



Epping Forest Local Plan

Examination Hearing Statement

Matter 6 - Housing Supply, including Sources of Supply; the Housing Trajectory; and the Five Year Supply

Prepared by Strutt & Parker on behalf of Croudace Homes (19LAD0025)

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Context

1. Strutt & Parker have participated in the plan-making process on behalf of Croudace Homes (Local Plan Examination Stakeholder ID 19LAD0025) throughout the preparation of the Epping Forest Local Plan, including in relation to the promotion Land east of Epping Road, Roydon for residential development. This has included representations on the Local Plan Submission Version (LPSV) (Regulation 19) consultation (Representation ID 19LAD0025-1 and 19LAD0025-2) in respect of proposed policies SP2 and P9.
2. The LPSV proposes allocation of a small proportion of land which has been promoted through the plan-making process and which is under the control of Croudace Homes (ROYD.R3).
3. Two configurations of Land east of Epping Road, Roydon were considered through the preparation of the Local Plan, identified as sites SR-0306 and SR-0890 (the latter forming a smaller part of the former) in the plan-making process. However, the proposed allocation ROYD.R3 is not commensurate with either.
4. This Hearing Statement seeks to avoid repeating matters already raised within our representations on the Regulation 19 iteration of the Local Plan; and in respect of other Hearing Statements already submitted in respect of other Matters (though it does cross-reference to matter raised elsewhere, where appropriate).
5. This Hearing Statement addresses Matter 6 - Housing Supply, including Sources of Supply; the Housing Trajectory; and the Five Year Supply.
6. The Local Plan Submission Version (LPSV) was submitted for examination before 24 January 2019 – the deadline in the 2018 National Planning Policy Framework (NPPF) transitional arrangements for Local Plans to be examined under the 2012 NPPF. As such, these representations are made within the context of the 2012 NPPF; and references to the NPPF refer to the 2012 version, unless stated otherwise.

7. This Hearing Statement follows confirmation by the Council at Day 3 of the Local Plan Examination Hearing Sessions, that the submitted Local Plan will not provide enough homes in the early years of the plan period to meet need. We consider this of particular relevance to Matter 6; and that this admission by the Council confirms the LPSV in its current form is unsound. Modifications are required to ensure housing needs are met, to enable the Local Plan to be capable of being considered consistent with national policy and positively prepared.

Issue 1: Will the Plan provide a land supply sufficient to deliver the housing requirement of at least 11,400 dwellings over the Plan period?

Question 1: Table 2.3 on page 29 sets out the different components of the housing land supply for the period 2011-2033. Is data on housing completions and extant planning permissions now available up to 31 March 2018? If so, should the table be updated to reflect this? Should the table indicate how much housing is expected to be provided through allocations outside the Garden Communities? Should it be made clear whether the total housing supply for the Plan period will be above or below the requirement?

8. It must be recognised that the NPPF not only requires development needs to be met in full, but:
 - With sufficient flexibility to adapt to rapid change (paragraph 14); and
 - In the event that Green Belt boundaries are altered through a Local Plan, new Green Belt boundaries drawn up should be capable of enduring beyond the plan-period (paragraph 83).

9. The components of housing supply in Table 2.3 of the LPSV suggest an approach with no flexibility to be able to respond to any unforeseen changes in circumstance. Indeed, it is noted that the components when totalled do not even deliver the minimum number of new homes they are purportedly intended to meet. The supply at Table 2.3 also relies upon sources of supply which cannot be accurately projected, such as windfall. Furthermore, there is no indication that there is flexibility to be able to respond in the event that a site currently identified as deliverable fails, for whatever reason, to be delivered as anticipated.

10. The approach to the supply of homes, together with the characteristics of the District (being predominantly Green Belt), means that it is inevitable that not only will the revised Green Belt boundaries fail to ensure beyond the plan period, but in fact will almost certainly have to be reviewed again in five years. The permanence

of the Green Belt is one of its key characteristics. A plan-led approach which directly results in a situation in which the Green Belt has to be altered again in five years is not only clearly contrary to the NPPF; but also undermines the integrity of the Green Belt as a whole, in terms of the planning function it is intended to perform.

Question 4: In determining the contribution of allocated sites to the housing land supply, how have site densities been worked out? Is there any general risk that the capacity of sites has been over-estimated?

11. We are concerned that an overly simplistic approach to determining the capacity of sites has been taken, resulting in the likelihood that the LPSV has overestimated the total number of new homes the plan will be capable of delivering in its current form.
12. By way of example, we note the case of proposed allocation ROYD.R3.
13. The number of new homes this proposed allocation is proposed by the LPSV to delivery (14) appears to be based on the findings of the Site Selection Report (2018) (EB805). Specifically, the approach is explained as part of the assessment of site SR-890 within Appendix B1.6.4.
14. This suggests that a density of 39 dwellings per hectare was taken (gross), and adjusted to a net density of 31.2 dwellings per hectare. For site SR-890 as a whole, this results in an indicative capacity of 196 homes. The Site Selection Report goes on to explain that only 6% of the site area should be considered suitable for allocation, concluding this equates to a capacity of 14 homes. Further to this, the LPSV proposes allocation of a small proportion of SR-890 for 14 dwellings.
15. The site area of ROYD.R3 is 0.41 ha. Development of 14 dwellings equates to a density of 34.1 dwellings per hectare gross.

16. Firstly, as we note within our Matter 5 Hearing Statement, the form of development this would necessitate would be completely unsympathetic to the character of Roydon, and at a density vastly exceeding adjoining residential development. We cannot see how a development of 14 dwellings could be delivered without being in conflict with other policies in the LPSV, and the NPPF, seeking to promote good design which responds positively to local character.
17. Secondly, we note that the approach taken by the Site Selection Report to determining capacities, resulted in a total capacity for site SR-890 of 196 homes.
18. In promoting the allocation of site SR-0360 (which incorporates site SR-0890) detailed landscape and Green Belt assessment was undertaken on behalf of Croudace Homes. This not only considered the site's suitability and sustainability in respect of Green Belt and landscape considerations, but also the quantum of development which could be accommodated having regard to such factors. A copy of this assessment was provided to the Council alongside our consultation response on the Epping Forest District Draft Local Plan 2016; and again as part of the response to consultation on the LPSV (19LAD0025-1 and 19LAD0025-2). This found that, accounting for Green Belt and landscape considerations, site SR-890 (Area A within the Landscape and Green Belt Assessment) could accommodate 4ha of net development. At a density of 30 dwellings per hectare, this would equate to 120 homes for this site. This contrasts considerably with the Council's conclusion - one which does not appear to have been informed by any consideration of landscape, design or Green Belt concerns – that this site's capacity is 196 dwellings. This example gives rise to concerns as to how the capacity of sites which are proposed to be allocated have been determined.
19. Having regard to the above concerns, and the risk that allocated sites will not deliver as many homes as the LPSV envisages, it is considered particularly important that the LPSV contains sufficient flexibility to be able to account for sites not delivery as anticipated, including by ensuring that sufficient sites are allocated to more than meet the minimum need.

Issue 2: Will the Plan ensure that there is a reasonable prospect of a five-year land supply being achieved upon adoption and throughout the lifetime of the Plan as required by paragraph 47 of the NPPF?

Questions 1 and 2

20. It is noted that subsequent to the submission of the Local Plan, the Council has published a revised Housing Implementation Strategy (2019). This has been added to the evidence base for the Local Plan, as document EB410A, and includes a revised housing trajectory (EB410B).
21. The publication of the revised Housing Implementation Strategy (2019) lays bare the inadequacies in respect of the LPSV in respect of its ability to deliver sufficient homes, confirming that insufficient sites for housing are proposed to be allocated to meet needs in the early years of the plan period. This is clearly contrary to national policy, with the PPG confirming that Local Planning Authorities should have an identified five-year housing supply at all points during the plan period¹; and that, in the event insufficient sites have been identified to meet need, investigate how this shortfall could be addressed². As such, the LPSV in its current form is evidently unsound and requires modification.
22. The LPSV sets out how the Council propose to respond to circumstances in which the plan does not meet housing need. At 2.81 of the LPSV it states:

“The Council will monitor housing delivery against the housing trajectory (Appendix 5 and Housing Implementation Strategy) for the District... If the Authority Monitoring Report (AMR) demonstrates that annual housing delivery is less than 75% of the annualised requirement or the projected completion rate (whichever is the lower) for three consecutive years, the Council will undertake a partial review of this Plan. In undertaking this review, the Council will ensure

¹ Paragraph: 030 Reference ID: 3-030-20140306

² Paragraph: 026 Reference ID: 3-026-20140306

that sufficient infrastructure capacity is available and that the potential allocation of additional housing sites will not prejudice delivery of the infrastructure required by the Plan”.

23. The above confirms that in the event that housing delivery falls below the requirement by a sufficient degree, a partial review of the Local Plan will be undertaken which will consider allocation of additional housing sites. Given that the District is predominantly Green Belt, this would almost certainly require further alteration of the Green Belt boundary, before the end of the plan period.
24. In terms of the housing requirement, the Council consider this to be a total of 11,400 homes between 2011 and 2033 (though this is much disputed, and, in our view, should be substantially higher). This equates to 518 dwellings per annum. Between 2011 and 2018, the Council reports that 1,856 dwellings were completed – a shortfall over this period of 1,770 homes. The PPG is clear³ that Local Planning Authorities should aim to deal with any undersupply within the first five years of the plan period (or, where not possible, should work with neighbouring authorities under the Duty to Cooperate). As such, the total housing requirement for the District for 2018 to 2023 is five times the annual requirement, plus the total shortfall: 4,360 dwellings. The NPPF goes on to confirm that a 20% buffer should be applied where there has been a record of persistent under delivery, as there clearly has been in Epping Forest District. This results in a total five-year requirement of 5,232.
25. The Housing Implementation Strategy (2019) suggests (paragraph 5.2) that, because of the housing delivery proposed by the LPSV, the housing target for 2018-2023 should be reduced to just 2,550 – equivalent to just 48.7% of need (58.5% if one were to ignore the requirement to apply a buffer).
26. In short, the Council has identified that its LPSV will fail to meet housing needs, and by a degree that would – as proposed within the LPSV itself at paragraph 2.81 – trigger the need to review the Local Plan and consider additional allocations.

³Paragraph: 035 Reference ID: 3-035-20140306

27. By the Council's own proposed standards, the Housing Implementation Strategy (2019) and accompanying trajectory confirm that a partial review of the Local Plan would be required. Given this issue has come to light ahead of the adoption of the Local Plan (and renders the Local Plan incapable, in our view, of being considered sound without modification) it is necessary for the Council to seek to address this issue now and through the Local Plan. It would be entirely logical to do so in a manner the Council envisaged may be required at some point in the plan period (as per paragraph 2.81 of the LPSV).
28. It is considered therefore that the Council should review sites it has rejected, and the Local Plan should allocate additional sites to ensure housing needs can be met in the early years of the plan period.
29. However, rather than seek to explore options to address the shortfall (as the PPG instructs the Council to), having identified this deficiency in its submitted Local Plan, it would appear from the Housing Implementation Strategy (2019) that instead the Council is suggesting it simply artificially alter its housing target; and that it will propose a stepped approach to housing delivery. In short, the Council's proposed solution is to change the requirement to meet the supply; rather than looking at how the supply could be boosted to meet the requirement.
30. It should be recognised that, as a matter of principle, stepping the trajectory is a mathematical construct which allows the illusion of a five-year supply to be presented in the early plan period, belying the true position relative to the underlying demographics, i.e. that the housing need is not being fully met. Delaying the provision of development to meet such needs would be totally unacceptable in most other public policy contexts (e.g. school places).
31. There is nothing within the relevant NPPF or accompanying PPG which supports a stepped approach to housing delivery and the provision of fewer homes than needed in the early years of the plan period. On the contrary, the NPPF and PPG

provides a clear message to local planning authorities to seek to meet housing needs, and to address historic shortfall within the early years of the plan period.

32. We recognise that there are cases where – exceptionally – a stepped housing trajectory has been deemed appropriate. However, in such instances there were clear local circumstances which necessitated such an approach. We have seen no evidence that this is the case in respect of Epping Forest District. On the contrary, rather than the stepped approach being necessary due to local circumstances, the trajectory appears to be very much simply a function of the submitted Local Plan – specifically, its failure to allocate sufficient land to meet housing need in the early years of the pan period.
33. A stepped approach could potentially be considered sound, but only if the Local Plan has exhausted the potential of all suitable, available and achievable sites which could contribute to housing supply in the earlier years of the plan, yet still cannot meet immediate development needs in full. This is not the case with the LPSV. There is at least one site which the LPSV has overlooked the potential capacity of: ROYD.R3 is allocated for 14 dwellings; yet a suitable alternative allocation is available and achievable to deliver approximately 180 homes, through amending the allocation such that it is commensurate with Site SR-0360. Within our Matter 5 Hearing Statement we note that a key element of the justification for the rejection of SR-0360 was that the Council considered that *sufficient* sites were available to meet needs in what it considered preferable locations. Clearly, as confirmed through EB410B, the Council no longer consider there to be sufficient sites to meet needs.
34. As with other issues identified in respect of the LPSV, the plan can be made sound through modifications.
35. We have already requested a modification to allocate the whole of SR-0360 (as it is considered required for reasons we have cited in response to other Examination Matters), but note that issues vis-à-vis the Local Plan and the latest accompanying housing trajectory further underline the need for such a modification.