

**EPPING FOREST DISTRICT COUNCIL: Examination of the District Local Plan, 2011 – 2033.**

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**HEARING AGENDA – WEEK 6, WEDNESDAY 22 MAY 2019:**

**Matter 11, Housing; Matter 9, District Open land; and Matter 10, Natural Environment, Landscape Character and Green & Blue Infrastructure**

The hearing session for the above matters will take place on Wednesday 22 May commencing at **10am**.

Participants should be aware of my Matters, Issues and Questions (MIQs) (Document **ED5**) as they will provide the framework for discussion at the hearing. They should also be aware of the statements submitted in response to my MIQs by the Council and others. These are available on the website.

Some of my questions have been adequately answered in the statements so that limited discussion should be needed at the hearing. Consequently, further discussion will focus upon the issues on the following agenda.

I look forward to seeing you on 22 May.

*Louise Phillips*

INSPECTOR

13 May 2019.

## **MATTER 11: Housing**

**Additional Matter:** Council's request of 29 April that the five-year supply of deliverable housing sites, with the appropriate buffer, is fixed through the examination of the Plan in accordance with paragraph 74 of the NPPF 2019.

*"I am writing formally to request that as part of the Local Plan examination we are seeking confirmation of the five-year supply of deliverable housing sites, with the appropriate buffer is fixed through the independent examination of the Epping Forest District Local Plan 2011-2033 in accordance with paragraph 74 of the 2019 NPPF. As you know, the transitional arrangements in paragraph 214 of the 2019 Framework apply to the examination of the EFDLP, the soundness of which is to be tested against the 2012 Framework. The transitional arrangements do not provide a specific mechanism to allow the Council to establish the 5YHLS.*

*The Council's Regulation 19 publication stage for the EFDLP (18 December 2017 to 29 January 2018) took place prior to the publication of the new national policy and guidance which prescribes the procedure for establishing the 5YHLS in a recently adopted Local Plan. Consequently, the Council was not able to give notice of its intention to establish its 5YHLS through the examination process. Given that the examination process will test whether or not we have a 5YHLS it would seem pragmatic and expedient for the issue to be determined at the same time. We are confident that we have undertaken sufficient engagement with developers and others who have an impact on delivery in the preparation of our housing trajectory".*

### **Issue 1: Will Policy H1 be effective in securing an appropriate mix of housing?**

- **Dwelling mix:**
  - MM to para. 3.3 to signpost the ONS as a source of information concerning the housing and population profile of the District. Would this, along with the other information provided in the supporting text, enable developers to respond to Part A?
- **Older persons housing and other specialist accommodation:**
  - Has a specific need for specialist accommodation for older people been identified? If not, is this a failing? If so, does/should the Plan make specific, allocated provision for this? Given the environmental constraints in the District, will providing "support" through the planning application process be effective in delivering the specialist accommodation required?
  - Will the plan ensure that any specialist accommodation provided for older people will be available in a range of tenures?
  - In relation to Part E, MM to para. 3.6 and to the Glossary to define "specialist accommodation". Also to clarify the management arrangements for such accommodation.
  - MM to Part C and para. 3.2 concerning the provision of specialist accommodation and the duty under Section 8 of the Housing Act 1985.
- **Optional Technical Standard M4(2):**
  - Is it justified to require all new homes to meet Optional Technical Standard (M4(2)) for accessibility and adaptability? If it is, should the requirement be clearly set out in policy?
  - MM to para. 3.4 to recognise that certain site-specific factors might render M4(2) standards unachievable or non-viable.

- **Self-build/Custom Housebuilding:**
  - The Council has indicated that it would not be appropriate at present for the Plan to set out how many self-build plots/homes it aims to deliver. Why? And how will the plan provide opportunities for this type of development in practice?
- **Other:**
  - Discussion of the intention of Part F to resist the loss of bungalows and specialist accommodation. Is this justified and will the policy be effective? (See Statements of Mr Stamp and Theydon Bois PC).
  - MM to delete Part D, which simply requires compliance with Policy H2.

***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 on market sites justified by reference to evidence of development viability?***

- **Quantum of affordable housing:**
  - Evidence that the Plan aims to provide more affordable housing than required (3,840 homes to be delivered vs 2,851 needed). Does the Plan target include any backlog of need as a result of under-delivery since the start of the plan period?
- **Affordable housing requirements for development:**
  - Explanation of the evidence (inc. need and viability) justifying the requirement for sites of 11+ units to provide 40% affordable housing.
  - Are there any particular circumstances which might justify lowering the requirement to 30% on the East of Harlow site?
  - Is it justified to apply the requirements for affordable housing to all types of housing, including that falling within Use Class C2? Does the NPPF or PPG indicate that some development, including “purpose built accommodation for the elderly”, should not be required to provide affordable housing? (Elysian Residences LAD0094).
  - If it is justified to repeat the build standards expected in Policy H1 in Policy H2 Part A, should Part A be specific about the standard expected i.e. M4(2)?
- **The mix of affordable housing:**
  - MM to Part A to clarify that the clause concerns the appropriate “tenure” mix.
  - MM to para. 3.16 to clarify how developers should go about determining the appropriate type and tenure mix of affordable housing required.
  - If the Council’s aim is for the policy to remain flexible, is it necessary/justified for Part C to expect the mix of affordable housing to reflect the mix of market housing?
  - MM to Part E to ensure that it does not suggest that a specific tenure mix is set out in the policy.

***Issue 3: Is Policy H3 clear and effective?***

- Explanation of modifications proposed to Policy H3 Part A, and to paragraphs 3.17 and 3.18, to clarify the intended location of rural exception sites.
- MM to Part A(ii) to ensure consistent terminology – “existing settlement”.
- MM to Part F to correct cross-referencing concerning the provision of viability appraisals – should be Part E rather than Part 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?***

- Consideration of the Council’s proposal to modify Part C to retain the 5-10 pitch limit on Traveller sites, but to remove 0.5Ha site size limit.
- MM to correct the cross-reference in Part C which should be to Policy SP5 rather than SP4.

**MATTER 9: District Open Land**

***Issue 1: Are the areas of District Open Land designated within the Plan justified and consistent with national policy?***

- Consideration of the Council’s proposal to replace the references in the Plan to District Open Land with Local Green Space (LGS).
- Consideration of designating Chigwell Village Green, Thornwood Common and Tempest Mead (NWB) as LGS.
- Reminder of whether amendments are needed to Policy DM4, the supporting text to which indicates that communities are able to seek to designate Local Green Spaces.

**MATTER 10: Natural Environment, Landscape Character and Green & Blue Infrastructure**

***Issue 1: Is Policy SP7 justified, effective and consistent with national policy?***

- How will the Plan facilitate the creation of a comprehensive network of green and blue corridors and places as set out in Part A? If it does not include specific proposals, will the plan be effective in this respect?

End.