	91.6
Arun	92.2
Windsor & Maidenhead	92.2
Blackpool	93.5
Stroud	93.8
Canterbury	94.4
Newham	94.7

Analysis compared average net additions between 2015-18 with up-to-date local plan targets or average annual

Analysis compared average net additions between 2015-18 with up-to-date local plan targets or average annual projected household growth over the same period (based on the MHCLG criteria), whichever was the lower. First housing delivery test assessment will factor in net supply of student and communal accommodation. Hence, these authorities' delivery rates could increase in the official government figures published in November 2018.

Chart: John Geoghegan

• Source: Planning magazine (using data from the Planning Advisory Service, MHCLG and local authorities) • [Get the data](#)
• Created with [Datawrapper](#)

CORRECTION: This story was updated at 9am on Tuesday 27 November to rectify an error in the calculations. The original article incorrectly included Dartford, Crawley and Dudley councils in the list of authorities whose housing delivery rates in 2015-18 were under 95 per cent. In fact, all of them had rates over 95 per cent, according to our calculations. Dartford's housing delivery rate should be 180 per cent, not 57 per cent; Crawley's should be 149 per cent, not 63 per cent; while Dudley's should be 101 per cent, not 89 per cent. We apologise for any confusion caused.

In addition, the overall figure for the number of councils facing the action plan requirement is 120, not 123, while the number having to include a 20 per cent buffer in their housing land supply is 99, not 101.

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