

EFDC: Local Plan Examination

Hearing Statement

Matter 11: Housing

Thursday 25th April 2019

Participant No. 19AD0113

Introduction:

David Lock Associates (DLA) act for the Fairfield Partnership (TFP) who control land within the South Epping Masterplan Area (SEMPA). This is designated as ***EPP.R2 Land South of Epping East – approximately 500 homes*** in *Policy P1 Epping* in the Epping Forest Local Plan Submission Version 2017. DLA & TFP have actively participated in meetings with District Council officers and other stakeholders to progress the South Epping Masterplan.

1.0 ISSUE 1

Will Policy H1 be effective in securing an appropriate mix of housing?

1. *Is Part A sufficiently specific in relation to the mix of housing required such that a potential developer would know how to react to the policy? Should it reflect up to date evidence on the actual mix required?*
- 1.1 Part A allows the housing mix for a particular site to include a range of housing types and to take into account local site context. Part B sets out that planning applications will be required to be supported by evidence, proportionate to the nature and scale of development proposed, to justify the mix of new homes to be provided. Such evidence will also need to reflect latest housing needs evidence published by the Council.
- 1.2 TFP considers that the combination of Parts A and B will ensure latest housing needs are met as far as possible in the context of site conditions, and that they are suitably flexible to allow market conditions to be taken into account at the time an application is submitted. An inflexible specific housing mix requirement set out in a local plan policy may become out-of-date soon after adoption.
- 1.3 For these reasons TFP does not consider that Part A should include a specific mix requirement. It should remain flexible in order to cater for different circumstances.
- 1.4 For the SEMPA it is anticipated that housing mix requirements will be determined as part of the masterplanning exercise and outline planning permission process.
2. *Does the policy, and the Plan generally, do enough to support the specific needs of older people?*
- 1.5 For the SEMPA the suitability of the site for elderly care provision can be considered as part of the masterplanning exercise and outline planning permission process.
3. *Is Part D, which simply cross-refers to Policy H2, necessary? Could it be deleted for clarity/simplicity?*
- 1.6 TFP has no objection to the deletion of Part D as affordable housing is dealt with under Policy H2.
4. *Does the policy require all new homes to meet the Optional Technical Standards M4(2) and/or M4(3) of the Building Regulations for accessible &*

adaptable dwellings and wheelchair user dwellings respectively? If so, is the need for these standards justified by evidence such as that suggested by the PPG? Should the policy allow for consideration of site specific factors which might render such standards unachievable or unviable?

- 1.7 Part A(v) requires all new homes to be accessible and adaptable as defined by the Building Regulations in effect at the time of the application. TFP considers that Policy H1 should set out that new houses should meet the requirements of the Building Regulations, but not any optional standards.

5. *In Part E, should the term "specialist accommodation" be defined? How will unmet need for specialist accommodation be identified? Is compliance with this part of the policy dependent upon development viability and the identification of a specific provider of the specialist accommodation?*

- 1.8 TFP has no objection to the term "specialist accommodation" being defined within the Local Plan. Compliance with all planning policies should be dependent upon development viability and take into account other material considerations. The Policy should recognise that the need for specialist housing accommodation (and all housing types) will change over time.

- 1.9 For the SEMPA it is anticipated that such requirements will be determined as part of the masterplanning exercise and outline planning permission process.

6. *Having regard to the duties set out in the Self-build and Custom Housebuilding Act 2015, should the Plan set out how many such homes it aims to deliver, and should it be stronger in terms of how the necessary land will be secured?*

- 1.10 For the SEMPA, TFP considers that this is a matter for the masterplanning process, subject to viability.

2.0 ISSUE 2

Will Policy H2 be effective in securing the delivery of sufficient affordable housing of an appropriate type and size? Are the requirements for affordable housing provision from market sites justified by reference to evidence of development viability?

1. *Paragraph 3.9 states that 2,851 affordable homes are required over the period 2016-2033. How many is the Plan aiming to provide as a result of Policy H2? If the requirement for 2,851 would not be met, has consideration been given to increasing the total housing requirement to help deliver more? Should the number of affordable homes expected to be delivered over the Plan period be specified in the policy for monitoring purposes?*
- 2.1 TFP anticipates that the SEMPA will be policy compliant with regard to affordable housing.
 2. *Harlow DC has expressed concern that the Plan is silent on the matter of addressing unmet need for affordable housing in Harlow. What is the detail of this concern and is it an issue for the Plan?*
- 2.2 No comment.
 3. *Is the Plan/this policy justified, effective and consistent with national policy in respect of the need for Starter Homes?*
- 2.3 Starter homes are categorised as affordable housing within Annex 2 (Glossary) of the NPPF. TFP is supportive of a requirement to provide Starter Homes as part of the overall affordable housing mix.
 4. *Is the requirement for sites accommodating 11 or more dwellings to provide 40% of the units as affordable justified by viability evidence? As the threshold for making provision will be lower than the current plan level of 15 or more dwellings, is there a risk that the viability of sites providing 11-15 dwellings will be undermined in the short term? Is there a case for staggering the requirement so that it does not come into force immediately? (Reps 19LAD0022).*
- 2.4 No comment.
 5. *Is it justified to apply the requirements for affordable housing to all types of housing, including that falling within Use Class C3?*

- 2.5 TFP considers that affordable housing requirements should apply only to uses falling within Use Class C3.
6. *Does the requirement in Part A concerning build standards duplicate the requirements of Policy H1, Part A(v)? If so, should it be deleted?*
- 2.6 TFP has no objection to the deletion of this part of Part A (as set out above, TFP considers that Policy H1 should set out that new houses should meet the requirements of the Building Regulations, but not any optional standards).
7. *Is there duplication between Part A and Part C of the Policy in respect of the mix of affordable homes required? Should the policy be more specific about the actual mix expected, or clarify where up to date evidence on this matter can be found? Is Part C justified in generally requiring the mix of affordable homes to reflect the mix of market housing? Would this meet the specific needs of those requiring affordable housing? Would it produce unnecessarily large houses that would not be genuinely affordable?*
- 2.7 TFP considers that affordable housing requirements should be considered flexibly on a case-by-case basis, in consultation with registered social housing providers, and taking into account site characteristics, development viability, and the housing list at the time an application is submitted. As noted above, market housing demand should also be defined at the time of an application submission.
8. *Part E of the policy indicates that the appropriate tenure mix is set out in the Policy, but it is not. Does this require correction?*
- 2.8 No comment.

3.0 ISSUE 3

Is Policy H3 clear and effective?

1. *Is Part A sufficiently clear about which “smaller settlements” the policy relates to? Indeed by reference to Policy SP2(c) is it clear where housing development will not normally be granted? In particular, does Part C(i) of Policy SP2 intend that windfall proposals outside defined development boundaries will not normally be permitted? If so, should this be made explicit?*
- 3.1 No comment.
2. *Part A(ii) refers to both the “existing settlement” and the “nearby settlement”. Should a single terminology be used?*
- 3.2 No comment.
3. *Part A(ii) indicates that rural exception sites could be permitted in the Green Belt? Is this justified?*
- 3.3 No comment.
4. *Part F of the Policy refers to viability appraisals submitted in accordance with Part D. Should this be Part E?*
- 3.4 No comment.

4.0 ISSUE 4

Is the size limit for non-allocated sites Traveller Sites imposed by Policy H4 justified? Is the Policy otherwise justified, effective and consistent with national policy?

1. *Is Part C justified in imposing a 0.5Ha limit on the size of non-allocated sites? Would this be sufficient to accommodate the accommodation and equipment often required by residents? Could the aims of the policy be achieved by removing the site size limit and retaining just the 5 pitch limit?*

4.1 No comment.

2. *Part C cross-refers to Policy SP4. Is this correct?*

4.2 No comment.