

## Statement in relation to Epping Forest's 5 Year Housing Land Supply

For S Bains and Son Limited and Nijjer Estates Limited c/o Aspbury  
Planning | 22-130

Land at Hainault Road, Chigwell, Epping Forest, IG7 6PP

**Project:** 22-130  
**Site Address:** Land at Hainault Road, Chigwell, Epping Forest, IG7 6PP  
**Client:** S Bains and Son Limited and Nijjer Estates Limited c/o Aspbury  
Planning  
**Date:** 09 December 2022  
**Authors:** Jill Paton and Ben Pycroft  
**Approved by:** Ben Pycroft

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# Contents

1.	Introduction _____	1
2.	The Council's housing requirement _____	3
3.	The Council's housing supply _____	6
4.	Conclusions _____	10

# Appendices

**EP1.** Assessment of sites



# 1. Introduction

- 1.1 Emery Planning is instructed by S Bains and Son Limited and Nijjer Estates Limited to provide an assessment of the five year housing land supply position in Epping Forest.
- 1.2 The Council's latest position in relation to its five year housing land supply has a base date of 31<sup>st</sup> March 2018 and is set out in its Housing Implementation Strategy (ref: EB410A), which was published in January 2019<sup>1</sup>. However, in considering the emerging Local Plan, the examining Inspector (in June 2022) asked the Council to produce a detailed housing trajectory for him to be satisfied that the Council can demonstrate a deliverable five year supply on adoption of the Local Plan. The Council has now published its housing trajectory. This statement therefore addresses the Council's latest housing trajectory.

## Background

- 1.3 At present, both five year housing land supply and housing delivery in Epping Forest are measured against the local housing need calculated using the standard method set out in the Planning Practice Guidance (PPG). This is 973 dwellings per annum. Against this and a 20% buffer, the Council cannot demonstrate a deliverable five year housing land supply and the latest Housing Delivery Test result for Epping Forest was just 35%. Therefore, in accordance with footnote 8 of the Framework the presumption in favour of sustainable development applies as set out in paragraph 11(d) of the Framework.
- 1.4 Upon adoption of the new Local Plan (expected in early 2023), the five year housing land supply and housing delivery will be measured against the housing requirement within it. Due to transitional arrangements, the emerging Local Plan does not have to meet the local housing need calculated using the standard method and the proposed housing requirement is significantly lower than it at 518 dwellings per annum. Furthermore, the Council is seeking to adopt a "stepped trajectory" as set out within the last version of the Main Modifications as follows:
- 2011/12 – 2021/22: 275 dwellings per annum
  - 2022/23 – 2026/27: 500 dwellings per annum
  - 2027/28 – 2032/33: 980 dwellings per annum
- 1.5 This means that the HDT result will be recalculated and the five year housing land supply will be measured against a much lower figure.

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<sup>1</sup> [Microsoft Word - Housing Implementation Strategy Update 2019 \(efdclocalplan.org\)](https://efdclocalplan.org)



1.6 We therefore set out the Council's supply position against both local housing need and the emerging housing requirement.



## 2. The Council's housing requirement

### Stage 1: Agreeing the base date and five year period

- 2.1 The base date is the start date for the five year period for which both the requirement and supply should relate to. The base date is 31<sup>st</sup> March 2022 and the five year period is 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2027.

### Stage 2: Identifying the housing requirement

- 2.2 The local housing need for Epping Forest is 973 dwellings per annum.
- 2.3 The proposed housing requirement is significantly lower than the local housing need, at 518 dwellings per annum. The Council is seeking to adopt a stepped trajectory through the Local Plan examination main modifications. The Council has provided a revised stepped trajectory in its response to the Inspector's Note, as follows:
- 2011/12 – 2021/22: 275 dwellings per annum
  - 2022/23 – 2026/27: 500 dwellings per annum
  - 2027/28 – 2032/33: 980 dwellings per annum
- 2.4 At present, the five year housing land supply should be calculated against the local housing need. Once the emerging Local Plan is adopted, the five year housing land supply will be measured against the housing requirement set out within it. As above, this is to be stepped.

### Stage 3: Identifying the past shortfall / oversupply

- 2.5 As the five year housing land supply is currently measured against the local housing need, there is no requirement to specifically address under-delivery separately as this has been factored in as part of the affordability ratio under step 2 as highlighted in this part of the PPG.
- 2.6 However, once the emerging Local Plan has been adopted then the past shortfall will be calculated from the base date of the Local Plan. The Council's completions against the proposed revised stepped requirement are as follows:



**Table 2.1 – Net housing completions in Epping Forest 2011 - 2022**

Year	Annual requirement	Net completions	Surplus/shortfall	Cumulative
2011/12	275	288	13	13
2012/13	275	89	-186	-173
2013/14	275	299	24	-149
2014/15	275	230	-45	-194
2015/16	275	267	-8	-202
2016/17	275	149	-126	-328
2017/18	275	526	251	-77
2018/19	275	426	151	74
2019/20	275	223	-52	22
2020/21	275	198	-77	-55
2021/22	275	328	53	-2
<b>Total</b>	<b>3,025</b>	<b>3,023</b>	<b>-2</b>	
<b>Average</b>	<b>275</b>	<b>274.8</b>		

2.7 Therefore, at 31<sup>st</sup> March 2022, the shortfall against the emerging housing requirement is 2 dwellings.

#### Stage 4: Identifying the method for addressing the shortfall

2.8 As above, because the housing land supply in this case is to be measured against the local housing need, there is no past shortfall or over-supply to address at present.

2.9 In terms of the past shortfall against the emerging Local Plan housing requirement, we note that the Council seeks to spread this over the remainder of the plan period (i.e., the Liverpool method). We anticipated that the Council would set out further detail on this in its response to the Local Plan Inspector's letter of 16<sup>th</sup> June 2022. However, the Council has not provided any further clarity on this matter. We object to the Council's proposal to address the shortfall through the Liverpool method because the housing



requirement is already significantly below the local housing need and because the housing requirement has already been stepped.

2.10 The current shortfall is just 2 dwellings but if the Liverpool approach is accepted then this would affect future calculations.

### Stage 5: Applying the appropriate buffer

2.11 The latest Housing Delivery Test (HDT) result was less than 85% in Epping Forest and therefore the 20% buffer applies. However, upon adoption of the Local Plan, the HDT can be readjusted to reflect the stepped housing requirement and therefore the 5% buffer will apply.

2.12 The following table sets out the five year housing supply which needs to be demonstrated at 31<sup>st</sup> March 2022 using the local housing need with a 20% buffer, and the adopted housing requirement with a 5% buffer:

**Table 2.2 – Summary of five year requirement plus buffer**

	Requirement	Local Housing Need +20% buffer	Emerging Adopted Housing Requirement +5% buffer
A	Annual local housing need figure / requirement	973	500
B	Five year housing requirement (A X 5 years)	4,865	2,500
C	Shortfall to be addressed in five years	0	0
D	Five year requirement plus shortfall to be addressed supply to be demonstrated (B + C)	4,865	2,500
E	Five year requirement plus buffer (D + 5 or 20%)	5,838	2,625
F	Annual requirement plus buffer (E / 5 years)	1,168	525





### 3. The Council's housing supply

- 3.1 On the supply side, the Council claims to have a deliverable supply of 3,244 dwellings at 1<sup>st</sup> April 2022.
- 3.2 The Local Plan is being examined within the context of the definition of deliverable in the 2012 Framework and the associated guidance, which means allocated sites should be considered deliverable unless there is clear evidence to demonstrate otherwise. However, once the Local Plan is adopted the 5YHLS will be considered within the context of the definition of deliverable in the current Framework. This means that allocated sites without planning permission should only be considered deliverable if there is clear evidence that housing completions will begin on the site within the five year period.
- 3.3 There have now been numerous appeal decisions where the Secretary of State and Inspectors have considered the definition of deliverable and the clear evidence required to include sites within category b) of the definition of deliverable.
- 3.4 This is relevant because despite the onus being firmly on the Council, it has not provided the clear evidence to support the inclusion of sites in its trajectory. In their decisions, the Secretary of State and Inspectors have:
- removed category b) sites from the deliverable supply where no evidence of deliverability has been provided; and
  - concluded that the evidential value of the written information is dependent on its content. Category b) sites have been removed from the deliverable supply where written evidence is "scant" in detail. A realistic assessment of all factors concerning delivery should be considered.
- 3.5 We now set out our assessment of the Council's deliverable five year supply.

#### Assessment of sites

- 3.6 The Council's five year supply includes 1,797 dwellings on 46 allocated sites without planning permission at the base date which we dispute, as follows.



**Table 3.1 - Allocated sites**

LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
SP5.2	Water Lane Strategic Area	2,100	150	0	-150
SP5.1	Latton Priory	1,050	150	0	-150
NWB.R3	Land south of Vicarage Lane	728	128	0	-128
THOR.R1	Land at Tudor House	124	124	0	-124
ONG.R5	Land at Greensted Road	107	107	0	-107
WAL.R2	Lea Valley Nursery, Crooked Mile	315	65	0	-65
CHIG.R4	Land between Froghall Lane and railway line	105	65	0	-65
NWB.R1	Land at Bluemans	223	63	0	-63
WAL.R3	Land adjoining Parklands	130	60	0	-60
NWB.R5	Land at The Acorns, Chase Farm	51	51	0	-51
EPP.R9	Land at Bower Vale	50	50	0	-50
THOR.R2	Land east of High Road	48	48	0	-48
BUCK.R2	Queens Road car park	41	41	0	-41
ONG.R4	Land north of Chelmsford Road	163	40	0	-40
NAZE.R3	Land to the rear of Pound Close	39	39	0	-39
THYB.R1	Land at Forest Drive	39	39	0	-39
ONG.R1	Land west of Ongar	99	33	0	-33
NAZE.R1	Land at Perry Hill	33	33	0	-33
ONG.R6	Land between Stanford Rivers Road and Brentwood Road	33	33	0	-33
STAP.R1	Land at Oakfield Road	33	33	33	0



LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
BUCK.R1	Land at Powell Road	31	31	0	-31
WAL.R1	Land west of Galley Hill Road	295	30	0	-30
ONG.R2	Land at Bowes Field	135	30	0	-30
NWB.R4	Land at Chase Farm	27	27	0	-27
ONG.R3	Land south west of Fyfield Road	27	27	0	-27
WAL.R6	Waltham Abbey Swimming Pool	27	27	27	0
NAZE.R4	Land at St Leonards Farm	21	21	0	-21
NWB.R2	Land at Tylers Farm	21	21	0	-21
ROYD.R2	Land at Kingsmead School	21	21	0	-21
SHR.R2	Land to the east of the M11	62	20	0	-20
ROYD.R4	Land at Parklands Nursery	20	20	0	-20
LOU.R16	St Thomas More RC Church	18	18	18	0
ONG.R7	Land south of Hunters Chase and west of Brentwood Road	17	17	0	-17
FYF.R1	Land at Gypsy Mead	14	14	14	0
LSHR.R1	Land at Lower Sheering	14	14	0	-14
LOU.R10	Land at Station Road	12	12	0	-12
SHR.R3	Land north of Primary Lane	12	12	0	-12
CHIG.R10	The Maypole	11	11	0	-11
HONG.R1	Land at Mill Lane	10	10	0	-10
SHR.R1	Land at Daubneys Farm	10	10	0	-10
LOU.R3	Land at Vere Road	9	9	0	-9
LOU.R11	Land west of Roding Road	9	9	0	-9



LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
ONG.R8	The Stag Pub	9	9	0	-9
ROYD.R1	The Old Coal Yard	7	7	0	-7
CHIG.R8	Land at Fencepiece Road	6	6	6	0
LOU.R15	Land at Traps Hill	6	6	0	-6
THYB.R3	Land at Coppice Row	6	6	0	-6
		<b>Total</b>	<b>1,797</b>	<b>98</b>	<b>-1,699</b>

- 3.7 For the reasons set out at appendix **EP1, 1,699 dwellings** should be removed from the Council's supply.
- 3.8 We therefore conclude that the deliverable supply at 1<sup>st</sup> April 2022 is 1,545 dwellings (i.e., 3,244 – 1,699 = 1,545).



## 4. Conclusions

4.1 We conclude that the deliverable supply at 1<sup>st</sup> April 2021 is 1,545 dwellings. Against the local housing need and a 20% buffer of 5,838 dwellings, this equates to **1.32 years**. Against the emerging adopted housing requirement and a 5% buffer of 2,625 dwellings, this equates to **2.94 years**. Both positions are summarised in the following table:

**Table 4.1 – Summary of Epping Forest’s Five Year Housing Land Supply at 1<sup>st</sup> April 2022**

	Requirement	Local Housing Need +20% buffer	Emerging Adopted Housing Requirement +5% buffer
A	Annual local housing need figure / requirement	973	500
B	Five year housing requirement (A X 5 years)	4,865	2,500
C	Shortfall to be addressed in five years	0	0
D	Five year requirement plus shortfall to be addressed supply to be demonstrated (B + C)	4,865	2,500
E	Five year requirement plus buffer (D + 5 or 20%)	5,838	2,625
F	Annual requirement plus buffer (E / 5 years)	1,168	525
	<b>Supply</b>		
G	Five year supply at 1 <sup>st</sup> April 2022	1,545	1,545
H	Supply in years (G / F)	<b>1.32</b>	<b>2.94</b>
I	Undersupply against the five year requirement	<b>-4,293</b>	<b>-1,080</b>



## EP1 – Assessment of sites

For S Bains and Son Limited and Nijjer Estates Limited c/o Asbury  
Planning | 22-130

Land at Hainault Road, Chigwell, Epping Forest, IG7 6PP

**Project:** 22-130  
**Site Address:** Land at Hainault Road, Chigwell, Epping Forest, IG7 6PP  
**Client:** S Bains and Son Limited and Nijjer Estates Limited c/o Asbury  
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# Contents

1. Allocated sites without planning permission (over 50 units) \_\_\_\_\_ 1
2. Allocated sites without planning permission (under 50 units) \_\_\_\_\_ 18





# 1. Allocated sites without planning permission (over 50 units)

1.1 The Council's five year supply includes 1,013 dwellings on 11 allocated sites over 50 units without planning permission at the base date which we dispute, as follows.

**Table 1 - Allocated sites over 50 units**

LPA ref:	Address	Capacity (Net)	LPA 5YHLS	EP 5YHLS	Difference
SP5.2	Water Lane Strategic Area	2,100	150	0	-150
SP5.1	Latton Priory	1,050	150	0	-150
NWB.R3	Land south of Vicarage Lane	728	128	0	-128
THOR.R1	Land at Tudor House	124	124	0	-124
ONG.R5	Land at Greensted Road	107	107	0	-107
WAL.R2	Lea Valley Nursery, Crooked Mile	315	65	0	-65
CHIG.R4	Land between Froghall Lane and railway line	105	65	0	-65
NWB.R1	Land at Bluemans	223	63	0	-63
WAL.R3	Land adjoining Parklands	130	60	0	-60
NWB.R5	Land at The Acorns, Chase Farm	51	51	0	-51
EPP.R9	Land at Bower Vale	50	50	0	-50
		<b>Total</b>	<b>1,013</b>	<b>0</b>	<b>1,103</b>



## SP5.2 – Water Lane Strategic Area

Capacity = 2,100 dwellings, Council's 5YHLS = 150 dwellings

- 1.2 The site is allocated in the emerging Local Plan for 2,100 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.3 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.4 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.5 The Council's evidence states that the trajectory has been informed by the planning agent for the site. The start/build out rates have not been confirmed by a developer.

### Firm progress with site assessment work?

- 1.6 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.7 No evidence has been provided.

### Summary

- 1.8 The site does not have planning permission. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.9 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **150 dwellings** from the Council's supply.



## SP5.1 – Latton Priory

Capacity = 1,050 dwellings, Council's 5YHLS = 150 dwellings

1.10 The site is allocated in the emerging Local Plan for 1,050 dwellings. No planning applications have been made to date.

### Current planning status?

1.11 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

1.12 The Council's evidence states that an outline planning application is planned for submission in Q1 of 2023 and that:

“CEG/HLM have appointed a comprehensive technical team to prepare application proposals and anticipate being in a position to lodge an outline planning application at the end of this year or in the first quarter of 2023.”

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

1.13 The Council's evidence states that CEG/HLM/DLA provided an indicative program, as follows:

- Submission of outline planning application: Q1 2023
- Resolution to grant consent: Summer 2023
- Granting of planning permission: November 2023
- Commencement on site: May 2024
- First housing occupations: April/May 2025

1.14 The above timescales have been provided by the landowner and have not been confirmed by a developer. The Council's evidence states that the site will be marketed upon the grant of outline planning permission. Therefore, there is currently no developer on board.

1.15 Further, the proposed programme above does not allow any time for the submission and approval of a reserved matters application.

### Firm progress with site assessment work?

1.16 The landowner has advised that substantial preparatory work necessary for the submission of a timely application has been completed. In particular, all necessary surveys of archaeology, ecology and



biodiversity are complete. The Council's evidence states that the remaining technical work, including traffic modelling and transport assessment is progressing in accordance with robust technical briefs.

#### **Clear relevant information about viability, ownership constraints or infrastructure provision?**

- 1.17 The Council's evidence states that CEG/HLM control in excess of 90% of all the land within the allocated site plus the land necessary to deliver a link road to London Road and all necessary SANG land to mitigate the impact of the development.

#### **Summary**

- 1.18 The site is allocated for 1,050 dwellings in the emerging local plan. The site does not have planning permission, nor has an application been made. Whilst progress is being made towards the submission of an outline planning application, no application has been submitted to date. Even if outline planning permission is granted by November 2023 (the landowners suggested timescale), the site will still need to be sold to a developer and reserved matters will need to be submitted to an approved by the Council. This can be a lengthy process.
- 1.19 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **150 dwellings** from the Council's supply.



## NWB.R3 – Land south of Vicarage Lane

Capacity = 728 dwellings, Council's 5YHLS = 128 dwellings

- 1.20 The site is allocated in the emerging Local Plan for 728 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.21 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.22 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.23 The Council's evidence states that the delivery rates are based on a similar site with the same developer: Countryside Properties. An email from Countryside Properties states:

"From Countryside's perspective the rate of completions appears to relate to a realistic assumption of occupancy assuming a single sales outlet and associated affordable homes.

However, that is not our intention where we would very much want to have two sales outlets operating at the same time with the second to follow reasonably quickly after the first. This being a model we use on almost all our large strategic sites and enables a faster occupancy rate and gives greater consumer choice. It also fits with the outcomes of a government housing review.

In that regard, we are working on a development of 722 dwellings (almost entirely the same size as our NWB site at 728) where in less than two years more than 150 dwellings have already been completed since September 2020 i.e. even during Covid working restrictions."

### Firm progress with site assessment work?

- 1.24 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.25 No evidence has been provided.



## Summary

- 1.26 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.27 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **128 dwellings** from the Council’s supply.



## THOR.R1 – Land at Tudor House

Capacity = 124 dwellings, Council's 5YHLS = 124 dwellings

- 1.28 The site is allocated in the emerging Local Plan for 124 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.29 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.30 The Council's trajectory states that the site is at pre-application stage, however no further information has been provided.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.31 No evidence has been provided.

### Firm progress with site assessment work?

- 1.32 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.33 No evidence has been provided.

### Summary

- 1.34 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.35 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **124 dwellings** from the Council's supply.



## ONG.R5 – Land at Greensted Road

Capacity = 107 dwellings, Council's 5YHLS = 107 dwellings

- 1.36 The site is allocated in the emerging Local Plan for approximately 107 dwellings. The site does not have planning permission. A full planning application for 95 dwellings was submitted on 25 November 2020 and was pending determination at the base date.

### Current planning status?

- 1.37 A full planning application for 95 dwellings was submitted on 25 November 2020 and was pending determination at the base date (ref: EPF/2627/20). The application was heard at the East Area Planning Committee on 06 April 2022 where it was referred to the District Development Management Committee. The application was then considered at DDMC on 21 September where members voted to refuse the application. We note that no decision notice has been issued to date.

- 1.38 No further planning applications have been made.

### Firm progress being made towards the submission of an application?

- 1.39 As above, a full planning application for 95 dwellings was considered at planning committee on 21 September where members recommended to refuse planning permission. No further planning applications have been made to date.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.40 No evidence has been provided.

### Firm progress with site assessment work?

- 1.41 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.42 No evidence has been provided.

### Summary

- 1.43 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.





1.44 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **107 dwellings** from the Council’s supply.



## WAL.R2 – Lea Valley Nursery, Crooked Mile

Capacity = 315 dwellings, Council's 5YHLS = 65 dwellings

- 1.45 The site is allocated in the emerging Local Plan for 315 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.46 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.47 No evidence has been provided to suggest that progress is being made towards the submission of a planning application

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.48 No evidence has been provided.

### Firm progress with site assessment work?

- 1.49 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.50 No evidence has been provided.

### Summary

- 1.51 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.52 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **65 dwellings** from the Council's supply.



## CHIG.R4 – Land between Froghall Lane and railway line

Capacity = 105 dwellings, Council's 5YHLS = 65 dwellings

- 1.53 The site is allocated in the emerging Local Plan was approximately 105 specialist homes. The site does not have planning permission.
- 1.54 A hybrid planning application seeking full planning permission for an assisted living development and outline planning permission for a cemetery extension was submitted on 09 May 2019 and was pending determination at the base date.

### Current planning status?

- 1.55 As above, a hybrid planning application seeking full planning permission for an assisted living development and outline planning permission for a cemetery extension was submitted on 09 May 2019 and was pending determination at the base date (ref: EPF/1182/18). The application was subsequently refused on 13 June 2022 for 5 reasons, summarised as follows:
- Inappropriate development in the Green Belt
  - Failure to provide sufficient off-site affordable housing contributions
  - Failure to secure relevant financial contributions relating to local healthcare provision, sustainable transport measures and air pollution
  - Harm to integrity of Conservation Area
  - Inadequate parking provision
- 1.56 No further planning applications have been made.

### Firm progress being made towards the submission of an application?

- 1.57 No evidence has been provided to suggest that progress is being made towards the submission of a further planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.58 No evidence has been provided.

### Firm progress with site assessment work?

- 1.59 No evidence has been provided.



### Clear relevant information about viability, ownership constraints or infrastructure provision?

1.60 No evidence has been provided.

#### Summary

1.61 The site does not have planning permission. Whilst a planning application was pending determination at the base date, this was subsequently refused in June 2022. No evidence has been provided to suggest that progress is being made towards the submission of a further planning application.

1.62 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **65 dwellings** from the Council’s supply.



## NWB.R1 – Land at Bluemans

Capacity = 223 dwellings, Council's 5YHLS = 63 dwellings

- 1.63 The site is allocated in the emerging Local Plan for approximately 223 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.64 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.65 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.66 An email from the planning agent states:

"I can confirm that the start date and delivery rates proposed are realistic in respect of my client's site, NWB.R1. **This is subject to NWB.R1 being accessible in the first phase of development.** We understand that this has been agreed through the masterplanning process, but as you know, **we are not party to the PPA, so cannot comment further on phasing plans.**"

- 1.67 The above suggests that the start date is not confirmed.

### Firm progress with site assessment work?

- 1.68 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.69 No evidence has been provided.

### Summary

- 1.70 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.71 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it



has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **63 dwellings** from the Council’s supply.



## WAL.R3 – Land adjoining Parklands

Capacity = 130 dwellings, Council's 5YHLS = 60 dwellings

- 1.72 The site is allocated in the emerging Local Plan for approximately 130 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.73 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.74 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.75 No evidence has been provided.

### Firm progress with site assessment work?

- 1.76 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.77 No evidence has been provided.

### Summary

- 1.78 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.79 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **60 dwellings** from the Council's supply.



## NWB.R5 – Land at the Acorns, Chase Farm

Capacity = 51 dwellings, Council's 5YHLS = 51 dwellings

- 1.80 The site is allocated in the emerging Local Plan for approximately 51 dwellings. No planning applications have been made to date.

### Current planning status?

- 1.81 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

- 1.82 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

- 1.83 No evidence has been provided.

### Firm progress with site assessment work?

- 1.84 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

- 1.85 No evidence has been provided.

### Summary

- 1.86 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.
- 1.87 Therefore, the Council has not provided any “clear evidence” of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not “clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of “deliverable” as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **51 dwellings** from the Council's supply.





## EPP.R9 – Land at Bower Vale

Capacity = 50 dwellings, Council's 5YHLS = 50 dwellings

1.88 The site is allocated in the emerging Local Plan for approximately 50 dwellings. No planning applications have been made to date.

### Current planning status?

1.89 The site does not have planning permission. No planning applications have been made to date.

### Firm progress being made towards the submission of an application?

1.90 No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

### Written agreement between the LPA and the developer confirming their anticipated start and build-out rates?

1.91 No evidence has been provided.

### Firm progress with site assessment work?

1.92 No evidence has been provided.

### Clear relevant information about viability, ownership constraints or infrastructure provision?

1.93 No evidence has been provided.

### Summary

1.94 The site does not have planning permission, nor has a planning application been submitted to date. No evidence has been provided to suggest that progress is being made towards the submission of a planning application.

1.95 Therefore, the Council has not provided any "clear evidence" of the type referred to in paragraph 68-007 of the PPG that housing completions will begin on the site within the next five years. The evidence that it has provided is not "clear evidence that housing completions will begin on site within five years. The site fails to meet the definition of "deliverable" as set out on page 66 of the Framework and should be removed from the supply. This results in a deduction of **50 dwellings** from the Council's supply.



## 2. Allocated sites without planning permission (under 50 units)

2.1 The Council's five year supply includes 784 dwellings on 35 allocated sites under 50 units without planning permission at the base date which we dispute, as follows.

**Table 2 - Allocated sites under 50 units**

LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
THOR.R2	Land east of High Road	48	48	0	-48	Outline application for 62 dwellings submitted 10 March 2022, pending determination (ref: EPF/0332/22). Even if approved, RM will still need to be submitted an approved.
BUCK.R2	Queens Road car park	41	41	0	-41	No planning applications made to date.
ONG.R4	Land north of Chelmsford Road	163	40	0	-40	EIA application submitted 20 October 2021 by Persimmon Homes (ref: EPF/2774/21). No documents published on LPA website. No other applications made.
NAZE.R3	Land to the rear of Pound Close	39	39	0	-39	No planning applications made to date.
THYB.R1	Land at Forest Drive	39	39	0	-39	Full application for 28 dwellings submitted 25 February 2021, still pending determination (ref: EPF/0292/21). No



LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
						documents uploaded since August 2021. Objections from Urban Design, Noise, LLFA, Drainage, Trees and Landscape.
ONG.R1	Land west of Ongar	99	33	0	-33	No planning applications made to date.
NAZE.R1	Land at Perry Hill	33	33	0	-33	No planning applications made to date.
ONG.R6	Land between Stanford Rivers Road and Brentwood Road	33	33	0	-33	No planning applications made to date.
STAP.R1	Land at Oakfield Road	33	33	33	0	Full application for 42 dwellings submitted 02 February 2020 (ref: EPF/0216/20). Heard at planning committee on 13 July 2022 where it was voted to grant planning permission. No decision issued to date.
BUCK.R1	Land at Powell Road	31	31	0	-31	No planning applications made to date.
WAL.R1	Land west of Galley Hill Road	295	30	0	-30	No planning applications made to date.
ONG.R2	Land at Bowes Field	135	30	0	-30	No planning applications made to date.



LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
NWB.R4	Land at Chase Farm	27	27	0	-27	No planning applications made to date.
ONG.R3	Land south west of Fyfield Road	27	27	0	-27	No planning applications made to date.
WAL.R6	Waltham Abbey Swimming Pool	27	27	27	0	Full application for 28 dwellings submitted 26 July 2021, still pending (ref: EPF/1869/21). Revised documents submitted April/May 2022.
NAZE.R4	Land at St Leonards Farm	21	21	0	-21	No planning applications made to date.
NWB.R2	Land at Tylers Farm	21	21	0	-21	No planning applications made to date.
ROYD.R2	Land at Kingsmead School	21	21	0	-21	No planning applications made to date.
SHR.R2	Land to the east of the M11	62	20	0	-20	No planning applications made to date.
ROYD.R4	Land at Parklands Nursery	20	20	0	-20	No planning applications made to date.
LOU.R16	St Thomas More RC Church	18	18	18	0	Full application for 26 dwellings approved 20 October 2022 (ref: EPF/0304/19).



LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
ONG.R7	Land south of Hunters Chase and west of Brentwood Road	17	17	0	-17	No planning applications made to date.
FYF.R1	Land at Gypsy Mead	14	14	14	0	Full application for 24 dwellings submitted 12 February 2019 (ref: EPF/0016/19). Heard at planning committee on 10 August 2022 where it was voted to grant permission. No decision issued to date.
LSHR.R1	Land at Lower Sheering	14	14	0	-14	No planning applications made to date.
LOU.R10	Land at Station Road	12	12	0	-12	No planning applications made to date.
SHR.R3	Land north of Primary Lane	12	12	0	-12	No planning applications made to date.
CHIG.R10	The Maypole	11	11	0	-11	No planning applications made to date.
HONG.R1	Land at Mill Lane	10	10	0	-10	Full application for 8 dwellings submitted 04 July 2018, still pending determination. Council's website states that the application is 'Held in Abeyance' due to its location in a Special Area of Conservation. The application was set to be heard at planning committee on 21 July 2021 however the



LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
						committee meeting minutes state that the application was “withdrawn prior to committee”.
SHR.R1	Land at Daubneys Farm	10	10	0	-10	No planning applications made to date.
LOU.R3	Land at Vere Road	9	9	0	-9	No planning applications made to date.
LOU.R11	Land west of Roding Road	9	9	0	-9	No planning applications made to date.
ONG.R8	The Stag Pub	9	9	0	-9	No planning applications made to date.
ROYD.R1	The Old Coal Yard	7	7	0	-7	Full application for 7 dwellings submitted 10 November 2021, refused by the Council on 01 April 2022 (ref: EPF/2830/21). Council’s trajectory states that an appeal has been lodged however no appeal records for this site found on LPA appeal search or PINS appeal search.
CHIG.R8	Land at Fencepiece Road	6	6	6	0	Full application for 8 dwellings submitted 10 May 2022, pending determination (ref: EPF/2761/21).



LPA ref:	Address	Capacity (Net)	LPA 5YS	EP 5YS	Difference	Reason for deduction
LOU.R15	Land at Traps Hill	6	6	0	-6	No planning applications made to date.
THYB.R3	Land at Coppice Row	6	6	0	-6	Full application for 7 (net) dwellings submitted 20 January 2020, still pending determination (ref: EPF/3001/19). Council's website states that the application is 'Held in Abeyance' due to its location in a Special Area of Conservation. No documents uploaded to LPA website since March 2020.
		<b>Total</b>	<b>784</b>	<b>98</b>	<b>-686</b>	



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