



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 Countryside Properties Ltd (19LAD0095)

February 2019

Context

1. Strutt & Parker have participated in the plan-making process on behalf of Countryside Properties (Local Plan Examination Stakeholder ID 19LAD0095 throughout the preparation of the Epping Forest Local Plan, and in relation to land at North Weald Bassett. This has included representations on the Local Plan Submission Version (LPSV) (Regulation 19) consultation (Representation ID 19LAD0095-1 and 19LAD0095-27).
2. Countryside Properties have the principal land interests in relation to the North Weald Bassett residential site-specific allocations at P6 and NWB.R1 to R.5. They have control of NWB.R3, land south of Vicarage Lane, which is proposed for allocation for approximately 728 homes, the largest of the 5 allocations at North Weald Bassett.
3. As per our LPSV representations, Countryside Properties' overall position is one of firm support for the LPSV, albeit with some overarching concerns regarding matters of detail and soundness.
4. As such, we consider, that subject to some relatively modest modifications to the LPSV, the Local Plan can be made sound.
5. This Hearing Statement is made in respect of the Epping Forest Local Plan Examination Matter 6 – Housing Supply including sources of supply; the housing trajectory and the Five Year Supply and addresses Issue 1.4 and Issue 2.2.b.
6. We have sought to avoid repeating any matters within this Hearing Statement which were raised within our representations on the LPSV.

7. The 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. The 2018 NPPF has just been updated but the transitional arrangements remain unchanged. 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.

8. The following appendix accompanies this Hearing Statement:
 - Appendix A: S&P letter to EFDC – Housing Implementation Strategy: Discussion Paper Consultation

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 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?

9. The context for the consideration of densities will require some clarification given the position set out above at paragraph 7 of this statement. Para 47 of the 2012 NPPF requires local planning authorities to set out their own approach to housing density to reflect local circumstances. The 2019 NPPF introduced greater rigour in making effective use of land at Section 11, confirming that local plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible.
10. It confirms that this will be tested robustly at Examination. In summary, NPPF paragraph 123 of the 2019 NPPF requires:
 - A significant uplift in average density within city, town centre and other locations that are well served by public transport.
 - The minimum density standards to reflect accessibility and potential of different areas rather than a broad density range.
 - Local planning authorities to refuse applications which they consider fail to make efficient use of land.
11. It is also important to note that for the purposes of determining planning applications, the NPPF at Annex 1 (Implementation) confirms that the policies in the 2019 NPPF are material considerations which should be taken into account from the day of publication.
12. In the LPSV, it is considered that the LPSV is broadly consistent with the 2019 NPPF as evidenced at paragraphs 2.68 and 2.88 of the LSPV. Policy SP2 also confirms that the housing requirements for the LPSV are expressed as a minimum. Policy SP3 confirms at I) the Council's approach to the application of densities.

13. As far as site allocation P6 and, in particular, NWB.R3 is concerned, we are satisfied that the local planning authority's approach to densities is realistic on the basis of current known circumstances. The number of new homes for this specific proposed allocation and the Strategic Masterplan Area is based on the findings of the Allies and Morrison Masterplan Study (EB1003) and Site Selection Report (2018) (EB805 - site reference SR-0076 and SR-0158A) at Appendix B1.64.
14. Overall, these provide for gross density of 35dph gross which equates to net density of around 23dph taking into account the known constraints. The developer consultant team are working collaboratively with other landowners and the Council to bring forward a masterplan in accordance with the objectives of Policies SP3 and P6 with a view to meeting this requirement. Indeed, that work suggests that the allocated area will achieve those densities. This can be reviewed if necessary at Matter 15, Issue 2, P6 of this Examination.
15. Countryside Properties are satisfied that the Council's policies as worded, with the supporting text referred to above, provide for sufficient flexibility to ensure that capacity for the North Weald Bassett Strategic Masterplan Area has not been over-estimated. Policy SP3 provides for a proper refinement of the calculation to have regard to the objective of enhancement of the distinctive character and identity of the area for this masterplan location (iii - an area outside a town and large village centre where densities of between 30 and 50dph are expected). The Masterplan process also provides for an iterative process to fully address the overarching density requirements as part of detailed planning for the site.

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

16. It is noted that subsequent to the submission of the Local Plan, the Council has published an updated Housing Implementation Strategy (January 2019). This has been added to the evidence base for the Local Plan, as document EB410A, and includes a revised housing trajectory (EB410B).
17. The Council invited comments on that strategy as part of its Developer Forum process. Comments were submitted on behalf of Countryside Properties in relation to NWB.R3. A copy of those comments is provided at Appendix A. Unfortunately, the Update does not refer to the comments that we submitted or take account of our suggestions relating to the housing trajectory. We have written separately to the Council to make them aware of our concerns on this point.
18. In response to Question 2b) and having regard to the update, we confirm that it is reasonable to expect deliveries from sites within Strategic Masterplan Areas in the first five years post adoption. In the case of NWB.R3 it is important to note that the site is controlled by Countryside Properties, a highly experienced housebuilder with considerable experience in developing strategic sites rather than a land promoter or landowner which could delay the process of delivery. The Update sets out confirmation of the issues relating to build out rates on large sites. As indicated, it also confirms that the Council are working with partners. Countryside Properties) and the promoters of the Strategic Masterplan Area are proposing to facilitate timely delivery of allocations as set out at 3.19 of the update and we welcome these aspirations. These observations link to the representations made to the LPSV relating to the masterplan process generally and our Hearing Statement for Matter 7 in this regard. Similarly, we note that the Update offers the opportunity for a small

number of new homes to be delivered within the Masterplan Areas by 2022-2023. It is our view that this could be accelerated as far as North Weald Bassett is concerned as will be noted from our comments at Appendix A. Against this background, we consider that NWB.R3 could be delivered quicker and we are aware that our partners acting on NWB.R1 are of the same view.

19. Against this background, we would suggest that the revised housing trajectory be amended to include for earlier delivery against the North Weald Bassett Strategic Masterplan Area in accordance with Appendix A and such other comments that may be made by other landowners within the allocation.

**Appendix A - S&P letter to EFDC – Housing Implementation Strategy:
Discussion Paper Consultation**

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7th January 2019

Dear Sir/Madam

Housing Implementation Strategy Update : Discussion Paper Consultation

I am responding to the Council's invitation at the EFDC Developer Forum Meeting to provide comments on the above on behalf of Countryside Properties (UK) Ltd.

As you will be aware, Countryside have the principal land interests in respect of Strategic Allocation P6, North Weald Bassett: NWB.R3 (728 homes) : Land south of Vicarage Lane as shown in the Epping Forest District Local Plan (EFDLP). Detailed representations were made to the Submission version EFDLP in January 2018 and we have requested attendance at the forthcoming Examination in Public (EiP).

We understand that the proposed approach of the Council will need to be presented and justified to the Planning Inspector in response to the Matters, Issues and Questions related to housing supply and delivery at the EiP. It is noted that the purpose of the Discussion Paper is principally to address the issue with delivery of homes within the first five year period of the EFDLP given the difficulties with the projected shortfall in this period.

The extent to which Countryside are able to support EFDC's approach is relevant in so far as their land interests at NWB.R3 are concerned. We have therefore generally confined our comments on the Discussion Paper to those matters and our response to the questions raised is set out below.

Q1 – Housing Delivery Assumptions – Table 1 General Assumptions on Housing Delivery : Item 5 Larger Allocations

In Table 1, it is suggested that the Council acknowledges that lead in times for larger allocations will be longer than small housing sites / allocations and that the vast majority of homes under the larger allocations category will not be delivered within the next five years. EFDC also acknowledge that a small number of new homes could be delivered within a masterplan area.

Whilst these general assumptions are noted, there is some evidence to suggest that larger sites can actually come forward quicker. We are aware that a more recent analysis prepared by Litchfields building on “Start to Finish” (October 2018) which indicates that larger sites can deliver more than 50 units per outlet. Countryside Properties have certainly managed much higher completion rates at its large sites elsewhere within Essex. Further information can be provided on request. In addition, the latest Litchfield analysis suggests the lead in time can be considerably less than the 5.3 to 6.9 years indicated at paragraph 8 of the Discussion Paper. There are several factors that can affect the delivery time. This links into the planning process of approval for development (we comment on this further at Q5 below), the product being provided, the local market, the amount of affordable housing and the nature and timing of infrastructure requirements for particular sites. We would suggest that the Council’s approach appears to be based on a “worse case” scenario rather than necessarily taking a positive stance in seeking a step change towards delivery. Certainly, with P6 and NWB.R3 there is a developer with many years’ experience of delivering large sites that is ready and willing to bring forward development as soon as practicable.

Subject to the comments of other promoters/developers of other large sites and the information that they provide on phasing, we would therefore suggest that the Council will need to revisit its housing delivery assumptions/trajectory. This may affect the Council’s figures on forming the basis of the housing trajectory although we accept that EFDC’s proposals for a stepped approach may still be necessary.

As far as NWB.R3 is concerned, we set out our comments on the estimated phasing in Q2 below.

Q2 – Phasing Arrangements for NWB.R3 Allocation – Appendix 2

Having regard to our general comments set out in Q1 above, Countryside estimate that a start on site is feasible (subject to the timely outcome of the masterplan process and determination of relevant planning applications) in March/April 2021 with first sales completion between April and June 2022. Delivery is estimated to be as follows:

- 2021 - 2022 – 50 units
- 2022 - 2023 – 100 units
- 2023 - 2024 – 160 units
- 2024 - 2025 – 160 units
- 2025 - 2026 – 160 units
- 2026 - 2027 – 98 units

These figures include affordable housing completions and anticipate two sales outlets on the site.

Please note that this figure does not include NWB.R1 Land at Bluemans (approximately 223 homes) or the other smaller allocations making up P6. EFDC should therefore align the implementation rate against the comments provided by the promoters of those sites if received. We will liaise with them in order to provide updated figures in due course.

In this regard, we look forward to working on a Statement of Common Ground with EFDC to provide the necessary and an agreed phasing of development and justification for delivery associated with P6 and NWB.R3.

Q3 – 10% Non-implementation Rate

Whilst we have no particular comments on non-implementation rates, we would suggest that this will need some care as those rates may be based on historic brownfield re-development in Epping Forest, given the Green Belt constraints to greenfield sites. Clearly, the EFDLP provides for a significant release of Green Belt and therefore greenfield sites, which may not be subject to such constraints, so that a 10% rate could be reduced.

Q4 – Is the Council Justified in Introducing a Stepped Trajectory?

We are aware that the 2012 NPPF, under which the EFDLP was submitted, does not encourage the use of a stepped approach. On the contrary, the PPG which accompanied the 2012 NPPF indicated that such an approach should be avoided, with the guidance stating that local planning authorities should have a five year housing land supply at all points in the plan period. We are also aware that a stepped approach has been accepted where local circumstances justify the Council's approach (eg. Arun District Council : Inspectors Report 4th July 2018). The updated PPG confirms that a stepped approach would be acceptable and identifies the circumstances in which this could be the case (Paragraph: 034 Reference ID: 3-034-20180913). Such circumstances include where there is to be a significant change in the level of housing requirement between emerging and previous policies; and / or where strategic sites will have a phased delivery or are likely to be delivered later in the Plan period. Both of these circumstances apply in the case of the EFDLP. The PPG further confirms that the need to apply the stepped approach must be clearly evidenced and no doubt EFDC will expand on that evidence for the EiP.

It is recognised that there are particular concerns with Epping Forest given the Green Belt, SAC and SPA constraints together with the inability to meet some of its housing needs in neighbouring districts. Against this background, it is accepted that there are exceptional circumstances which would justify a stepped approach. However, the details of the housing trajectory will no doubt need to be reviewed in the light of these and other comments made by others in the suggested phasing for the sites identified at Appendix 1 and 2.

Q5 – Realistic Ways for the Council to Significantly Boost Short Term Housing Supply

The comments provided in this response principally relate to Countryside's land interests at P6. In our representations to the submission version of the Local Plan, we set out a series of comments relating to policy SP3 of the EFDLP, expressing reservations regarding the prescriptive approach to strategic masterplanning. Since the submission of those representations, meetings have been held with the Implementation Team to seek some amendments to the programme for the masterplan. We consider the Masterplan process overly prescriptive with a timescale to get an approved masterplan being too long. We hope that EFDC will look to streamline this process to enable the Masterplan to be approved at a faster pace, with the result being a shorter planning process or the Countryside Properties (UK) Ltd. being able to start on site earlier.

Q6 – Draft Stepped Trajectory Set at the Right Levels and Justified by Evidence

Having regard to the comments set out above and those that may be made by other promoters/developers, it is anticipated that there should be some amendments to the stepped trajectory to ensure that it could be more realistic, based on the evidence that may be provided by those parties.

I trust these comments will be helpful to the Council.

Yours sincerely



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