



Our Ref: LPL634 17-01-2018

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

26th January 2018

Dear Sir/Madam,

Re: Epping Forest Local Plan – Submission Version Consultation

Context: It is worth commenting briefly on ‘Development Plan Objections’, drawing on the commentary in ‘Planning Law Practice and Precedents’, published by Sweet and Maxwell, which reads:

“The examination is not an Examination in Public as such but nevertheless is of that nature; it is certainly not a Public Local Inquiry as one previously understood it. The presumption is that there will be a number of informal hearings with the emphasis on round table discussion rather than a more formal presentation of objections, cross-examination and so forth.

From the point of view of objectors this new procedure may have serious shortcomings. Whereas the more formalised procedure ensures that the Local Planning Authority produce to the Inspector (now the Examiner) all the relevant material including, if demanded, the background material which underwrites their Topic Papers, the lack of formality and rigorous cross-examination may lead to a certain amount of “glossing-over” on the part of the Local Planning Authority seeking to hide behind the Topic Paper in question. Objectors may find the debate, whether round table, informal or otherwise, somewhat arid unless they can really establish how the Local Planning Authority came to the view that they now hold. The answer for objectors may be to formally serve on the Examiner and the Local Authority a formal document requiring full disclosure of the underlying, materials so that their consultants have a real chance

to verify or otherwise the methodology and survey results which have given rise to the assumptions in the Plan with which they are concerned.”

By way of context I have included at Appendix 3 a copy of my article entitled “The Holy Grail: Delivering Housing Need”; the article has been accepted for publication in the Journal of Planning and Environmental Law and is drafted in conjunction with Michael Bullock of Arc4. I would draw particular attention to the sections entitled: “The Policy Position – NPPF”, ‘Objectively Assessed Need’, ‘Changing Housing Markets’, ‘Planning Policy’ and ‘Comment’. The section of the above article dealing with ‘Changing Housing Markets’, in particular ‘Ageing Population and Household Projections’, including the four tables, are highly referable. The comments on Planning Policy, deal with five year supply and read:

In developing policies by which acceptable housing sites are to be identified and the five-years supply target is to be achieved; there is a concern that the nuance of housing requirements and needs of the aging population set out above are lost in debate over numbers; however, delivering the nuance of housing requirement (and obvious needs such as the requirements of the aging population), may well be difference between providing the housing we need and not.

It is worth reiterating the phrase “the nuance of housing requirements and needs of the aging population set out above are lost in debate over numbers”; because the problem identified above is compounded, to an alarming degree, when projected from 5 years to the 2033 plan period.

I would reiterate the comment within the article:

However, the starting point for any evaluation is objectively assessing requirements in a consistent manner, endeavour to strike a balance between rented and owner occupied property, provide clear guidance on assessing affordable need and taking account of demographic change in particular the needs of the elderly.

The problem with the current plan is there is a serious disconnect between the scale of demographic change within Epping Forest over the planning period and policy response. Accordingly, this document constitutes a formal request, served on the Local Authority, requiring full disclosure of the background material which underwrites their Topic Papers so that our consultants have a real chance to verify or otherwise the methodology and survey results which have given rise to the assumptions in the Plan relating to ‘demographic change and the needs of an aging population’. I propose an early meeting with Head of Local Plans to establish how the Local Planning Authority came to the view that they now hold; the meeting will also be attended by my co-author Dr. Michael Bullock, who is a recognised expert on housing need.

Note: See also my article, written with Sasha White QC of Landmark Chambers, published in Issue 4 [2015] of the Journal of Planning and Environmental Law, entitled ‘Access to Environmental Information: 30 Years On [2015] J.P.L. 409.

Public consultation

It is understood that Epping Forest District Council are undertaking a public consultation on the Submission Version Local Plan. It is noted that the Council are seeking representations on the legal compliance and soundness of the draft Local Plan, with submissions to be made no later than 5pm on Monday 29th January 2018. The consultation draft report states as follows:

“This document is the one we intend to submit to the Planning Inspectorate for examination and is the Plan that the Council would like to adopt subject to that examination. The six-week publication period gives you the opportunity to make any representations on the soundness of the plan for the Inspector to consider. This is not a consultation looking for changes to be considered in the future, but rather an assessment of whether the Plan has followed guidance and is therefore sound.”

“...We are on schedule to deliver the Plan to the Inspectorate before the end of March 2018 deadline. By doing this we will be able to continue to make use of our extensively researched housing requirement. To fail to do this would expose us all to the risk of the housing requirement rising from 11,400 to over 20,000 homes by 2033.”

In addition to the draft consultation report, it is noted that the Council have also published some amendments to the Plan which one must assume have been proposed following the Council meeting held in mid December 2017 (where approval was given for the consultation to take place). Whilst the majority of the amendments are noted to be minor in nature, there is some concern that proposed changes were not included within the consultation draft report prior to publication. Given that some changes include the plan period, and changes to policy wording, for ease and consistency the plan should have been held back from consultation whilst these changes were made. This would have allowed for one comprehensive consultation report to be published, and would have alleviated any risk of confusion for interested parties when reading through the reports.

Furthermore, clarification should be provided as to why the Plan would appear to be being rushed through at this stage in order to avoid an increase in the provision of housing land supply from 11,400 units to over 20,00 over the plan period. (as stated within the consultation documentation). Clearly, in order to ensure legal compliance with paragraph 182 of the National Planning Policy Framework, and to meet the tests of soundness plans should be:

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

Any attempts to stifle growth could well raise serious questions in relation to the soundness of the Plan, as it cannot be seen to being positively prepared, is not justified if the housing need is greater than set out within the Plan, and is not consistent with national policy. The Plan therefore as drafted does raise some serious questions on its legal compliance and soundness which the Council need to acknowledge and address.

Instructions

Leith Planning Ltd act on behalf of Stenprop Ltd, who manage land at Abridge Road, Chigwell on behalf of Chigwell Properties Ltd. The site is delineated on the plan included at Appendix 1. We have consistently sought to engage with the local authority throughout the Plan making process to discuss the merits of an allocation for the land as an ‘Extra Care Village’ designed

to promote the needs of older persons, and the positives to be achieved through active ageing. It is clearly frustrating that the Council have thus far failed to seek to engage with us to discuss the proposed development, and the benefits this can bring for the residents of Epping Forest.

We are however once again instructed to review the consultation draft report and to make representation as appropriate.

Chigwell Neighbourhood Plan

At the time of drafting these submissions it is noted that Chigwell Parish Council are holding a meeting on the 25th January 2018 to determine whether to submit their draft Neighbourhood Plan for Independent Examination. Historically, it is understood that there has been some conflict between the Parish Council and Epping Forest Council in relation to their approaches to development in the settlement of Chigwell. We will continue to monitor progress on both the Epping Forest Local Plan and Chigwell Neighbourhood Plan and to make representation as appropriate.

Planning and Compulsory Purchase Act 2004

In drafting these representations due regard has been paid to the content of The Planning and Compulsory Purchase Act 2004 and the duties it places on Local Planning Authorities. Sections 20 to 23 of the Legislation are noted to relate to the Examination of local development documents through to document adoption. It is assumed however, that Epping Forest District Council has been mindful of the relevant sections of the Planning and Compulsory Purchase Act in the preparation of the draft Local Plan.

Regulations

The referable regulations governing Local Plans are contained in The Town and Country Planning (Local Planning) (England) Regulations 2012 (the 'Regulations'). The Regulations set out the Duty to Cooperate, the form and content of Local Plans, public participation, Local Plan preparation, Independent Examination through to document adoption. Once again, it is assumed that the Council will have paid the necessary regard to the content and requirements laid out within the Regulations in the preparation of the Submission Version Epping Forest Local Plan.

National Planning Policy Framework

Please refer to my comments on National Planning Policy Framework in the article mentioned above (Appendix 3). There are concerns that the Submission Draft Local Plan as prepared is not sufficiently justified (as required by paragraph 182) in relation to meeting the needs of an ageing population. Whilst some limited reference is made to accommodation for older persons, given the likely growth in the over 65's over the life of the plan (addressed in further detail below), and the already evident social issues arising from an ageing population, it is our view that greater regard should be paid to meeting and addressing the specific needs of this part of the community. Unless the plan 'explicitly' deals with these specific needs, and 'explicitly' plans for them, the plan will fail, because it will be blatantly unsustainable.

National Planning Practice Guidance

Given our clients' particular interests in the leisure industry and care and housing for older persons, we trust that Epping Forest District Council have had regard to the relevant extracts of the National Planning Practice Guidance, including the Duty to Cooperate, Local Plans and Housing and Economic Development Needs Assessments.

Local Plan Evidence Base

In reviewing the context of the Submission Draft Local Plan due regard has been paid to the background evidence base reports published alongside the consultation documentation. Whilst we have no desire at this stage to comment in detail on each document, we do wish to raise some concerns in relation to the lack of consideration paid to meeting the needs of an ageing population. As required by the NPPG the needs of older persons in relation to their housing requirements has been assessed to some degree. However, this issue is far more complex than simply housing needs, and there is some concern regarding the lack of in depth assessment, in particular the social housing and care needs, the desire and need for specialist accommodation, and the importance to be placed on health and active lifestyles. In order to fully understand the complex and varied care and housing needs of this group of the community, more needs to be done to engage with them to review what type of older age they wish to create, and what facilities they need to secure their independence.

Duty to Co-Operate

We would seek assurances from the Council that the proposals included within the Submission Draft Local Plan, have been discussed under the Duty to Cooperate with the relevant statutory bodies and neighbouring authorities, including Social Services, Essex County Council and older persons charities and care providers. In addition, given the commercial ramifications of the Epping Forest Local Plan, we would also seek assurances that discussions are being held with the local business community regarding employment generation, accessibility and investment into the defined area of the Plan. We would be more than willing to participate in such discussions with the local authority on behalf of our clients.

Content of Submission Version Local Plan

Having reviewed the Submission Draft Local Plan we wish to comment as follows:

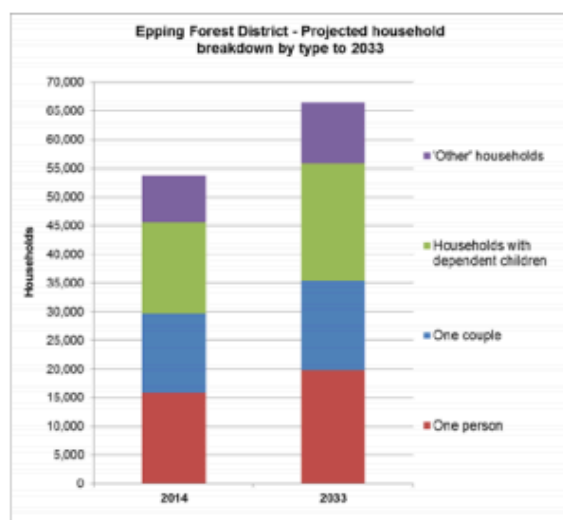
Population Profile

“1.17 The 2011 Census recorded a population of about 124,660 people making up 52,083 households.² In the 2016 projections these figures rise to 130,300 and 54,867 respectively. The population is therefore estimated to have increased by just over 5,000 since 2011.

1.18 Compared to the rest of England, the District had higher levels of people aged 45-64 and 65 and over in 2011 with the proportion of people aged 65 and over in the District projected to grow substantially by 2033. Alongside this increase, the number of 30-64 year olds is projected to drop, with the number of 15-29 year olds projected to drop slightly and the proportion of people aged 0 to 14 to rise a little.

1.19 The number of households is projected to rise to 66,460 by 2033. The numbers of households consisting of one person or a family with dependent children are expected to increase with fewer households consisting of one couple, as shown in Figure 1.2.”

Figure 1.2 Projected household breakdown by type to 2033



“1.20 Life expectancy both at birth and at age 65 in Epping Forest District in 2010-12 was higher than the national and Essex averages, and similar to the East of England region. The District’s life expectancy at birth has risen since 2000 from 76 to 79 for males and from 81 to 83 for females. Births and deaths have remained relatively steady since 2007. There have been more births than deaths, contributing to a rise in population.”

Comment: The Council must accept from the above extracts of the Plan that there is an ageing population within the authority area, with the proportion of those aged 65 and over only expected to increase over the Plan period. In addition, it is clear that the residents of Epping Forest are living longer. All of which will lead to greater pressures being placed on the health, social care and housing sectors which this Plan is simply failing to address. It is our view that more needs to be done within the draft Plan to outline the defined needs of older persons, and how their care and housing requirements will be met over the Plan period.

Key Issues for the Plan to Address

“1.44 There are several important issues that the Plan must address. More detail about them is found in Chapters 2-6. They include:

- ensuring that sustainable development is achieved, and that climate change is considered in the policies and proposals of the Plan;
- **how to manage and accommodate the needs of the current and future population and the future economic needs of the District, which is indicated by the evidence to be approximately 11,400 new homes and the creation of 10,000 new jobs over the Plan period (2011-2033). This will need to be supported by necessary infrastructure;**
- there is very little land remaining in the District within the settlements that is not already developed - in order to plan properly for the future, a District-wide review of the Green Belt has been undertaken to identify the potential for future development;
- the continued protection of the remaining Green Belt, and in particular preventing the merging of settlements and checking the unrestricted sprawl of large built-up areas;
- **the need to ensure a housing stock that matches the needs of the population, including catering for an ageing population and more single**

person households, providing affordable housing and starter homes for those who cannot afford market prices and providing for the Traveller communities;

- addressing the transport needs of current and future populations for both rural and urban populations along with many other infrastructure needs such as health, education, community spaces and places, faith, culture, sport and leisure opportunities;”

Comment: Once again the Council accept that meeting the housing needs of an ageing population is a key issue for the Plan to address. Whilst it is accepted that the draft policies do make some reference to meeting this need, the detail is very limited and is not deemed to go far enough to meet the significant challenges posed by an ageing population. It is our view that in much the same as affordable housing and the housing needs of the Traveller community, that a specific policy should be included within the draft Plan addressing the housing and care needs of older persons, and the disabled. This policy should include reference to a defined level of housing need by unit type. The breakdown needs to include reference to the residential care sector and potentially allocated sites, such as the land fronting onto Abridge Road, Chigwell for housing for older people or those requiring specialist housing accommodation.

Housing Need

“2.43 The latest updates to the 2015 SHMA were published in July 2017. This assessed the 2016 national population and household projections data together with further sensitivity testing specific to local circumstances, including for migration. This update has indicated that the full objectively assessed need for housing across the HMA amounts to some 51,700 new homes over the period 2011-2033. It then identified that for Epping Forest District some 12,573 new homes were needed within that period. However, this figure is a ‘starting point’ and does not take into account environmental, policy and infrastructure constraints. It is for Local Plans to consider the most appropriate spatial distribution for achieving the full objectively assessed need across the HMA. The four local authorities across the HMA have worked together to inform the development of their individual Local Plans within this context.

2.44 Taking this into account the agreed distribution in the MoU identified a requirement for Epping Forest District to accommodate approximately 11,400 homes over the plan period 2011-2033.”

Table 2.3 Housing land supply: 2011-2033³

The components of housing land supply over the period 2011-2033 are as follows:	
Minimum number of homes required to be built 2011-2033: 518 x 22 years	~11,400
Homes Built (Completions) 2011-2017 up to 31 March 2017	1,330
What is available in the future (supply)	
Sites with planning permission up to 31 March 2017 + 10% non-delivery rate	1,621
Windfalls 35 x 11 years	385
Total supply	3,336
Requirement met through Garden Town Communities around Harlow within FFDC	3,900
Remaining requirement to be provided elsewhere in the District	4,146

Comment: It is noted that the housing target set out in the Submission Draft Local Plan is almost 1,200 units less than the Objectively Assessed Housing Need (OAHN) for Epping Forest (total of 12,573 dwellings). Whilst it is accepted that the OAHN does not take account of environmental and other constraints to development, surely the figure of a housing need of 12,573 really should be the starting point for the Plan. Failure to secure sufficient delivery of housing over the Plan period to meeting assessed need will result in continuing increases to house prices, lack of available homes for those in need, and a Plan which is not fit for purpose, nor suitably flexible to meet the needs of the community. In addition, it is noted that Table 2.3 (as copied above) makes reference to housing delivery from 2011-2033, as opposed to 2016 to 2033 which is now understood to be the Plan period. This inconsistency needs to be corrected and the impact upon total and annual housing delivery needs to be recalculated. Given that housing delivery and annual housing numbers are a fundamental part of any Local Plan, the importance of this inconsistency and the need for accuracy cannot be underestimated. This only seeks to support our view that the Plan should have been corrected prior to consultation to avoid confusion and misunderstanding.

Policy SP 2 Spatial Development Strategy 2011-2033

“A. Within the period 2011-2033 the Local Plan will provide for a minimum of 11,400 new homes allocated in accordance with the following sequential approach:

- (i) The creation of Garden Town Communities around Harlow recognising its strategic economic role and needs;
- (ii) A sequential flood risk assessment – proposing land in Flood Zone 2 and 3 only where need cannot be met in Flood Zone 1;
- (iii) Sites located on previously developed land within settlements;
- (iv) Sites located on open space within settlements where such selection would maintain adequate open space provision within the settlement;
- (v) Previously developed land within the Green Belt;
- (vi) Greenfield/Green Belt land on the edge of settlements: - Of least value to the Green Belt if the land meets other suitable criteria for development. - Of greater value to the Green Belt if the land meets other suitable criteria for development. - Of most value to the Green Belt if the land meets other suitable criteria for development.

- (vii) Agricultural land: - Of Grade 4-5 if the land meets other suitable criteria for development. - Of Grade 1-3 if the land meets other suitable criteria for development.
- (viii) Enable small scale sites in smaller rural communities to come forward where there is a clear local need which supports the social and economic well-being of that community.

B. The new homes will be distributed as follows: Settlement Allocated Housing Sites around Harlow ~ 3,900 Epping ~ 1,305 Loughton ~ 1,021 Waltham Abbey ~ 858 Ongar ~ 590 Buckhurst Hill ~ 87 North Weald Bassett ~ 1,050 Chigwell ~ 376 Theydon Bois ~ 57 Roydon ~ 62 Nazeing ~ 122 Thornwood ~ 172 Coopersale, Fyfield, High Ongar, Lower Sheering, Sheering and Stapleford Abbots ~ 175 Rural East ~ 41

C. The new homes will be delivered by:

- (i) permitting development proposals within the defined settlement boundaries where they comply with all other relevant policies of the Local Plan;
- (ii) the development of Garden Town Communities around Harlow and at other settlements as allocated through this Local Plan (as identified in Policy SP 5 and Chapter 5);
- (iii) Permitting rural exception sites in accordance with Policy H 3 and all other relevant policies of the Local Plan;
- (iv) the delivery of sites identified in made Neighbourhood Plans;
- (v) making the best use of land by ensuring that development densities are appropriate to the location and size of the site in accordance with Policy SP 3; and
- (vi) resisting developments which would result in a net loss of homes, unless it can be demonstrated that the benefits of doing so will materially outweigh the harm.

D. An additional 38 pitches and 1 yard will be provided through the allocation of sites in the Local Plan to accommodate the needs of Travellers as identified in Policy SP 5 and Chapter 5. This provision will be delivered through the following sequential approach:

- (i) the regularisation of existing sites with temporary permissions or other unauthorised sites where appropriate;
- (ii) making the best use of existing traveller sites through intensification and extension, and the review of personal permissions where appropriate;
- (iii) new sites in locations outside the Green Belt which are appropriately located in terms of access to healthcare, education and other services
- (iv) new Traveller sites in Green Belt areas which are appropriately located in terms of access to healthcare, education and other services;
- (v) the provision of land as part of the development of the Garden Town Communities around Harlow and other allocated sites in this Local Plan; and
- (vi) permitting additional Traveller sites in accordance with Policy H 4. E.

“2.77 The identified housing supply to 2033 exceeds the requirement. This serves two functions. Firstly, it provides a contingency to allow for flexibility. Contingency planning is necessary to allow for eventualities beyond the Council’s control, including the economic cycle and factors relating to specific sites or developers, which could result in stalled sites. The Plan provides a range of sites in different locations which means that it is not reliant on delivery at a single location. A breakdown of the housing supply is included at Appendix 5.”

“2.78 Secondly, as identified above, the Council recognises that recent household projections demonstrate a further upward trend in housing need and the identification of additional sites demonstrates the Council’s commitment to positive planning.”

“2.79 The Council’s positive approach may also require it to use its compulsory purchase powers under section 226 of the Town and Country Planning Act 1990. That power gives the Council a positive tool to help to assemble land where this is necessary to implement proposals in the Local Plan or where strong planning justifications at for the use of the power exist. For the circumstances in which those powers may be exercised, see the Department for Communities and Local Government’s ‘Compulsory purchase process and the Crichel Down Rules: guidance’.”

“2.80 The Council recognises the importance of delivering housing to meet the requirements set out within Policy SP2, and ensuring that the Plan includes sufficient flexibility to respond to unanticipated changes in circumstances including the unforeseen failure of site(s) to deliver as planned. As a result, the Council is committed to monitoring and reviewing the Plan following adoption.”

Comment: We have no particular comments to make on the proposed spatial development strategy, but would question whether such an approach will in all reality meet the diverse and varied needs of the Plan area within both urban and rural settlements. However, clarification is sought in relation to the claim that the identified housing need figure exceeds the proposed requirement set out within the Plan, particularly in circumstances where the consultation document makes reference to a potential requirement for 20,000 dwellings, should the Council not progress swiftly with this draft of the Plan. Further detail should be provided as to where the 20,000 unit figure has come from, how that has been justified, why this has not been included within the draft Plan, and if necessitated where these additional dwellings may need to be located. In particular, if a case can be made for an identified need for an additional 8,600 dwellings, why are they not being proposed to be provided. If the housing figures are being deliberately held low, the Plan simply cannot be deemed to be positively prepared and justified and will not meet the tests of soundness.

Green Belt and District Open Land

“2.133 The Council recognises the important role of the Green Belt in the District. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Green Belt in the District forms part of the Metropolitan Green Belt surrounding London. Over 92% of the District is designated as Green Belt which surrounds all of the larger settlements, washing over some of the smaller settlements.”

“2.134 The general extent of the existing Green Belt will be maintained, but to achieve sustainable development patterns and meet development needs for the Plan period, some alterations to the detailed boundaries around settlements have been necessary. This has been undertaken in line with the national planning guidance regarding the definition of boundaries and purposes of the Green Belt. Green Belt serves five purposes:

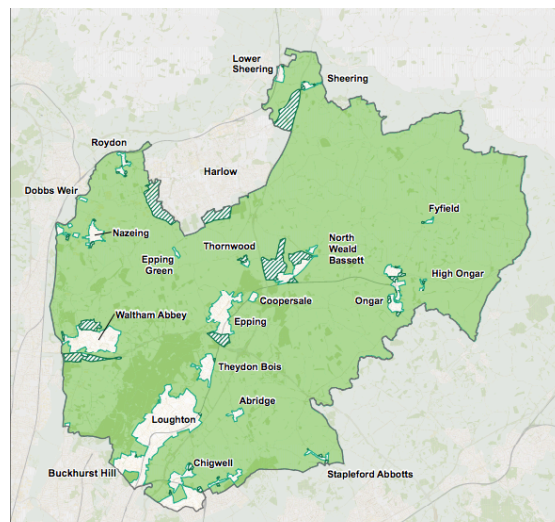
- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”

“2.136 The justification for altering the Green Belt boundaries in this Plan arises from the local circumstances as they pertain to:

- The extent of the Green Belt and subsequent deficiency of land within the existing settlements to accommodate the identified need;
- The requirement to deliver sustainable patterns of development; and
- The inability of neighbouring authorities to meet the need of the District given their circumstances as also containing extensive areas of Green Belt.”

Comment: The Council are understandably keen to protect the Green Belt within the authority area from encroachment. However, in this instance given the extensive amount of Green Belt within Epping Forest it is clearly inhibiting the delivery of development to meet the housing and employment needs of its community. We are therefore of the opinion that the Council need to be more pragmatic in the assessment of the Green Belt to ensure sufficient flexibility in site delivery over the plan period.

“2.138 There have been no alterations to Green Belt boundaries since adoption of the 1998 Local Plan. The alterations made at this time were relatively minor and related only to four specific locations. Proposed development sites within the 1998 Local Plan were not removed from the Green Belt as part of the process of allocating them for development. In addition to this historic position of only making very limited changes to the Green Belt, Epping Forest District has previously been considered as an area of development restraint by higher tier plans (e.g. County Structure Plans and Regional Strategies) with relatively low development needs allocated as a result. As set out in paragraphs 2.40-2.43 the Council has worked in partnership with neighbouring authorities within the defined Housing Market Area to identify the Objectively Assessed Development Needs for the Plan period. For Epping Forest District, the identified requirement represents a considerable increase over previous development rates. It is clear from the evidence base for this plan that there is insufficient land outside of the Green Belt to meet the future development needs of the District within the plan period.”



Policy SP 6 Green Belt and District Open Land

“A. Green Belt The general extent of the Green Belt is set out in Map 2.5. The detailed boundaries and inset settlements are defined in Chapter 5 and shown on the policies map. The openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy and Policy DM 4 B. District Open Land The same level of protection will be applied to areas of District Open Land as is applied to Green Belt. The key characteristics of District Open Land are their openness, permanence, local significance, wildlife value and/or public

accessibility. It is not necessary for each of these characteristics to be present to be designated or retained as such.”

Comment: Having reviewed the Council's current proposals for development and release of Green Belt land, it is somewhat surprising that no amendments are being proposed to the settlement boundary of Loughton. Given the size of the settlement and its status within the Plan, it is our view that Green Belt amendments in this part of the borough are deliverable and would not undermine the function of the wider Green Belt around the settlement. Release of the land fronting onto Abridge Road as an example, would not result in greater encroachment into the Green Belt than the current arrangement, and will ensure that development is focused on the edge of a key built up area. The Council appear to have focused on the release of the Green Belt land on some of the smaller settlements of the authority area, resulting in restrictions on development elsewhere and an impact upon development delivery. Given the need to support sustainable forms of development we would question how these proposals would meet with the tests of soundness on consistency and compliance with national planning policy.

Housing Mix

“3.4 It is important that a proportion of new homes can provide for the needs of those with, or who may develop, accessibility needs through the design of those homes. This reflects the evidence as set out in the SHMA and the 2017 update that there is an existing need for accessible housing in the District that will continue taking into account the ageing profile of the District's population over the period of the Local Plan. Improving housing standards to strengthen local communities and reduce the need for residential care by enabling vulnerable people to remain in their homes, or be able to have the choice to be able to move into a new home, is important as part of improving the overall housing mix within the District. Consequently, the Council's approach is that all new homes should be built to Category 2: Accessible and Adaptable Homes standards, in order to maximise choice in the type, size and location of new homes available.”

“3.5 The needs of those with accessibility needs, including older people can be supported by bungalow accommodation. Recent information contained in the Council's Authority Monitoring Report shows that there has been a gradual erosion of the District's existing stock of bungalows. The Council considers that bungalows can play an important role because of their potential ease of adaptation such that they can provide choice for people with accessibility needs, including the current and future needs of older people.”

“3.6 Specialist accommodation for those with support needs, including for older people, will continue to play an important role in providing for those residents who currently, or will, need assistance. Consequently, the loss of existing specialist accommodation will be resisted and new provision will normally be supported where appropriately located and designed.”

Comment: It is noted from the above paragraphs that the Council accept that there is a need within Epping Forest for a proportion of new homes to provide for the needs of those with, or who may develop, accessibility issues. Furthermore, paragraph 3.4 makes reference to the need to reduce residential care spaces and increase provision for persons to live independently at home, or in a new purpose built development. It is imperative therefore that the Council seek to identify sites which can deliver and meet this housing need, including the land delineated at Appendix 1 which can offer older persons an active old age with independence, but with on site care and support when needed. We remain of the view that our clients aspirations for a health care village at Abridge Road will help the Council in

meeting the requirements set out above. Failure to ensure that the housing and care needs of this significant portion of the population are met, will lead to exacerbation of an already major issue within the authority area, and a neglect of the needs of some of the most vulnerable members of the community.

Policy H 1 Housing Mix and Accommodation Types

- “A. Development will be permitted where the mix of new homes:
- (i) includes a range of house types and sizes to address local need including for ‘down-sizing’;
 - (ii) is appropriate to the size, location and characteristics of the site and its surroundings;
 - (iii) takes into account the existing housing stock in the settlement or neighbourhood in order to avoid any over-concentration of a single type or size of homes, or specialist accommodation, where this would undermine the achievement of mixed and balanced communities; and
 - (iv) allows for community-led approaches such as co-housing and co-operatives where appropriate;
 - (v) provides for all new homes to be accessible and adaptable as defined by the Building Regulations in effect at the time of the application.
- B. Planning applications will be required to be supported by evidence, proportionate to the nature and scale of development proposed, to justify the mix of new homes to be provided. Such evidence will also need to reflect latest housing needs evidence published by the Council.
- C. Proposals for housing, requiring specialist accommodation, self-build/custom build housing, sites upon which caravans can be stationed, or locations for mooring houseboats, will be supported where:
- (i) they meet a proven identified need;
 - (ii) the location is appropriate in terms of access to facilities, services and public transport and;
 - (iii) It can be demonstrated that the development is designed and managed to provide the most appropriate types and levels of support to the proposed occupier and adequately caters for the needs of support staff.
- D. The Council will require all New Housing Development to include affordable housing in accordance with Policy H 2 (Affordable Housing).
- E. Where there is evidence of an identified unmet need in the local area and the location is appropriate in terms of access to existing or proposed facilities, services and public transport, larger scale new residential developments should incorporate specially designed housing/specialist accommodation for people with support needs (including for older people and housing with care).
- F. The loss of bungalows and specialist accommodation will be resisted.
- G. The Council will support the development of selfbuild homes on appropriately sized, serviced sites in the first instance or on appropriately sized sites that are capable of being serviced. The provision of such will be encouraged as part of larger development schemes.

Comment: Draft Policy H4 is supported in principle as it seeks to secure a varied housing mix within the authority area to meet the needs of the community. However, it is our view that the reasoned justification associated with the draft policy, and the policy wording itself are not consistent. For example, paragraph 3.5 makes reference to the positive addition bungalows can make and the accepted; albeit unquantified need, for this house type. However, the draft policy does not make specific reference to this need beyond advising that the loss of bungalows will be resisted. It is our view that draft policy H4 needs to be more specific in relation to the housing mix on development sites, and to identify the current housing needs by unit type within the Plan or within a document supporting the Plan (to be

updated annually possibly within the Annual Monitoring Report). Failure to be specific in relation to housing needs and housing mix offers little opportunity when reviewing the plan to assess the success, or otherwise of the proposed policies. In addition, the lack of qualification on housing mix will make it more difficult for Developers to understand the housing needs they need to be working to address.

Open Space

“4.44 Open space provision is critical to the physical and mental health of our communities, as well as important to our experience of the character of settlements and the landscape in the District. The population growth expected over the Plan period will add to demand for space for all forms of recreation. Provision needs to be suitable for all, and especially older users; those with limited mobility; those on low incomes and children. In particular the Council wishes to provide communities with opportunities to improve their lifestyle and maintain their health.”

“4.45 Such open space in the District varies in character, quality and usage from children’s playgrounds, through sports pitches to natural space that can be used for a variety of recreational purposes. New development in the District should provide the amount and type of open space appropriate to its size or contribute to improvements of existing spaces as appropriate to the circumstances. Where development may, in exceptional circumstances, involve the use of open space for buildings this must be carefully controlled.”

Comment: We wholeheartedly support the importance to be placed on the provision of the protection of open space within the Plan. In fact, our clients within the development aspirations included at Appendix 2 would wish to create a development which not only seeks to address the housing and care needs of older persons, but which also facilitates and promotes active ageing and an increase in leisure and activity for older persons through a promotion of a link between the proposed development, and the existing leisure facilities on site, which would also be enhanced as part of the development proposals.

Loughton

“Vision for Loughton

Loughton will continue to be one of Epping Forest District’s major towns, providing a retail, employment and education hub that maximises its good public transport connectivity and proximity to Epping Forest and the forest-edge environment. The needs of Loughton residents will be met through an appropriate mix of housing in sustainable locations. Future development should maintain separation from neighbouring Theydon Bois, Buckhurst Hill and Chigwell. The main centre of Loughton High Road will be strengthened and future development will support the Centre’s continued role as a successful retail centre within the District. Loughton Broadway will be the focus of further enhancement and the new Epping Forest Shopping Park will provide a complementary retail offer. Employment will continue to be supported through both out-of-centre sites such as Langston Road, and smaller scale employment provision within the settlement centre. The impact of further development on Epping Forest, both in terms of air quality and also in terms of further recreational pressure will be minimised and mitigation measures will have been implemented where necessary.”

“5.29 Policy SP 2 sets out the number of homes the Council will plan for in Loughton over the Plan period. The provision of approximately 1,021 homes has been informed by the aspiration for Loughton to continue to be a major town, providing retail, education and employment in the District, supported by appropriate residential

expansion to support the two successful retail centres, and out-of-centre Epping Forest Shopping Park.”

“5.30 The Council has considered the possible spatial options to accommodate new homes at Loughton and concluded that there is one appropriate spatial option which comprises intensification within the existing settlement. This option provides opportunities to focus development in the most sustainable locations, use previously developed land within the settlement and minimise any harm to the wider landscape around the settlement, including Epping Forest.”

“5.31 Following an assessment of the suitability, availability and achievability of Residential Sites located within this spatial option, the Council has identified 18 sites for potential allocation to meet the identified housing requirement, as set out in Policy P 2.”

Policy P 2 Loughton

“A. Proposals for development on allocated sites should accord with the site specific requirements set out in Appendix 6.

Residential Sites

B. In accordance with Policy SP 2 the following sites are allocated for residential development:

- (i) LOU.R1 Loughton London Underground car park – Approximately 165 homes
- (ii) LOU.R2 Debden London Underground car park – Approximately 192 homes
- (iii) LOU.R3 Land at Vere Road – Approximately 9 homes
- (iv) LOU.R4 Borders Lane playing fields – Approximately 217 homes
- (v) LOU.R5 Land at Jessel Green – Approximately 154 homes
- (vi) LOU.R6 Royal Oak Public House – Approximately 10 homes
- (vii) LOU.R7 Loughton Library – Approximately 20 homes
- (viii) LOU.R8 Land West of High Road – Approximately 29 homes
- (ix) LOU.R9 Land at former Epping Forest College site – Approximately 111 homes
- (x) LOU.R10 Land at Station Road – Approximately 12 homes
- (xi) LOU.R11 Land west of Roding Road – Approximately 9 homes
- (xii) LOU.R12 Land at 63 Wellfields – Approximately 10 homes
- (xiii) LOU.R13 Land at 70 Wellfields – Approximately 6 homes
- (xiv) LOU.R14 Land at Alderton Hill – Approximately 33 homes
- (xv) LOU.R15 Land at Traps Hill – Approximately 6 homes
- (xvi) LOU.R16 St Thomas More RC Church – Approximately 18 homes
- (xvii) LOU.R17 Land to the rear of High Road – Approximately 12 homes
- (xviii) LOU.R18 Land at High Beech Road – Approximately 8 homes”

Comment: The Council identify Loughton as a major settlement within the Submission Version, and within the provisions of draft policy P2 and the associated text. However, we remain of the view that the Council have not got far enough to secure the maximum levels of development options within a settlement of this scale and associated level of services. In reality, the settlement can accommodate much greater levels of growth, with more potential available for amendments to the settlement boundary than currently being proposed. Given the importance being placed within the Plan on sustainable development within key settlements, there are real concerns that the Plan as drafted is not therefore consistent with national policy, nor efficient, and is not therefore sound.

Chigwell

“Vision for Chigwell

Chigwell will provide a range of services and infrastructure to support new and existing communities through the allocation of small and medium sites to meet local housing needs. Key priorities for infrastructure in the Village are sustainable transport, health care and education. The distinctive communities of Chigwell Village, Grange Hill and Chigwell Row will be celebrated, whilst opportunities will be explored through the redevelopment of The Limes Estate to develop Chigwell as an integrated village. A focus on brownfield sites and sustainable Green Belt release will ensure the existing visual identity of the settlement is maintained while providing future homes. In particular the important gap between Chigwell Row at the north and Hainault at the south will be protected. Care will be taken to maintain the gap between Chigwell and Woodford to the west, whilst the gap with Loughton and Debden will also be retained. Future development will preserve and enhance the rural and historic character of the Village, and new development will support new and diverse employment opportunities.”

“5.102 Policy SP 2 sets out the likely number of homes the Council will plan for in Chigwell over the Plan period. The provision of approximately 376 homes has been informed by the aspiration for Chigwell to support predominantly small scale development to meet a wide variety of local housing needs, while retaining and enhancing the character of the distinctive communities which make up the settlement.”

“5.103 The Council has considered the possible spatial option to accommodate new homes at Chigwell and concluded that the most appropriate spatial options are:

- Intensification within the existing settlement Focussing development within the existing settlement boundary will be less harmful to the Green Belt. This strategic option will maximise opportunities to focus development in the most sustainable locations within the settlement, uses previously developed land, and minimises any harm to the wider landscape around the settlement.
- Expansion of the settlement to the north east This strategic option provides a natural extension to the settlement, promoting settlement rounding, and is the least harmful to the Green Belt relative to the other strategic options. Whilst this strategic option is sensitive to change in landscape terms, this harm can be mitigated or avoided through the careful siting of development and design.
- Intensification of Chigwell Row settlement This strategic option lies predominantly within the existing settlement boundary and would be less harmful to the Green Belt relative to other strategic options identified around the settlement. This strategic option is also less sensitive to change in landscape terms.”

“5.104 Following an assessment of the suitability, availability and achievability of Residential Sites located within these spatial options, the Council has identified twelve sites for allocation to meet the identified housing requirement, as set out in Policy P 7.”

Policy P 7 Chigwell

“A. Proposals for development on allocated sites should accord with the site specific requirements set out in Appendix 6.
Residential Sites

B. In accordance with Policy SP 2 the following sites are allocated for residential development:

- (i) CHIG.R1 Land adjacent to The Paddock – Approximately 12 homes
- (ii) CHIG.R2 Woodview – Approximately 23 homes
- (iii) CHIG.R3 Land at Manor Road – Approximately 11 homes
- (iv) CHIG.R4 Land between Froghall Lane and railway line – Approximately 105 specialist homes
- (v) CHIG.R5 Land at Chigwell Nurseries – Approximately 65 homes
- (vi) CHIG.R6 The Limes Estate – Approximately 100 homes
- (vii) CHIG.R7 Land at Chigwell Convent – Approximately 28 homes
- (viii) CHIG.R8 Land at Fencepiece Road – Approximately 6 homes
- (ix) CHIG.R9 Land at Grange Court – Approximately 8 homes
- (x) CHIG.R10 The Maypole – Approximately 11 homes
- (xi) CHIG.R11 Land at Hainault Road – Approximately 7 homes

Infrastructure Requirements

C. Infrastructure requirements must be delivered at a rate and scale to meet the needs that arise from the proposed development, in accordance with the Infrastructure Delivery Development in Chigwell will be expected to contribute proportionately towards the following infrastructure items:

- (i) Secondary school expansion;
- (ii) Highways and junction upgrades;
- (iii) Potential upgrades to existing waste water infrastructure; and
- (iv) Improvement of open space throughout the settlement.

D. The Council will only permit planning applications that contribute towards the delivery of those infrastructure items set out above and in the Infrastructure Delivery Plan, unless subsequent iterations of the Infrastructure Delivery Plan or discussions with providers determine that these items are no longer required.

Comment: Once again there are real concerns that the Plan as drafted is not sufficiently flexible or effective in addressing and meeting the needs of the residents of Chigwell. It is understood that the Parish Council also share our concerns and have previously raised issue with the Council regarding the proposed level and location of allocations within the settlement, and we await their comments in this regard to this current consultation draft report.

Site Submission

As detailed above we remain of the view that the land at Abridge Road, whilst being currently located within the Green Belt, with a well thought out proposal could well offer the local community a valuable community asset. We therefore continue to desire a suitable site allocation within the emerging Local Plan which seeks to maintain the existing use on the site, but also seeks to facilitate other forms of development, particularly on the land facing Abridge Road which can offer some much needed additional housing/care facilities and potentially other community uses.

Whilst our clients would be willing to consider alternative uses, in the first instance we would be proposing an Extra Care Village for older persons (ideally within the provisions of Class C2) with strong linkages to the existing health club. The health club is now being run by Nuffield Health which in itself offers opportunities to improve the site to create a suitable Care Village for older persons with significant focus on health, well-being and fitness.

Any proposed development could potentially include the provision of additional leisure/recreation space on site to support the Extra Care use (albeit available to the wider community). This form of development could well assist in reducing the current under-provision of older persons accommodation and care within the district, generate opportunities

for employment and enhance the sustainability of this part of Chigwell, with a development designed such that it does not undermine the openness of the Green Belt. Such a scheme could still include ancillary recreational uses such as that shown on the plan included at Appendix 2 and could be supported with a site specific bus service or a contribution to the local bus service being promoted within the Chigwell Neighbourhood Plan.

Given that Council accept that the housing needs of the authority area could well be over 20,000 dwellings, as opposed to the 11,400 being proposed in the Submission Version of the Plan, we are of the view that the Council are not proposing to meet their identified housing needs in full, which will result in further house price inflation and affordability issues over the life of the Plan. It is our view that the land at Abridge Road, Chigwell, alongside a specific policy addressing the housing needs of older persons, could well assist in meeting the identified housing shortfall, specifically as it relates to housing for older persons and as such the site deserves greater consideration within the emerging Plan process.

Comment

It is our view that as drafted the Submission Version Local Plan is not sound. As stated above the problem with the current plan is there is a serious disconnect between the scale of demographic change within Epping Forest over the planning period and the policy response. Accordingly, this document constitutes a formal request, served on the Local Authority, requiring full disclosure of the background material which underwrites their Topic Papers so that our consultants have a real chance to verify or otherwise the methodology and survey results which have given rise to the assumptions in the Plan relating to 'demographic change and the needs of an aging population'. I propose an early meeting with Head of Local Plans to establish how the Local Planning Authority came to the view that they now hold; the meeting will also be attended by my co-author Dr. Michael Bullock, who is a recognised expert on housing need.

Yours faithfully

Mr Chris Plenderleith
BA (Hons) MRTPI
Managing Director

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