



Flitcroft House
114-116 Charing Cross Rd
London WC2H 0JR
tel: +44 (0)20 3640 8508
fax: +44 (0)20 3435 4228
email: info@iceniprojects.com
web: www.iceniprojects.com

The Planning Policy Team
Directorate of Neighbourhoods
Epping Forest District Council
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

29th January 2018

BY EMAIL

Dear Sir/ Madam,

**LAND BETWEEN FROGHALL LANE AND RAILWAY LINE (ALLOCATION CHIG.R4)
REPRESENTATIONS TO THE EPPING FOREST DRAFT LOCAL PLAN CONSULTATION –
JANUARY 2018**

We write to you on behalf of our client, PegasusLife, in response to the consultation on the Council's Regulation 19 Draft Local Plan consultation. PegasusLife are seeking to bring forward an assisted living development on the site allocation CHIG.R4 - 'Land between Froghall lane and Railway Line' - identified for specialist housing in the Regulation 19 Local Plan document published for consultation. PegasusLife are aiming to deliver a high quality development befitting of the company's growing nationwide portfolio of signature assisted living schemes.

a. Representation Summary

PegasusLife supports the Council's intentions to remove the site from the Green Belt and allocate it for up to 105 'specialist homes' under reference CHIG.R4. The draft allocation supports the Vision for Chigwell as outlined on page 147 of the Draft Plan by supporting new and existing communities through the allocation of small and medium sites to meet local housing needs. However, PegasusLife do have soundness concerns with the Council's Affordable Housing, Policy H2, which seeks to include and subject Specialist Housing sites to the same affordable housing policy that applies to conventional open market residential developments.

These representations focus on ensuring that the Local Plan passes the following tests of soundness so that it withstands developer and Inspector scrutiny:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and

- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

Reference is also made compliance to the relevant legislation where appropriate.

b. Background to PegasusLife

PegasusLife is aiming to fundamentally change the way retirement property is understood and delivered in the UK. The company began life 30 years ago as a medium-sized operator in the sector and over the past three decades has proved itself to be a solid provider of retirement housing in the UK.

In 2012 PegasusLife was acquired by the investment company Oaktree Capital Management. This set the stage for a new chapter in the company's history, which has included an influx of talent from both within and outside of the traditional sector, and a complete redefinition and repositioning of the type of accommodation they deliver.

PegasusLife are committed to delivering high quality accommodation for older people in sustainable locations which fully integrate with the community and actively contribute to the local economy.

It is with this vision that PegasusLife have acquired an interest in Local Plan allocation site CHIG R.4, with the intention of transforming it to create high quality care and accommodation for later living.

c. CHIG.R4 Allocation

The above allocation in the pre-submission Local Plan covers the land at Froghall Lane, and allocates land for the development of approximately 105 units of specialist accommodation. As previously outlined, PegasusLife support the Council's decision to allocate the site for this purpose. This allocation follows representations which were submitted promoting the site in the Council's previous round of consultation in 2016, and an unsuccessful planning application¹ at the site, which was refused at Planning Committee in October 2017.

PegasusLife are committed to providing an extra-care scheme at the site and the allocation of the site for this purpose, as well as its removal from the Green Belt will ensure that this can be delivered in a timely manner. The site is sustainably located and there is a strong need for assisted living accommodation in the locality, which are two exceptional circumstances that support the decision to remove the land from the Green Belt. The site's close proximity to public transport connections and existing services and facilities enables future residents to be able to access everyday services and amenities without reliance on unsustainable transport methods and will facilitate sustainable and healthy living patterns.

d. Policy P7 - Chigwell

PegasusLife support the aims and aspirations of Chigwell Parish Council. In bringing forward an appropriate scheme for allocation CHIG.R4, Pegasus has developed a close working relationship with the Parish Council. The Parish has consistently been involved in decisions taken when formulating proposals at the site and ultimately supported the planning application which was submitted to Epping Forest District Council.

We support the Parish Council's commitment to delivering a Neighbourhood Plan. We commend their approach of allocating sites, including appropriate sites within the Green Belt, to help meet local development needs. The District Council needs to work closely with the Parish Council to ensure that neighbourhood priorities can be met where consistent with the strategic objectives of the Local Plan.

¹ As submitted by MPM Limited

The Parish Council has identified a long-term need to deliver a cemetery extension and accordingly, a component of the hybrid application proposal was/is to provide land for a 0.45Ha extension to the cemetery. PegasusLife note that the cemetery extension is not identified within the Council's Infrastructure Delivery Plans (IDPs) which support the Plan, whilst cemetery extensions elsewhere within the District are. Accordingly, we consider that the IDP should be amended to include reference to the provision of a cemetery extension, the land for which PegasusLife are happy to provide to the Parish Council as part of a future planning application on the site. We therefore respectfully request that the cemetery extension be included in the Council's IDP.

e. Affordable Housing

Draft Policy H2 of the Pre-submission Local Plan relates to the provision of Affordable Housing in the District. The Policy identifies that residential schemes providing 11 or more dwellings should provide 40% affordable.

The supporting text, at paragraph 3.14 of the Pre-submission Plan states that *"the **evidence** suggests that the provision of 40% of affordable homes... would provide the most appropriate balance"* and should also apply to developments which are proposing 'self-contained specialist accommodation' units. This would result in PegasusLife's proposals at the land west of Froghall Lane being the subject of affordable housing in line with a conventional C3 residential development. Pegasus do not consider that the evidence supports 40% affordable housing being applied to the nature of assisted living development proposed by PegasusLife.

As part of the Council's evidence base, a Stage 2: Update Assessment of the viability of Affordable Housing, Community Infrastructure Levy (CIL) and Local Plan report was prepared. This document specifically assesses the requirements for affordable housing provision in relation to 'elderly and specialist housing'. It states at paragraph 3.2.73 that where developments are residential rather than care-led, they should generally be no less viable than market housing where they are commercially approached developments. It goes on to state at paragraph 3.2.74 that the viability picture is quite different relating to accommodation for care provision (typically C2 uses).

PegasusLife would like to take this opportunity to outline the intrinsic differences between the nature of its proposed scheme for Chigwell, which is not C3 Class, and a general Use Class C3 residential development, and the very valid reasons why the requirement in Paragraph 3.14 for specialist housing schemes to be subject of affordable housing policy should be removed:

- Fundamentally, although the individual units will be sold, a large proportion of the proposed built form will not be sold and will be managed as community facilities for the community benefit of the residents. The proposed scheme includes various communal facilities including restaurants, lounges, spa, swimming pool, and vast gardens. This results in a large amount of the built form being unprofitable, which reduces the revenue of the scheme compared to a general C3 scheme, and therefore reduces the capability to provide toward affordable housing provision.
- Secondly, by subjecting lower value specialist housing developments to the same affordable policy as conventional C3 housing developments, the Council is preventing specialist housing groups from competing for development sites in the District, which will further exacerbate the very high levels of need for assisted living schemes in the District.

PegasusLife's position on this issue has been supported in numerous Local Plans and appeal decisions around the country and we consider the Council's approach, to adapt and expand its affordable housing policy into non-C3 developments, to be wholly unacceptable and fundamentally unsound. We do not consider this approach to be effective, justified, evidenced or consistent with national policy.

f. Summary

PegasusLife support the removal of land between Froghall Lane and the railway line (CHIG.R4) from the Green Belt and the site's allocation for specialist housing in the emerging Local Plan.

PegasusLife object to the Council's IDP and the absence of Chigwell Cemetery from the IDP List of infrastructure schemes.

PegasusLife object to Epping Forest District Council's emerging affordable housing policy (Policy H2), and consider the approach to be unsound on the grounds of not being justified, effective or consistent with national planning policy.

PegasusLife would like to thank Epping Forest District Council for the opportunity to submit representations in relation to its Regulation 19 Local Plan, and would like to confirm its intention to appear at the Examination-in-Public on the matters raised.

I trust that the matters covered above are clear, however should you require clarification on any of the matters raised or require any further details, please do not hesitate to contact me on tel.020 3640 8508 or email. Chutchison@iceniprojects.com.

Yours sincerely,



Charlotte Hutchison
SENIOR PLANNER