

For and on behalf of
Peer Group PLC

**Epping Forest District Council Local Plan Examination
Response to MIQ's Matter 11: Housing**

**Ongar Park Estate
North Weald Basset**

**Prepared by
Strategic Planning Research Unit
DLP Planning Ltd
Sheffield**

April 2019



Prepared by:	Roland G Bolton
Approved by:	Roland G Bolton
Date:	April 2019

Strategic Planning Research Unit

**V1 Velocity Building
Ground Floor
Tenter Street
Sheffield
S1 4BY**

Tel: 01142 289190

**Broad Quay House (6th Floor)
Prince Street
Bristol
BS1 4DJ**

Tel: 01179 058850

**4 Abbey Court
Fraser Road
Priory Business Park
Bedford
MK44 3WH**

Tel: 01234 832740

DLP Consulting Group disclaims any responsibility to the client and others in respect of matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence. This report is confidential to the client and DLP Planning Ltd accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

MATTER 11: HOUSING

- a) **Issue 1: Will Policy H1 be effective in securing an appropriate mix of housing?**
- i) ***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 Policy H 1 is unsound, in particular
- A (i) It is unrealistic for all new developments to undertake an assessment of local needs as part of the planning application process. This should be qualified to major sites only.
 - (iii) This is not effective, it is unreasonable for the Council to require each new planning application to undertake an assessment of existing housing stock.
 - (v) This is not required as it would be covered by Building Regulations
 - B – Concerns set out above are also given to this section of the policy
 - D - This is repetition of other policy in the Plan and is not needed here
 - F – There is no justification in the Council's evidence base for protecting the loss of bungalows in preference to the protection against loss of all existing housing stock
- 1.2 The significant planned undersupply of housing will result in a continuing increase in the affordability ratio, pricing more and more residents out of the market, resulting in many having to make sub-optimal housing choices in terms of tenure, size and location. This behaviour has a number of consequences:
- a. the demand for all dwellings increases so that smaller dwellings that do not meet the full needs of the household may be purchased by larger or growing households thereby inflating all prices,
 - b. increased commuting in terms of levels and distances as households try and balance price and convenience
 - c. households accepting a different tenure to that desired in order to satisfy need for accommodation
 - d. people forming more transitional non-traditional households i.e. the growth of "other households" as highlighted in SPRU Reg 19 Submission which require not only larger properties but the intensification of the occupation of these properties. This has implications for in terms of demand for additional parking and an increase in demand for services and other facilities despite the restriction on overall levels of housing.
- 1.3 This policy is completely inadequate to address any of these issues.
- 1.4 There is no guidance within the policy as to how a developer might respond in terms of mix. It provides the opportunity for decision makers to simply offer their own opinion as to what might be suitable for a site and then claim policy support for these unsubstantiated views.
- 1.5 The evidence base for the plan (SHMA 2015 EB405) offers no guidance on the mix of market housing to be provided.
- 1.6 The SHMA 2015 (EB405) figure 63 purports to offer guidance on the type of housing

required to meet affordable housing and intermediate housing needs. These proportions are based upon the number of households that presently occupy this type of housing.

- 1.7 Such an approach however simply models forward what existing households have been able to access. This maybe a proxy for housing that is allocated on the basis of need such as affordable housing, but it does not take into account the needs and preferences of households or potential households that are currently not met.
 - 1.8 This needs based analysis provides no guidance as to what a suitable mix for market housing on sites within the district might be.
 - 1.9 SPRU have developed a model which considers the demand for different types of market housing which has been used in response to poorly worded and evidenced policies such as this. These studies consider a number of indicators including differential in market values for dwelling types bringing into the assessment the influence of demand rather than relying upon an assessment of need.
 - 1.10 The complete lack of evidence to support this policy in terms of market housing renders it unsound and it should be deleted.
- ii) ***Does the policy and the Plan generally, do enough to support the specific needs of older people?***
- 1.11 No Part E of policy H 1 leaves the identification of need and proposals for provision entirely to third parties.
 - 1.12 SHMA 2015 EB405 paragraphs 6.18 to 6.24 concludes that there is an expectation that fewer older people will reside in institutions and as such the needs of the older population should be assessed and included in the OAN.
 - 1.13 This has not been undertaken.
 - 1.14 SPRU have undertaken numerous assessments of this element of housing need and there is strong growth in the home ownership element of this market.
 - 1.15 The permissive element of this policy falls short of positively planning for this specific group.
- iii) ***Is Part D, which simply cross-refers to Policy H2, necessary? Could it be deleted for clarity/simplicity?***
- 1.16 Yes.
- iv) ***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?***
- 1.17 The policy does not require compliance and nor should it as there is no supporting evidence to justify such a policy.
- v) ***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?***
- 1.18 A policy that requires provision to be made on “large sites” for an unspecified type of housing to meet an unspecified level of need is not only unenforceable (not effective)

but is also unsound due to the complete lack of any supporting evidence base.

- vi) ***Will the policy be effective in providing opportunities for self-build/custom housebuilding? 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?***
- 1.19 There is no supporting evidence for a more specific policy to be incorporated.
- 1.20 SHMA 2015 EB405 (paragraph 6.35 to 6.43) highlights that in the UK 10% of completions are self-build but the final paragraph states that while a survey could be undertaken to establish need, it has not been done and as such there is no supporting evidence for this part of the policy.
- b) ***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?***
- 1.21 In respect of the type of affordable housing Policy H2 will be ineffective in the delivery of Discounted market sales housing which is that sold at a discount of at least 20% below local market value as defined in part c) of the definition in Annex 2 of NPPF 2019.
- 1.22 While it is fully understood that as the plan is being assessed under the 2012 Framework there will on the date of adoption be a clear case for schemes to provide this type of housing to be approved as "exception sites" under paragraphs 71 and 77 of the new NPPF 2019. This is because there has been no assessment made of the need in the SHMA and so no accommodation made in policy or in the proposed allocations.
- 1.23 While technically not an issue of soundness as the plan does not have to address this area of need by virtue of the definition in NPPF 2012 the scale of the proposed under provision of housing in general when measured against any reasonable indicator of future need the above advice will mean there will be considerable unmet need and as such there should be a high expectation of a lots of "exception site" allocations. As the NPPF 2018 guidance be relevant in the day of the adoption of the plan it would be at least wise to consider if the plan is flexible enough to address this change of policy that occurs effectivity on day one of the adoption.
- i) ***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 SHMA 2017 EB408 fig 23 illustrates that the delivery of affordable housing in the district has been particularly poor in relation to the annualised requirement of 167 dwellings a year over the 17 years of the plan period.
- 2.2 It is noted that paragraph 3.62 of the Affordable Housing Update 2017 EB408 suggests an affordable housing requirement for EFDC of 3,100 dwellings.
- 2.3 It is notable that this concludes that:
- "Given the substantial need for affordable housing identified across West Essex and East Hertfordshire, the Councils will need to consider the most appropriate affordable housing target as part of their strategic planning and housing enabling functions."*

However, it will also be important for the Councils to consider all of the options available to help deliver more affordable homes in the area."

- 2.4 This must include the option of making additional allocations which do not have viability constraints and can deliver policy compliant levels of affordable housing. Land to the south of North Weald Bassett which has identified as being deliverable by the master plan for that area (EB1003a&B) and promoted by Peer Group Plc is such an option and has not been considered.

- ii) ***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?***

- 2.5 This is a Duty to Co-operate issue. The reg 19 objection from Harlow states:

Affordable Housing Provision and Distribution (Policy H2)

"Following from Harlow Council's response to the Epping Regulation 18 Local Plan consultation, the concerns relating to affordable housing provision across the SHMA and Harlow are still relevant. It is an important consideration for Harlow Council to know where and how Harlow's unmet affordable housing need will be provided. Further work on ways to deliver affordable homes and improve affordability across the Harlow and Gilston Garden Town needs to be undertaken and there needs to be a wider recognition of this issue by the SHMA and the Garden Town authorities in particular. At present the Epping Forest Local Plan and Epping Forest Housing Strategy (October 2017) remain silent on this issue."

- 2.6 There appears to have been no adjustment to address this issue and it remains an outstanding issue in terms of meeting the affordable housing need within the HMA.

- 2.7 It is noted that paragraph 3.62 of the Affordable Housing Update 2017 EB408 suggests an affordable housing requirement for HDC of 3,400 dwellings.

- iii) ***Is the Plan/this policy justified, effective and consistent with national policy in respect of the need for Starter Homes?***

- 2.8 The Plan simply includes "starter homes" within the definition of affordable housing (paragraph 1.44) and makes no provision for them in Policy H2 claiming that Policy H2 is flexible enough to allow for future changes in government policy in this respect (paragraph 3.12 and 3.13).

- 2.9 The policy offers no positive support for the provision of starter homes as it simply treats them as part of the affordable housing need although such homes are considered to be a different product to those assessed to calculate the level of Affordable Housing in the SHMA (EB408).

- iv) ***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).***

- 2.10 The high level of requirement on smaller sites will in practice mean that many sites are likely to be brought forward under 11 dwellings as such schemes of 10 dwellings on small sites will often be more profitable than the same site being developed for 15 dwellings as the 10 dwellings scheme would consist of 10 market dwellings while a site of 15 dwellings would only have 9 market dwellings.

- 2.11 SPRU's experience suggests that high levels of affordable housing requirement does not necessarily maximize the delivery of affordable housing as it encourages developers to challenge the level of provision in terms of viability or simply to release land more slowly.
- v) ***Is it justified to apply the requirements for affordable housing to all types of housing, including that falling within Use Class C3?***
- 2.12 No comment
- vi) ***Does the requirement in Part A concerning build standards duplicate the requirements of Policy H1, Part A(v)? If so, should it be deleted?***
- 2.13 Yes
- vii) ***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?***
- 2.14 There is not sufficient justification or evidence available to justify the council dictating the appropriate mix of affordable housing on a site by site basis.
- viii) ***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?***
- 2.15 This reference requires to be deleted as there is insufficient evidence available on a site by site basis to justify the council extending their jurisdiction over the mix and tenure of affordable housing. These decisions are more appropriately left to the providers of these affordable products.
- c) **Issue 3: Is Policy H3 clear and effective?**
- ix) ***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
- x) ***Part A(ii) refers to both the "existing settlement" and the "nearby settlement". Should a single terminology be used?***
- 3.2 No Comment
- xi) ***Part A(ii) indicates that rural exception sites could be permitted in the Green Belt? Is this justified?***
- 3.3 No Comment
- xii) ***Part F of the Policy refers to viability appraisals submitted in accordance with Part D. Should this be Part E?***
- 3.4 No Comment
- d) **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?

- i) ***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?***
- ii) ***Part C cross-refers to Policy SP4. Is this correct?***

BEDFORD

4 Abbey Court, Fraser Road
Priory Business Park, Bedford. MK44 3WH
bedford@dlpconsultants.co.uk
01234 832 740

BRISTOL

Broad Quay House (6th Floor)
Prince Street, Bristol. BS1 4DJ
bristol@dlpconsultants.co.uk
01179 058 850

EAST MIDLANDS

1 East Circus Street, Nottingham
NG1 5AF
nottingham@dlpconsultants.co.uk
01158 966 622

LEEDS

Princes Exchange
Princes Square, Leeds. LS1 4HY
leeds@dlpconsultants.co.uk
01132 805 808

LONDON

The Green House, 41-42 Clerkenwell Green
London. EC1R 0DU
london@dlpconsultants.co.uk
020 3761 5390

MILTON KEYNES

Midsummer Court, 314 Midsummer Boulevard
Milton Keynes. MK9 2UB
miltonkeynes@dlpconsultants.co.uk
01908 440 015

SHEFFIELD

Ground Floor, V1 Velocity Village
Tenter Street, Sheffield. S1 4BY
sheffield@dlpconsultants.co.uk
0114 228 9190

RUGBY

18 Regent Place, Rugby, Warwickshire
CV21 2PN
rugby.enquiries@dlpconsultants.co.uk
01788 562 233



RTPI

Chartered Town Planner