
Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford
Road (A414)
SR-0904

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Contents

1.	Introduction	1
2.	The Site	2
3.	Revised Site Selection Methodology	4
4.	Housing Need	5
5.	Housing Distribution and Duty to Co-operate	16
6.	Conclusion	19

Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford Road (A414) – SR-0904



1. Introduction

- 1.1. The purpose of this statement is to provide representations to Epping Forest District Council's (EFDC) Regulation 19 (Submission Version) consultation on the Emerging Local Plan (2011-2033). This statement is provided on behalf of Cirrus Land Ltd (Cirrus) and L&Q New Homes Ltd (L&Q) in support of the site promotion of the Land between High Ongar Road and Chelmsford Road (A414), Chipping Ongar, Essex, referred to as 'The Site'.
- 1.2. The purpose of the Regulation 19 consultation is to allow interested parties to make representations on the potential 'soundness' of the plan.
- 1.3. Paragraph 182 of the NPPF states that, for a Plan to be found 'sound' it must show that it has been positively prepared; is justified; is effective; and is consistent with national policy.
- 1.4. Each of the criteria for soundness is defined under Paragraph 182 as follows:
 - **"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.
 - **Consistent with national policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework."
- 1.5. This representation highlights the current inadequacies of the emerging Plan which is judged to be 'unsound' and therefore incapable of being successful at examination, due to several conflicts with the above criteria for successful plan-making.

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

2. The Site

2.1. During the Local Plan process, Cirrus and L&Q have continued to promote the site for allocation in the Plan to help meet the housing needs of the District.

The Site and the Proposals

2.2. The site is located within the Shelley Ward of Epping Forest to the east of the District. The site is situated along the Chelmsford Road (A414) which runs from Chipping Ongar to the west towards Chelmsford. The land is located in the north-eastern section of Chipping Ongar along High Ongar Road which currently comprises of a row of residential houses.

Figure 1: Site Location Plan



2.3. As shown within **Figure 1**, the site is split into two land parcels, separated by an existing property to the south of High Ongar Road. These parcels are being promoted as one development opportunity and therefore are simply referred to within the representation as 'the site'.

2.4. The site is located within the Metropolitan Green Belt, the boundary of which is currently under review due to the need to accommodate development within the draft Local Plan. The site measures approximately 1.05 hectares and is promoted for approximately 15-20 units.

2.5. The site is in a sustainable location within proximity to many existing local amenities in Chipping Ongar, such as schools, shops, healthcare facilities and leisure and recreation spaces.

Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford Road (A414) – SR-0904



SHLAA 2012

- 2.6. The site was not included within the 2012 SHLAA. However, it falls under the same land-ownership as the Land East of Chipping Ongar, currently promoted by the same agent, Cirrus Land. The majority of this land was included within the 2012 SHLAA under reference SR-0315, which was considered to be a suitable site but unachievable due to lack of land-ownership details. However, at this stage, it is confirmed that the site is being actively promoted and is considered deliverable, as is The Site.

Supporting documents

- 2.7. The full representation comprises the following documents:
- Regulation 18 representation letter (this document) - Savills
 - Site Location Plan - Savills
 - Landscape and Visual Assessment - LDA Design
 - Green Belt Review - LDA Design
 - Review of OAN in Epping Forest Report - Savills Research
 - Housing Need Update Letter - Savills Research

3. Revised Site Selection Methodology

- 3.1. Following the Regulation 18 consultation and the call for sites exercise in 2016, EFDC revised its site selection methodology to account for the additional information they received from landowners.
- 3.2. As shown in section 2, The Site was not assessed under the site selection methodology at Regulation 18 consultation and as such, EFDC confirmed that the site would be re-assessed under the revised site selection methodology.
- 3.3. The revised methodology is added to the end of the previous methodology undertaken in 2016 and shows how the re-assessment has been carried out. This followed a similar assessment to the 2016 methodology, but with the relevant stages undertaken in a different order and only applied to sites submitted under the Regulation 18 consultation and 2016 call for sites, as other sites would have previously been assessed in full.
- 3.4. As the 2016 methodology had six stages, EFDC has named the next stages 6.1 to 6.4:
 - Stage 6.1a: Major policy constraints
 - Stage 6.1b: Sifting residential sites against the Local Plan strategy
 - Stage 6.2: Quantitative and qualitative assessment
 - Stage 6.3: Identify candidate Preferred Sites
 - Stage 6.4: Deliverability
- 3.5. This revised methodology shows that sites are, in the very early stages, sifted as to whether they accord with EFDC's preferred spatial strategy rather than for their merits and before any detailed qualitative or quantitative assessments have been made. This means that sites which could be suitable for development are being discounted prior to a full assessment, as EFDC would prefer sites which accord with a certain strategy. This is the case for The Site.
- 3.6. This is a fundamental flaw in the revised site selection methodology as by only assessing the sites that accord with the preferred spatial strategy, sites which do not accord with this are discounted when they are otherwise suitable for development and can help meet the housing and other infrastructure needs of the District.
- 3.7. It is clear from the significant under provision of strategic allocated sites to meet the OAN, that the assessment of sites based primarily on spatial preference rather than individual merit is an unsuitable strategy for site selection. The result is that sites which may have scored well under a more detailed assessment and which are capable of providing much needed housing, are being unnecessarily excluded, and that the OAN is not being met as a consequence.

Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford Road (A414) – SR-0904



4. Housing Need

Critique of the Local Plan Housing Target

- 4.1. Paragraph 47 of the NPPF states that “to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period”.
- 4.2. Emerging policy SP2 of the Submission version of the emerging Plan sets out the spatial development strategy for the District during the plan period of 2011-2033. This sets the housing target for EFDC at 11,400 dwellings over the life of the Plan, equating to 518 dwellings per annum (dpa).
- 4.3. Whilst Savills welcomes the alteration to the wording of the policy to set the housing target as a minimum, this is still considerably below the OAN of 12,573 as set out in the most recent SHMA (July 2017), which equates to 572dpa. EFDC finds that, due to infrastructure and environmental constraints, only 11,400 new homes can be accommodated during the plan period, 1,173 less than the OAN and only 100 more than the OAN figure of 11,300 based on 2012 household projections. This equates to less than 1% uplift in the housing target despite an 11% increase on OAN.

Table 1: Evolution of OAN in Housing Market Area and Epping Forest (for Plan Period 2011-2033)

	Housing Market Area	Epping Forest District Council
September 2015 SHMA	46,100	11,300
August 2016 OAN update	54,600	13,278
Preferred Options Plan	51,100	11,400
July 2017 OAN Update	51,700	12,573
Submission Plan	51,100	11,400

- 4.4. The justification for this is that any higher housing provision cannot be accommodated due to infrastructure constraints. The latest Memorandum of Understanding (MoU) (March 2017) between the four HMA authorities states this “proposed option that takes account of the infrastructure constraints and specifically the capacity on the highway network”. However, there is little evidence to support this.
- 4.5. The PPG paragraph 4 states that the assessment of development needs, is an objective assessment of need based on facts and unbiased evidence. It is acknowledged that paragraph 45 of the PPG states that in assessing the housing need of a District, the LPA must establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

development should be restricted and which may restrain the ability of an authority to meet its need upon a thorough review of the constraints and evidence base.

- 4.6. However, paragraph 4 of the PPG is clear that plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. Instead, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans.
- 4.7. There is little supporting evidence to substantiate the claim that infrastructure and environmental constraints require the reduction of the housing target of the EFDC emerging Local Plan from the SHMA OAN figure. Indeed, many documents state that these constraints exist but no evidence of the exact constraints that have informed this decision is provided.
- 4.8. Critically, it appears that the four HMA authorities have arbitrarily arrived at the reduced housing target figure. The Sustainability Appraisal of Strategic Spatial Options (2017) states that *"with respect to the overall quantum of c. 51,000 new homes, this reflects the furthest the authorities consider that they can reasonably go in delivering the most recent advice from ORS regarding housing need, i.e. 54,608 homes to 2033, in light of the available evidence. Critically, the figure of c. 51,100 significantly exceeds the formal OAHN of 46,100 established through the SHMA and represents strong progress towards the revised figure. The critical issue in determining the overall quantum is the level of development that can be accommodated in and around Harlow on suitable sites during the plan period."*
- 4.9. This suggests that the capacity of the HMA authorities to deliver 51,100 dwellings is based on their views of what might potentially be deliverable, or their preference on how much should be accommodated, rather than being based on empirical evidence as required by the NPPF and PPG. Furthermore, it states that housing of the HMA authorities exceeds the OAN. However, this is only the case against the out-dated 2015 SHMA, with the target being below both the 2016 and 2017 SHMA update OAN figures.
- 4.10. It is important to note that other authorities have also attempted to reduce their housing target against the OAN, based on environmental and infrastructure constraints with insufficient evidence. For example, during the recent Mid Sussex District Plan Examination, the Inspector raised concerns with the Council's approach to reducing the OAN as a result of such constraints. Mid Sussex had claimed that there was a 'tipping point' at which a certain level of housing provision would render the Local Plan to have a negative impact in terms of infrastructure and the environment. However, the Inspector questioned the validity of this claim, finding that there was little evidence to support when such 'tipping point' would occur. In addition, the Inspector considered that EFDC had not given sufficient consideration to the potential mitigation measures. He stated that sites should be considered on the balance of sustainable objectives, with pressing need for housing being used as an example that would alter that balance¹. This is particularly relevant to infrastructure which can be mitigated and improved with new development.
- 4.11. The implication of this is that the housing target set out in the emerging Local Plan is artificially low due to constraints which lack adequate evidence or consideration of mitigation. The Local Plan does not therefore

¹ Mid Sussex District Plan Examination: Inspector's initial questions (housing), 15 September 2016.

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

meet the requirements of being positively prepared to meet OAN, justified through evidence or consistent with national policy to make best efforts to achieve OAN and therefore cannot be considered sound.

- 4.12. Notwithstanding the lack of evidence to support a low housing target of 11,400 dwellings, there are also significant issues with the OAN figure on which it is derived. Savills has concerns about the OAN methodology which has resulted in the OAN shown in the SHMA being too low in itself. This is shown evident in comparison to Savills own research and the proposed Standardised Methodology. These higher and more accurate figures further illustrate the inadequacies of the housing target of the emerging Plan.

Assessing Objectively Assessment Housing Need

Starting point

- 4.13. The aim of providing new homes of an appropriate mix of sizes, types and tenures to meet local needs is inherently linked to the accurate assessment of the Objectively Assessed Housing Need (OAN) of the District as per Paragraph 47 of the NPPF.
- 4.14. The National Planning Policy Guidance (PPG) states that household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need (Paragraph 15). In 2017, a Strategic Housing Market Assessment (SHMA) Update Paper, commissioned by the four HMA Authorities of Epping Forest, Uttlesford, Harlow and East Hertfordshire was published. This sought to update the 2015 SHMA and 2016 SHMA update reports in light of the publication of 2014 household projections and to assess the level of uplift required to account for market signals.
- 4.15. The 2017 SHMA update saw a slight decrease in the total number of new homes required from 54,600 in 2016 to 51,710 across the HMA. This was due to the re-assessment of the adjustment for market signals. In 2016, a 20% uplift was deemed appropriate, however, in 2017 this was amended to a 13.6% uplift. The 2017 SHMA update report states that the reason for this change is that the 9,100 home uplift is now “*difficult to justify in the context of the implications for net migration and average household sizes*”. This justification appears to misunderstand the basis of market signals adjustments, the intention of which is to deliver additional housing above what is required on a purely demographic basis in order to improve affordability. The revision equates to 12,573 new homes required in Epping Forest over the plan period, an increase from the 2015 figure of 11,300 dwellings. The OAN under the 2017 SHMA is still a significant increase from the 2015 SHMA target of 46,100 for the HMA.
- 4.16. Paragraph 15 of the PPG also states that the household projection-based estimate may require adjustment to reflect factors affecting local demography and household formation rates, which are not captured in past trends. The example given is that formation rates may have been suppressed historically by under-supply and worsening affordability of housing. The assessment will therefore need to reflect the consequences of past under delivery of housing. In addition, paragraph 17 states that plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates.
- 4.17. The 2015 SHMA and the subsequent 2016 and 2017 SHMA update reports make downwards adjustments to the demographic baseline need. The change arises from using custom 10 year migration trends in

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

preference to the official population projections (which are based on five year trends). The basis for the change is that the official projections are more likely to be unstable whereas 10 year trends are more likely to capture both highs and lows and are not dependent on trends that may be unlikely to be repeated.

- 4.18. In the 2015 SHMA, the main change to the demographic starting point was arrived at by moving to a longer, older migration baseline (10 years from 2001-11 vs the standard five year baseline used in official projections, which was 2007-12 for the 2012-based population projections). In the 2016 and 2017 SHMA updates the approach is altered slightly, using an up-to-date 10 year baseline (2005 to 2015) and household formation rates from the 2014-based projections.
- 4.19. Whilst the use of the latest data is welcome, there are still two issues with this approach:
- The 10 year baseline is clearly influenced by the very low net migration seen in 2007-10, which was a period covering the financial crisis and subsequent recession. The weak economy and housing market would have suppressed migration during that time, so it is unlikely to be representative of future behaviour.
 - The household formation rates in the 2014-based projections are likely to be too low. They project forward the recent trend of suppressed household formation, which may not accurately reflect the true need.
- 4.20. Given the potential impact of recessionary factors on migration behaviour, we would suggest the official 2014-based projections remain the best starting point. Reversing the adjustment in the SHMA and using the 2014-based projections, takes the projected growth in the number of households in Epping Forest back to 14,374 households over the plan period.
- 4.21. It is also necessary to review the impact of a change in household formation rate. The 2017 SHMA update uses the rates from the 2014-based household projections, which are the most up-to-date available at time of writing. However, the household formation projections for the whole HMA only increase by 2.1% from between the 2012-based and 2014-based projections. This is not in line with the 7.8% increase in population projections between the 2012 and 2014 based figures, which suggests that the average household size is not falling as much as previously expected, and therefore that household formation may indeed be being suppressed, potentially due to lack of supply and affordability issues.
- 4.22. The Local Plan Expert Group (LPEG) recommendations published in 2016 stated that local authorities to consider the household representative rates in order to account for historic undersupply of new homes between the 2008 and 2012 based projections. Whilst the LPEG report is now somewhat out of date given the publication of the standardised methodology proposals, the proposals do not include a mechanism for addressing suppressed household formation and so the report remains a sensible way of addressing this.
- 4.23. In particular, the LPEG report stressed the importance of comparing the rates of the 25-44 year age group. Savills analysis shows that the household formation rate of the 25-44 year age group has been suppressed in the HMA relative to the 2008 based projections (Figure 3 of the Savills SHMA Review). The result of this is concealed households in the 25-44 year age group across the HMA and therefore raises concerns over the sustainability of the long term provisions of the Local Plan and is a limitation to the claim that the Local

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

Plan will maintain the quality of life for residents due to the continued suppression of household formation in this key age group.

- 4.24. The LPEG recommendations suggested a simple method to remedy this, using a blended rate recovering half of the difference in the 25-44 year old rate between the 2008-based and latest projections by 2033. When taking consideration of the impact of household formation suppression on the overall household representative rate, this equates to a need for an additional 852 households between 2011 and 2033 (38.7 per year) in Epping Forest.
- 4.25. Adding this to household projections above, takes the total projected growth over the plan period to 15,226 households for Epping Forest, equating to 15,942 dwellings (based on difference between dwellings and households from 2011 Census as per the SHMA).

Table 2: Calculating the Demographic Starting Point (Table 3 of Savills SHMA review)

	2011 - 2033			
	Whole HMA		Epping Forest	
	Plan Period	Per Annum	Plan Period	Per Annum
Baseline from 2017 SHMA Update	43,759	1,989	10,568	480
Reverse 10 year migration adjustment	+6,938	+315	+3,806	+173
Suppressed household formation adjustment	+2,388	+109	+852	+39
Savills suggested baseline (households)	53,085	2,413	15,226	692
Convert to dwellings*	55,206	2,509	15,942	725

Source: Savills using ONS, DCLG (figures may not sum due to rounding)

* Note: Conversion based on difference between dwellings and households from 2011 Census as per the SHMA

Employment

- 4.26. Paragraph 18 of the PPG states that “*plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area. Any cross-boundary migration assumptions, particularly where one area decides to assume a lower internal migration figure than the housing market area figures suggest, will need to be agreed with the other relevant local planning authority under the duty to cooperate. Failure to do so will mean that there would be an increase in unmet housing need*”.
- 4.27. The 2015 SHMA concluded that a shortfall of 7,800 workers would arise over the 22 year plan period, based on the level of household growth which found that the shortfall in workers translates into a

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

requirement for an uplift of 5,600 additional homes in the HMA. However, the imbalance between jobs and workers is not present in the 2016 or 2017 SHMA updates. The increased population growth resulting from using the 2014-based projections covers the amount of workers previously expected. No new modelling on employment growth has been carried out so this is potentially not a very robust assumption; we would recommend further analysis to ascertain whether the additional population generates further economic growth and therefore a higher workforce requirement.

- 4.28. In terms of commuting, the 2015 SHMA found a large increase in both in and out-commuting to and from the HMA. Given the proximity of London and its strong links to the HMA, reducing out-commuting would be very difficult, but housing the in-commuting workers in the HMA could be done if more household growth was provided for.
- 4.29. The jobs growth forecast for the HMA suggests that 12,000 additional in-commuters will be drawn in over the 22 year plan period, when in the absence of major infrastructure upgrades, it would surely be preferable to house these workers locally. There is no district breakdown so, assuming each district takes a share equal to its overall share of need, this equates to 2,942 additional in-commuters in Epping Forest District.
- 4.30. At HMA level the SHMA states that 7,800 additional workers translates to a requirement for 5,600 dwellings. Keeping the workers to dwellings ratio constant, the additional in-commuters in each district is equivalent to 2,112 additional dwellings in Epping Forest.
- 4.31. When deciding if employment adjustment should be part of the minimum OAN requirements, the previous LPEG report stated that it should be used as 'policy on' adjustment. However, in the wake of the standardised methodology, Savills research considers the best approach is to split employment into two components:
1. Housing need should include enough local workers to fill projected job growth. As this represents 'need', it should be considered as policy 'off'.
 2. Local plan targets should be set so that there are enough local workers to fill any extra job growth aspirations (i.e. above simple projections) in the plan - this is not strictly need so is considered to be a policy 'on' requirement based on policies promotion employment growth.
- 4.32. The difference is more stark in authorities where there is a drive to promote employment growth, such as in many northern districts. However, in Epping Forest, the projections and ambitions for employment growth are relatively balanced based on the figures in the 2016 and 2017 SHMA updates, and so is considered to be a policy 'on' figure. It therefore forms part of the additional housing growth figures within Savills SHMA review, rather than an essential part of the minimum OAN.

Market Signals

- 4.33. Paragraph 19 of the PPG states that the housing need starting point should be adjusted to reflect market signals. These can include land and house prices, rental rates, affordability, rate of development and overcrowding such as concealed households. Paragraph 20 states that in areas where an upward adjustment is required, plan makers should set this adjustment at a level that is 'reasonable'. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.

- 4.34. Significant problems with affordability is a key indicator of the market undersupply relative to demand. In Savills SHMA review (Figure 7), it shows that house prices over the current cycle (i.e. indexed back to the 2008 peak) in Epping Forest District were higher than all of the other three districts in the HMA, the regional and national comparators, and Eastleigh Borough Council (the comparator set out in the 2015 SHMA). Over a shorter period (12 months to August 2016) all four HMA districts appear stronger than the comparators, with Harlow having seen the most growth in the past year (Figure 8 of the SHMA Review).
- 4.35. This level of affordability is assessed by DCLG with indicators showing both the House Price Ratio and the Rental Affordability Ratio. Savills research shows that affordability has worsened much more in the HMA than in Eastleigh or England (Figure 9 of the SHMA Review). It shows that the 2015 SHMA comparator District Eastleigh had a House Price Ratio increase of 11% between 2013 and 2015 whereas Epping Forest has a ratio increase of 24%.
- 4.36. It is also important to consider the rate of development in each District. Figure 10 of the SHMA Review shows the annual change in dwelling stock in each district. It shows that Eastleigh provided 14.9% additional housing stock over the 15 year period from 2001-2016, with the figure for England being 11.6%. Epping Forest only provided 7.2% over the same period, worsening the problem.
- 4.37. The official guidance on the scale of uplift is not clear, suggesting only that it should be 'reasonable' and sufficient to be 'expected to improve affordability'. The evidence above shows that the districts of the HMA have significantly higher affordability pressures than the national average and compared to Eastleigh, the single comparator chosen in the 2015 SHMA. Epping Forest is particularly unaffordable and has seen very low levels of supply over a sustained period.
- 4.38. As mentioned, the 2015 SHMA suggested a 20% uplift was appropriate for the whole HMA and this was retained in the 2016 update, but there was no evidence to show whether this would have any impact on affordability. What is more, in the 2017 SHMA update, it was argued that whilst a 20% uplift was the 'going rate' creating 9,100 extra dwellings, it would be more reasonable to use a smaller uplift of 6,200 dwellings across the plan period, an uplift of approximately 13.6% from the demographic starting point of the 2017 SHMA update.
- 4.39. Whilst Savills disagrees with this approach, as discussed in section 4, it should be noted that, in 2017, the Local Plan Inspector for East Hertfordshire District Council found that the proposed approach of the SHMA was acceptable, simply asking that the 13.6% uplift be rounded to 14% to 'maximise the uplift'. However, Epping Forest District is a much less affordable area, so it should not be argued that the same approach can be applied as was at East Hertfordshire. This is clearly demonstrated in Epping Forest District with the median house price to earnings ratio in the district being 14.1 in 2016, the 8th highest outside London out of more than 290 local authorities and rising from 12.9 the previous year.
- 4.40. Whilst it is acknowledged that the impact of increased housing supply on affordability is difficult to quantify, Savills has taken guidance from works of leading academics (as detailed in section 4.4 of the Savills SHMA

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

review). Taking this methodology, it is judged that the HMA authorities require an uplift of between 30% - 50%. By applying a 40% figure across the HMA, this results in a conservative estimate for Epping Forest where a 50% uplift was found to be required (section 4.4 of the Savills SHMA review).

- 4.41. This results in an uplift of 6,377 units (40%) on Epping Forest DC over the plan period (290 per annum). Adding this to the demographic starting point equates to 22,319 units over the plan period (1,014 per annum) in Epping Forest.

Table 3: Accounting for market signals (Table 4 of the Savills SHMA Review)

	2011 - 2033			
	Whole HMA		Epping Forest	
	Plan Period	Per Annum	Plan Period	Per Annum
Demographic starting point (dwellings)	55,206	2,509	15,942	725
40% uplift	+22,082	+1,004	+6,377	+290
Including market signals adjustment	77,304	3,514	22,319	1,014

Source: Savills Research (figures may not sum due to rounding)

Neighbouring unmet needs

- 4.42. The Savills SHMA review also calls into question the impact of the silence in the emerging Local Plan on the inability of London to meet its own housing needs. This could add a significant number of new homes to the housing requirements in the HMA. This is not acknowledged in the emerging Local Plan.
- 4.43. Section 6 of the Savills SHMA review states that the evidence in London suggests that it is limited by land constraints and can only meet housing need of 42,000 per annum. Meanwhile, the London SHMA estimated that potential household formation is in the region of 49,000 to 62,000 per annum. Taking a mid-point of 55,500 suggests that there could be around 13,500 households seeking housing outside of London every year in addition to the normal trend. Although not a perfect indicator, the 2015 ONS internal migration data shows that 283,000 people moved out of London in the year to June 2015. Of those, 8,890 moved to the East Herts and West Essex HMA, and the destination for over half of those (4,570) was Epping Forest. If we assume the same proportions, then that would imply that the HMA would need to house an additional 424 of the 13,500 households every year that London cannot; Epping Forest's share of this would be 218 per annum. This lack of acknowledgement is a substantial weakness of the evidence base of the emerging Local Plan and is therefore a clear area for further detailed modelling.

Summary of Savills analysis of OAN

- 4.44. Overall, the Savills SHMA review highlights areas of weakness and makes suggestions for alternative calculations where appropriate. In conclusion, the analysis of full objectively assessed housing need is shown below. It finds a potential OAN for EFDC as 29,227 dwellings across the plan period, equating to 1,328 per annum.

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

Table 4: Calculating full objectively assessed housing need (Table 5 of the Savills SHMA Review)

<i>All calculations cover full 22 year plan period, 2011-33</i>	Whole HMA		Epping Forest	
	Plan Period	Per Annum	Plan Period	Per Annum
Baseline from 2017 SHMA Update	43,759	1,989	10,568	480
Reverse 10 year migration adjustment	+6,938	+315	+3,806	+173
Suppressed household formation adjustment	+2,388	+109	+852	+39
Savills suggested baseline (households)	53,085	2,413	15,226	692
Convert to dwellings	55,206	2,509	15,942	725
40% market signals uplift	22,082	1,004	6,377	290
Minimum OAN	77,304	3,514	22,319	1,014
<i>Potential impact of balancing commuting</i>	+8,617	+392	+2,112	+96
<i>Potential impact of dealing with London overspill</i>	+9,306	+423	+4,796	+218
Potential OAN	95,227	4,329	29,227	1,328

Source: Savills using ONS, DCLG (figures may not sum due to rounding)

- 4.45. The minimum figures alone are a very significant increase on those proposed in the 2017 SHMA update, an increase of nearly 50% across the HMA. For Epping Forest, the housing requirement increases by nearly 96%. This finds a minimum OAN of **22,319** dwellings over the plan period, equating to **1,014** per annum which excludes commuting and London overspill.
- 4.46. The Savills SHMA review acknowledged that it is difficult to assess housing need but that sufficient uplifts to address affordability issues must be included. DCLG also acknowledges this, which is reflected in the proposed Standardised Methodology. This will help simplify the process of calculating OAN and enable an uplift for affordability based on the individual authorities' history of affordability issues. The OAN figure set out within the Savills SHMA review is similar to the OAN that would be applicable upon adoption of the Standardised Methodology.

Standardised Methodology

- 4.47. The consultation paper on the proposed Standardised Methodology was published on 14 September 2017 by DCLG. The proposals seek to standardise the calculation of housing need, as signalled in February 2016 in the Housing White Paper, 'Fixing our broken housing market'. This will replace the variety of existing measures that can be used by Local Authorities and which subsequently can be tailored to the individual aims of the respective districts. This is due to be brought into force from 1 April 2018, after which all authorities would have to adopt the calculation in calculating its OAN. Any Plan submitted for examination ahead of this date, and which is successful, will not have to adopt the standard approach likely until the next Local Plan review. It does, however, demonstrate how significantly low the housing requirement EFD are proposing is.

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

- 4.48. The new methodology is proposed to comprise of the three key stages:
- 1) **Identifying actual needs based on ONS household growth projections.** The Secretary of State for DCLG highlighted that this would only identify the ‘bare minimum’ for housing need to ‘stand still’. Whilst it would factor in an expected substantial fall in net migration post 2019, the Minister for DCLG stated that only meeting rising demand in the future would do nothing to ‘fix the broken housing market’.
 - 2) **Prioritising housing growth in the least affordable areas.** Where the house prices are more than four times average earnings, the assessments will go up by 0.25% for every 1% of the affordability ratio rises above four. The Minister noted that in some areas, this would deliver large numbers that go beyond what communities have previously agreed as part of local plans.
 - 3) **Applying a cap on growth.** The cap would be 40% on growth in areas where there is a recent Local Plan (less than five years) against the adopted housing target. If the plan is not up to date, the cap will be 40% above either the level in the plan, or the ONS projected household growth for that area, whichever is higher. The Minister stated that in 156 local authority areas, where the assessed need increases, the average rise is 35 per cent.
- 4.49. The consultation on the standardised methodology included an assessment of the housing requirement for each Local Authority. For EFDC, this can be summarised as follows:
- The objectively assessment need based on the 2015 SHMA is **514 dpa** (as the time of DCLG consultation).
 - The DCLG indicative assessment of housing need based on its proposed formula (for the period of 2016 to 2026) is **932 dpa** (or 20,504 dwellings over the plan period). The 40% cap is applied to the household projection figures in this case, as EFDC does not have an up-to-date Local Plan. This results in an **uplift of 409 dpa** (or 8,998 dwellings over the plan period) above the current housing target and **352 dpa** (or 7,744 dwellings over the plan period) above the OAN of the 2017 SHMA.
 - EFDC is **ranked 32 out of 322** Local Authorities for the highest uplift in OAN based on this methodology, with most of the higher ranking authorities being within London. This demonstrates the significant affordability issues within EFDC.
 - It should be noted that the DCLG published figures for EFDC have not been confirmed by DCLG and so may be subject to correction.
- 4.50. Whilst Savills broadly agrees with the aims of a simpler, calculation-based approach to housing need, the proposed method could be improved by focussing more homes on the most unaffordable areas. There is also the problem of feedback from low levels of past delivery leading to low household projections in some locations. Savills Research therefore proposed an alternative standard approach² that corrects for these issues, under which the figure for Epping Forest would rise to 1,258 homes per year.
- 4.51. Notwithstanding this, the soon to be adopted approach to calculating OAN, as per the DCLG proposals, puts EFDC at around 45% below the emerging OAN of 932dpa. The OAN, under the Standardised Methodology, is significantly higher than the current OAN of 12,573 due to EFDC’s adopted Plan being out

² http://www.savills.co.uk/research_articles/141280/223654-0

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

of date which has led, at least in part, to a high level of unaffordability within the District. Affordability is a significant issue that EFDC should be working to actively resolve, rather than accelerating the Local Plan timeframe without the sufficient evidence to do so, in order to delay addressing these matters until the next Local Plan review. Instead, EFDC is turning away from making difficult decisions, causing further problems for future years and delaying the point at which they will inevitably need to be addressed. This is in conflict with national aims to 'fix the broken housing market' by 'planning for the right homes in the right places'.³

- 4.52. Furthermore, if the emerging Plan is adopted without the Standardised Methodology, it is likely that it will be seen as a transitional Plan and will therefore likely be subject to an earlier review, within the first five years, at which time the Standardised Methodology would likely apply. It would be preferable for EFDC to face these issues now rather than postpone action for another five years.

Table 5: Summary of proposed housing requirements

	2011 - 2033	Per annum
2015 SHMA	11,300	514
2016 SHMA Update	13,278	604
EFDC Draft Local Plan	11,400	518
Savills Minimum OAN	22,319	1,014
Standardised Methodology	20,504 (~ 23,936 uncapped)	932 (~ 1,088 uncapped)

Source: Savills Research, council evidence

³ Housing White Paper (2017), DCLG, Cm 9352

Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford Road (A414) – SR-0904



5. Housing Distribution and Duty to Co-operate

Housing Distribution

- 5.1. Savills has significant concerns about the proposed spatial strategy of the emerging Local Plan, particularly in its distribution of strategic housing allocations. In addition to the over reliance of allocating dwellings to the south and west of Harlow, which is being opposed by Harlow Council on the basis of the inability to cope with the transport generation produced by these sites, the spatial strategy is also too heavily weighted in favour of housing allocations in the west, at the detriment of the development to the east of the District.
- 5.2. Using the M11 and M25 as a boundary, the emerging Local Plan seeks to make 67 housing allocations to the west of the District, but only 21 in the east showing a disproportionate emphasis on the development of towns west of the M11 and south of the M25.
- 5.3. This over-emphasis to the west has also been highlighted in the Regulation 18 consultation responses from many landowners and promoters and the objections from Harlow Council. In addition, Highways England responded to the Regulation 18 consultation criticising the impact of many of the western allocations on the highways network whilst stating that proposals in some eastern towns, including Chipping Ongar, would not have a significant impact.
- 5.4. Of chief concern to Highways England is the impact of the allocations to the south and east of Harlow, with the Latton Priory site likely to have an impact on the M11 junction 7, and the site East of Harlow having a 'severe impact' on the junction. The response states that a new entire junction would be required to accommodate this level of growth. Highways England also expressed concern about the highway impact that would be resultant from the development proposals at Loughton, North Weald Bassett and Waltham Abbey.
- 5.5. Conversely, there are other towns in the district, including Chipping Ongar, where Highways England finds that there is unlikely to be a significant impact from the development proposals. As such, it is considered that the uneven spread of development is likely to be an unsustainable strategy and that areas such as Chipping Ongar have more ability to accommodate growth than the emerging Local Plan allows for.
- 5.6. Therefore, it is considered that the spatial strategy is not positively prepared in meeting objectively assessed needs of the Borough as a whole, is not effective in respecting neighbouring authorities and is not justified in terms of evidence to support the skewed balance in favour of significant more western allocations.
- 5.7. It should be noted that there is no objection to the individual allocations in the west, nor the quantum of proposed development to the west per se, as more allocations in general are required to meet the OAN of the District. However, the overall under provision against OAN means that the distribution being heavily weighted in favour of the western side of the district leads to an even greater under provision to the east compared with that of the district overall. It is therefore considered that EFDC is not only failing to meet the OAN but that this problem is exacerbated in the eastern part of the district, including in the area's largest town, Chipping Ongar.

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

Duty to co-operate

- 5.8. The duty to co-operate with neighbouring authorities is a key part of successful plan-making. The duty to co-operate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparations in the context of strategic cross boundary matters (paragraph 1 of the PPG).
- 5.9. As part of the plan-making process, co-operation with neighbouring authorities is required for the plan to be found 'sound'. Co-operation is required to ensure the effectiveness of the plan (as defined in NPPF paragraph 182), as an Inspector will assess whether it is deliverable within the timescale set by the Local Plan and if it demonstrates effective joint working to meet cross boundary strategic priorities.
- 5.10. Emerging policies SP 2 (Spatial Strategy) and SP 4 (Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town) set out the proposed housing distribution strategy for the district across the plan period, focusing development to the western side of the district, namely centring development to the south of Harlow, within EFDC boundary (as discussed above).
- 5.11. Emerging policy SP 5 (Garden Town Communities) proposed to allocate three sites comprising 3,900 dwellings to the south of Harlow, as shown in table 6.

Table 6: Emerging Policy SP 5: Garden Town Communities

Site Reference	Location	Housing to be delivered
SP 5.1	Latton Priory and Riddings Lane	Approximately 1,050 homes
SP 5.2	Water Lane Area	Approximately 2,100 homes
SP 5.3	East of Harlow	Approximately 750 homes and the potential relocation of Princess Alexandra Hospital

- 5.12. However, on a number of occasions, Harlow Council has objected to the allocation of these sites due to the inabilities for the current infrastructure within the Harlow boundary to accommodate the proposed growth beyond its boundary.
- 5.13. In August 2016, Harlow Council held a Special Council Meeting, where it voted against giving support to any of the proposed housing development being located to the south or west of Harlow. This resulted in the objection to the developments of the sites to the south and west including Latton Priory, Sumners West and Katherines East (the latter two sites now referred to as the 'Water Lane area'). This makes up 3,100 units of the 3,900 units that the draft Local Plan allocates around Harlow which were objected to.
- 5.14. However, during the Regulation 18 consultation, EFDC continued to propose the allocation of these sites. In response, Harlow Council submitted a number of objections, extracts of which are quoted below:

Epping Forest District Council Regulation 19 Representation (Submission Version)



Land between High Ongar Road and Chelmsford Road (A414) – SR-0904

“The choice of placing new settlements on the border of Harlow will place unacceptable pressures on the road infrastructures currently available, specifically the Epping Road from Jacks Hatch through Epping Green which is struggling now to cope with commuter traffic to Epping. Southern Way, Harlow which is at capacity and does not lend itself to duelling which is what would be needed. Both of these roads could not hope to deal with Sumners West and Katherines Developments. Commonsides Road and Rye Hill Road again would suffer from the development of Latton Priory. Harlow Council’s policy also objects to and does not support any development to the South or West of Harlow”

“To the extent it is demonstrated that it is also necessary and sustainable for there to be development to the west and south of Harlow located within Epping Forest district, in actively considering the huge concerns many residents have about the proposed development, Harlow Council objects to such development unless or until such time as it has been demonstrated that transportation and infrastructure requirements can be delivered at a rate and scale necessary to meet the needs of the Harlow urban area that arise from any such proposed development.”

“Unless the subsequent Local Plan can address the transportation and infrastructure requirements and ensure that delivered is at a rate and scale to meet the needs of the Harlow’s urban area, then Harlow would be unable to support the strategic housing locations to the west and south as the preference is for the strategic housing sites located to the north and north east of Harlow”

- 5.15. This highlights the failure of EFDC to comply with its duty to co-operate with Harlow Council, as it has not sought to address concerns or show evidence to overcome them. Whilst the Memorandum of Understanding (March 2017) has been signed by the four HMA authorities, as had older versions, this had not previously stopped the objections from being made by Harlow Council. EFDC has provided no evidence to show how the concerns raised by Harlow Council will be overcome and so it is likely that such objections will continue to be made to the allocation of sites south of Harlow.
- 5.16. In addition, there is a requirement for the authorities within the HMA to co-operate with its neighbours, both in the West Essex and East Hertfordshire HMA and beyond, to accommodate the shortfall in capacity. As discussed in relation to housing need earlier in this representation, the four HMA authorities have already failed to work together to meet the full OAN on the HMA, with little evidence to support the justification of infrastructure constraints. Numerous neighbour authorities have expressed concern about this, citing their inability to absorb the shortfall left by the West Essex and East Hertfordshire HMA. This includes Basildon, Brentwood and Chelmsford amongst others.
- 5.17. The Plan therefore cannot be considered effective as per the definition of paragraph 182 of the NPPF and so must therefore be considered ‘unsound’. This has been the case at a number of other authorities such as at Aylesbury Vale, Hart, Mid Sussex and Runnymede all being withdrawn as a result of failing in their duty to co-operate.

Epping Forest District Council Regulation 19 Representation (Submission Version)

Land between High Ongar Road and Chelmsford Road (A414) – SR-0904



6. Conclusion

- 6.1. In conclusion, The Site at High Ongar Road and Chelmsford Road is a sustainable development site which is able to provide 15-20 houses in Chipping Ongar and is suitable for allocation in the emerging Local Plan.
- 6.2. However, fundamental flaws in the revised site selection methodology which mean that some sites have been discounted without any thorough assessment, means that sites which could come forward in locations with infrastructure capacity and the ability to provide additional housing such as The site, have been discounted unnecessarily.
- 6.3. The problem of under-delivery of suitable sites is exacerbated by the very low housing target of the emerging Plan of 11,400 dwelling across the plan period, as opposed to the 12,573 dwellings required under the 2017 SHMA update. EFDC's justification is that this is due to infrastructure constraints for which there is little evidence or consideration of mitigation, such as the proposal for a relief road at Chipping Ongar. It is further exacerbated in the east of the district due to the uneven allocation of housing in favour of the western side of the district, including land south of Harlow. This worsens the impact of the failure to meet objectively assessed housing needs for the eastern towns.
- 6.4. However, notwithstanding the significant shortfall of housing proposed compared to the official OAN, Savills has also demonstrated significant shortcomings with the SHMA in terms of its methodology in calculating housing need, which has resulted in an artificially low objectively assessed housing need figure. This is illustrated through comparison with both Savills own research into the level of housing need and that of the emerging Standardised Methodology. This includes:
- The inclusion of the recession period within the 10 year migration trend adjustment, projecting a suppressed market and resulting in a downwards adjustment.
 - That consideration of the historic shortfall of housing delivery in EFDC compared with other districts, with just 7% change in housing stock from 2001-2016 compared with 11.6% nationally.
 - Failure to adequately address housing affordability issues by adopting just a 13.6% uplift to account for market signals.
 - EFDC's stance of 'pushing through' the Local Plan to avoid having to adopt the standardised methodology to address its affordability issues, instead deciding to avoid making difficult decisions and defer the problem of affordability and meeting housing need to a later date.
- 6.5. The inadequacies of the SHMA have resulted in the housing target being as much as 50% below that likely housing need figure, and therefore a significant shortfall of housing to meet the needs of the District. The proposed under delivery of housing in both Epping Forest and in the wider Housing Market Area calls into question the authorities' duty to co-operate.
- 6.6. As such, it is considered that there are various elements of the plan-making process that cannot be considered to be positively prepared, justified, effective or consistent with national policy, thereby rendering the emerging Plan 'unsound'.

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