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Dear Sir / Madam,

**RE: EPPING FOREST DISTRICT LOCAL PLAN - SUBMISSION VERSION (2017) - Persimmon Homes Representations**

1. Introduction

Persimmon Homes welcomes the opportunity to comment on the submission version of the Epping Forest Local Plan.

Persimmon Homes are one of the UK's leading builders of new homes with a track record of delivery in the eastern region. They are particularly active in Essex and Hertfordshire and therefore a developer with significant experience of both market and planning issues in the area, as well as being a 'user' of the development plan.

2 Scope of representations

Persimmon Homes are part of a consortium of developers comprising Martin Grant Homes, Persimmon Homes and Taylor Wimpey ("the Consortium") who are promoting land making up the northern part of the West of Harlow strategic site now forming part of the 'Water Lane Area'. The site being promoted by the Consortium was formerly referred to as 'West Katherine's' and lies to the north of Water Lane.

Pegasus Planning is appointed to act on behalf of 'the Consortium'. Pegasus Planning has made representations on behalf of 'the Consortium', addressing the strategic policies contained in the Local Plan Submission Version, before providing comments in respect to a

selection of general policies considered to be of relevance to the Consortium's site (part of the 'Water Lane Area').

This letter represents Persimmon Homes representations in relation to matters out with the proposed strategic allocation at 'Water Lane Area' (to which Pegasus Planning representations on behalf of the Consortium relates).

### 3 Strategic Planning, Meeting the Duty to Co-operate and Policy SP2

The spatial distribution within the HMA includes 11,400 homes within Epping Forest District Council (2011-2033).

Persimmon Homes are a Member of the House Builders Federation (HBF). We support the HBF's comments regarding the significant level of co-operation between Epping Forest and those other authorities in the East Herts and West Essex Housing Market Area (HMA). We also share the HBF's concerns regarding the relatively slow progress of the Local Plans for Harlow and Uttlesford. In addition, we share HBF views that Policy SP2 of the Epping FDC Local Plan should include a review clause should; (a) any authority in the HMA be unable to meet its identified housing needs through its Local Plan, (b) the Standardised Methodology identifies an increase in housing needs.

Whilst we remain supportive of the Epping Forest Local Plan, as detailed in the HBF representations, the Council must base their OAN on the 2014 based household projections with a more significant uplift for market signals than the current 14% being proposed.

### 4 Legal Compliance – Reg 19

*Legally compliant* – No

*Soundness* – No. Concern regarding lacks evidence as to why certain sites have been rejected between Reg 18 and Reg 19 stages.

EFDC 'Report on site Section with Appendices A and D – Issue V2 (Dec 2017) details the site selection and assessment process undertaken to date. The report (Dec 2017) outlines the process by which sites identified for inclusion in the Local Plan Regulation 18 Consultation (Oct 2016) (See para 2.126, p45). The report details;

- *'At the meeting in July 2016 a decision was made for each site as to whether it should be allocated or not in the Draft Local Plan. This decision was informed by all relevant material considerations, which included the findings of the availability and achievability assessment and the emerging settlement visions, which helped to identify the quantum of development which should be allocated in each settlement.*
- *A justification for the judgements made was documented. In accordance with paragraph 4.43 of the SSM a second Member workshop was held on 6 August 2016 to 'check and challenge' the sites identified for allocation. Where appropriate, Member feedback was incorporated in the decisions made. This process informed the draft site allocations presented in the Draft Local Plan'.*

The above assessment process resulted in Local Plan Regulation 18 Consultation (Oct 2016) **Emerging Policy P1** (2016) identifying a residential allocation for land at Theydon Place, Epping (site ref. SR0208) for 66 homes.

In December 2016 Persimmon Homes made representations in relation to the Epping Forest District Draft Local Plan Regulation 18 Consultation (Oct 2016). These representations included support for the strategy of delivering new residential development in the settlement of Epping. Draft Policy SP2 at that time identified that 1,640 new homes will be accommodated in Epping. The associated draft Policy P1 sought the inclusion of land at Theydon Place, Epping (site ref. SR0208) for 66 homes. Persimmon Homes representations in December 2016 supported the draft allocation of the site for residential development. The land is owned freehold by Persimmon Homes. The site is available, offers a suitable location for development now and is achievable with a realistic prospect that housing will be delivered within the timescales envisaged. A Deliverability Statement accompanied Persimmon Homes Dec 2016 representations to;

- a) supports its draft allocation
- b) provide detail on technical issues which support its delivery and
- c) begin the design process and illustrate what the site could achieve.

EFDC's *'Report on site Section with Appendices A and D – Issue V2'* (Dec 2017) identifies the process by which the Council re-visited the conclusions reached in 2016 and determined whether *'any draft site allocations should be removed from the Submission Local Plan and/or whether any sites not previously identified for allocation should be'* (para 2.127-2.132). According to the report; *'A justification for the decisions made at the workshop on the 18/19<sup>th</sup> October [2017] was documented; this write-up is presented in Appendix B1.6.6<sup>49</sup>'* (para 2.132). However, footnote 49 states; *'<sup>49</sup> This appendix is being finalised and will be published once the detailed write-up has been completed'*.

Para 2.134 states; *'Further details on whether specific sites have been identified for allocation along with the associated justification is presented at Appendix B1.6.651'*. Footnote 51 states; *'51 This appendix is being finalised and will be published once the detailed write-up has been completed'*.

Appendix B1 *'Assessment of Residential Sites'* states (p153) *'This appendix was being finalised at the time of publication. A final, updated version of the Report on Site Selection will be published once the detailed write up has been completed'*.

The Council's *'Technical Evidence'* web site states; *'This page includes all relevant available technical studies and evidence documents that have informed and/or supported the preparation of the Local Plan'*. During the whole of the Reg 19 consultation period Appendix B1 *'Assessment of Residential Sites'* to the report *'Report on site Section with Appendices A and D – Issue V2'* (Dec 2017) has not been published. [<http://www.efdclocalplan.org/technical-information/>]

Between the regulation 18 consultation and the regulation 19 consultation sites, including land at Theydon Place, Epping (site ref. SR0208), have been excluded from the draft Local Plan. Persimmon Homes are concerned that as detailed above the evidence base to support

the Regulation 19 Local Plan references a justification within Appendix B1 which has not been published.

We consider there to be a lack of transparency / evidence. In terms of ‘soundness’, the plan lacks critical evidence regarding the site selection process. There is also concern about the plans compliance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. If the Council do not publish and consult upon the necessary evidence base it is relying upon (including the reasons for inclusion or exclusion of site’s, particularly for those sites previously included in the plan), the Council run the risk of legal challenges and potentially delay progress of the Plan.

Whilst we are supportive of the Council seeking to progress the Local Plan, the focus on submission by March 2018 (as outline in the introduction) should not be at the expense of producing a sound plan. As widely reported, the introduction of the government’s new standard method for calculating housing need is now unlikely until at the least the summer 2018. The Ministry of Housing, Communities and Local Government (MHCLG) confirmed that proposals for the standard method will form part of the draft NPPF revisions, and that it will be finalised as part of the final version of the NPPF.

#### 5 Allocation for Epping - Policy SP2 and Policy P1 Epping

Between the regulation 18 consultation and the regulation 19 consultation the quantum of housing proposed to be accommodated within the town of Epping has reduced from 1640 to 1305. Persimmon Homes objects to the reduction in the Spatial Allocation for Epping. This is a principle settlement (‘Town’) within the District and has excellent public transport connections (Epping underground station), has good access to the motorway network (M25 and M11) and is a sustainable location to accommodate growth.

As detailed in relation to (4) above, the Local Plan (Reg 19) is not supported by technical evidence base as to the assessment of the comparative merits by which sites advanced at the Reg 18 stage have been deselected.

In terms of the rationale the ‘Assessment of Residential Sites’ Para 2.136 states with regards to Epping;

*‘Epping: site allocations amended to reduce the overall quantum of growth proposed in the settlement and associated impacts on Epping Forest in terms of air quality and traffic congestion. Focus of non-urban brownfield sites to the south of the settlement ensured greater alignment with the emerging Neighbourhood Plan and provided greater critical mass and potential for new and improved infrastructure’.*

The forward to Policy P1 (Epping) (para 5.13) sets out the conclusions with regards to the Spatial Options for Epping;

- ***Intensification within the existing settlement***

*Focussing development within the existing settlement boundary will ensure growth occurs in the most sustainable locations within the settlement, such as on previously*

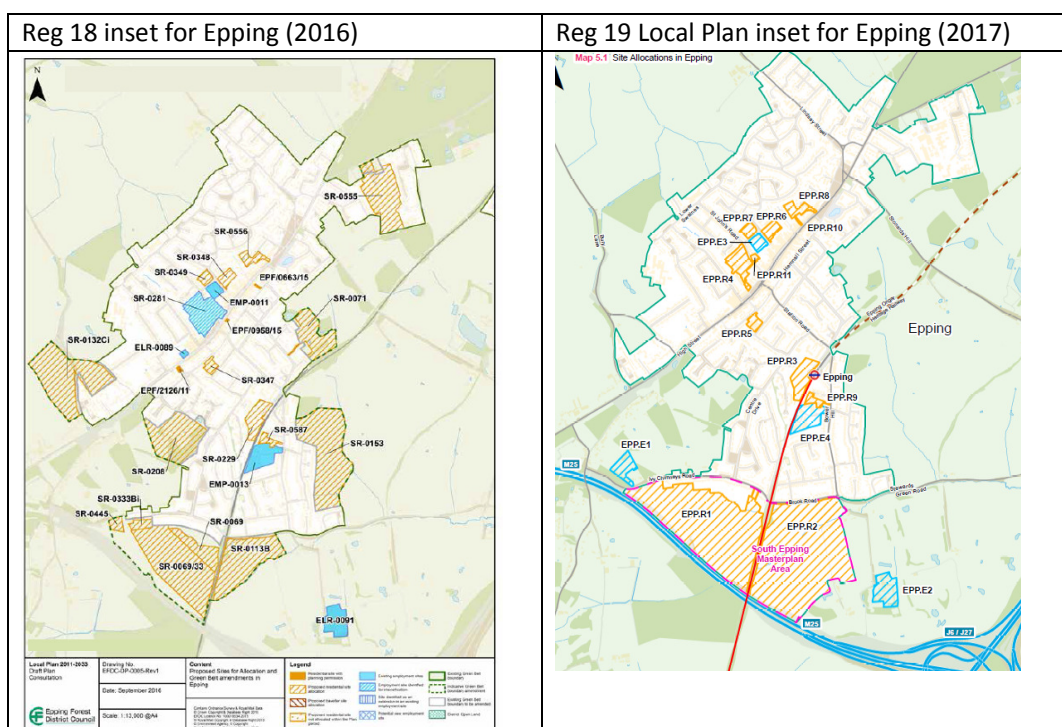
developed land, thereby minimising potential harm to the wider landscape around the settlement. This approach will also be less harmful to the Green Belt.

- **Expansion of the settlement to the south**

This strategic option is the least sensitive to change in landscape terms and maximises opportunities to focus development in close proximity to Epping London Underground Station. The majority of this strategic option lies within Flood Zone 1 and any potential harm to the Green Belt and the settlement's heritage can be suitably mitigated through the incorporation of sensitive design measures.

As detailed in section (4) above, the justification for the inclusion / exclusion of specific sites within the 'Assessment of Residential Sites' (2017) has not been published during the regulation 19 consultation period.

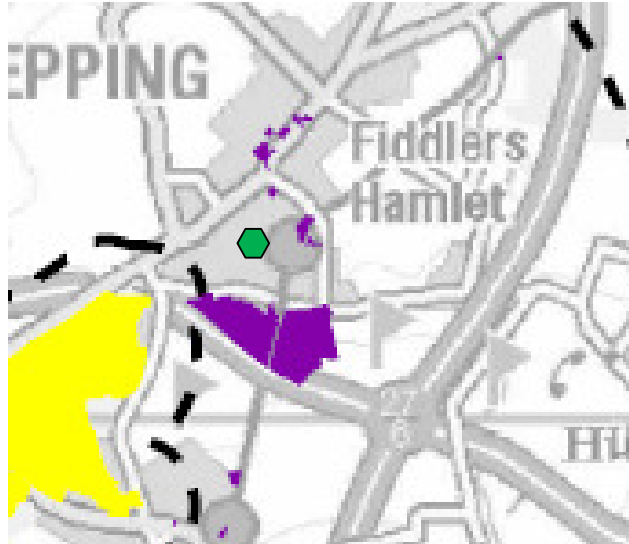
An objection is raised to the lack of evidence to justify the enlargement of allocation of EPP.R1 and EPP.R2 and the removal of SRO208, Theydon Place.



In relation to the points raised at Para 2.136 of the 'Assessment of Residential Sites' and para 5.13 of the Reg 19 Local Plan;

- Site (SRO208), Theydon Place, is located in very close proximity to Epping Forest Tube Station and the town centre of Epping. In addition to being a sustainable site in its own right, it is also in comparatively closer proximity than the now enlarged 'South Epping Masterplan Area' (EPP.R1 and EPP.R2). If the objective is to reduce impact on air quality and traffic congestion, it is considered illogical to remove a site which is comparatively in a more sustainable location for promoting sustainable transport choices.

- (b) As detailed in the plan below Site (SRO208), Theydon Place (indicated by the green hexagon) is located further from Epping Forest Special Area of Conservation (EF-SAC).



Part of the evidence base published alongside The Reg 19 Local Plan is the report *'Habitats Regulations Assessment of Epping Forest District Council Regulation 19 Local Plan'* AECON, Dec 2017. This recommends that *'all allocations above a certain size (such as for more than 400 dwellings) in the core catchment of the SAC...should consider any potential to deliver their own on-site accessible natural greenspace'* (p111). As detailed in the Site Delivery Statement submitted for Site (SRO208), Theydon Place as part of the Reg 18 Representations, the site has the potential to deliver a sizable area of naturally accessible green space. An extract from the Site Delivery Statement (Dec 2016) is detailed below.





Figure: Persimmon Homes Site Delivery Statement, Theydon Place (Dec 2016)

- (C) Epping Forest DC published the Stage 2 Green Belt Review in October 2016. This document seeks to identify which sites within the Green Belt do not meet the Green Belt function is full and are therefore suitable for release from the Green Belt for development. The report concludes that the Site (SRO208), Theydon Place (as part of area 044.1) responds moderately to purpose 3 of the Green Belt and strong to purpose 4 of the Green Belt. However, the site has no contribution to purpose 1 of the Green Belt and is therefore suitable for release from the Green Belt.
- (d) In terms of *'ensured greater alignment with the emerging Neighbourhood Plan'*, Epping Town Council has yet to publish or consult upon the Neighbourhood Plan. It is therefore unclear as to rationale for the decisions made with regards to site de-selection.
- (e) In terms of provided greater critical mass and potential for new and improved infrastructure, it is not clear from the Local Plan Evidence base why the reduction in quantum of development and the change in allocations between Reg 18 and Reg 19 Local Plans assist in this regard. Policy P1 Epping identifies the following Infrastructure requirements;

- (i) New primary school;
- (ii) Appropriate provision of health facilities;
- (iii) Highways and junction upgrades;
- (iv) Upgrades to Lindsey Street electricity sub-station;
- (v) Necessary upgrades to existing waste water infrastructure; and
- (vi) Appropriate provision of green infrastructure and open space throughout the settlement.

Item (i) can be met through the identification of a site for a new school and through financial contributions from qualifying developments. In terms of item (ii), (iii), (iv) and (v) given the scale of allocations, developments are likely to make a proportionate contribution towards such infrastructure, usually through financial contribution. In terms of (vi), the focusing of development to the south does not lead to GI throughout the settlement. The Reg 18 proposals had a more spatially spread allocation that would assist in terms of delivering enhanced GI.

As detailed above, between the regulation 18 consultation and the regulation 19 consultation sites have been excluded without the necessary consideration as part of the site assessment methodology or the Sustainability Appraisal.

#### 6 SP3 Place Shaping (p34)

Persimmon Homes understand the need for joined up, collaborative and cohesive planning for the Strategic Masterplan Areas.

#### 7 Policy SP 5 Garden Town Communities

Persimmon Homes supports the Garden Town Communities.

#### 8 Policy H 1 Housing Mix and Accommodation Types

The forward to Policy H1 states; *'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'*.

Part A of H1 states;

*'(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'*.

Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements.



Part M of the Building Regulations makes a distinction between a wheelchair accessible dwelling M4(2) (a home readily useable by a wheelchair user at the point of completion) and a wheelchair adaptable dwelling M4(3) (a home that can be easily adapted to meet the needs of a household including wheelchair users). There is a significant additional costs of meeting M4(3).

In light of this, Policy H1 should clarify that the reference is to Part M4(2) (accessible and adaptable dwellings) as indicated in the forward.

Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography and other circumstances, which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step-free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied. Policy H1 should therefore be amended;

*v) provides for all new homes to be accessible and adaptable as defined by the Building Regulations Part M4(2) (accessible and adaptable dwellings) unless there site specific factors mean that it is demonstrated that this cannot be achieved or is not viable.*

In terms of Part E, this relates to incorporating specially designed housing/specialist accommodation for people with support needs (including for older people and housing with care). The Policy states;

*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....*

It is considered that the Policy should identify the source(s) and nature of evidence used to identify need. Furthermore, that it needs to recognise (a) potential impact on development viability and (b) the need for a willing provider. In light of this, the following amendments are suggested;

*E. Where there is **published adopted** 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) **unless such provision would have an adverse effect on development viability or there is not a willing provider.***

## 9 H2 Affordable Housing

Policy H2 states; ‘The mix of affordable homes will be required to reflect the latest available housing need’. The Policy should identify the source for developers to be able to assess housing need (i.e. the most up to date published SHMA). It is considered that this amendment is required to provide certainty and precision.

Policy H2 reference to 'All new homes will be required to meet accessible and adaptable homes standards as defined by the Building Regulations applicable at the time of the application' is unnecessary given the requirements of Policy H1. As detailed above in relation to Policy H1, the provision within the Building Regulations should be stated (i.e. Part M4(2)).

Part c states;

*'The mix of units in respect of size will be determined on a site by site basis dependent on the overall needs for the local area and on the specific characteristics of the individual site. However, the Council will generally expect the mix of the affordable homes to reflect the mix of the market housing, in terms of the ratios of types, sizes and the overall number of habitable rooms'.*

In determining affordable housing mix it is considered that meeting affordable housing needs and affordability should be the pre-eminent factors.

Requiring the size of affordable houses / number of habitable rooms to reflect that of the private housing is (a) unnecessary, (b) reduces the affordability of houses and (c) would impact overall development viability. Persimmon Homes object to the current wording of Policy H2.

In terms of (a) above, if the affordable offer is meeting affordable housing need it would be less optimal in terms of addressing unmet need for it to purely reflect the open market mix on a particular site.

It is not considered necessary for the 'size' (i.e. floorspace) of the affordable housing to reflect that of the private units. In accordance with emerging Policy, all housing would need to be Part M4(2) compliant which broadly equates to the 'lifetime home' compliant. This generally results in generously proportioned houses in order to provide the necessary wheelchair circulation space. Therefore, there is a standard inherent within the policy requirements.

If a developer chooses to build a house with a larger floorspace (because of market demand) or provide additional habitable rooms (excluding bedrooms), it should not be a requirement for the affordable housing to be comparable. To do so would significantly reduce the affordability of the affordable housing. This is particularly true in the case of a shared equity tenure whereby the rent and purchase element will reflect the overall market value of the property. In addition to the above, the policy requirement to match the private units in type, size and habitable rooms would have a significant detrimental effect on development viability.

The Local Plan acknowledges that the proposed 40% level of affordable housing and tenure split is likely to give rise to viability issues on sites. This requirement to replicate the size and habitable rooms between affordable and private dwellings is unduly restrictive, not necessary, reduces affordability and would lead to more development not being viable at policy compliant levels of affordable housing, thereby reducing delivery rates.

The following amendment is suggested to address these concerns;

C. The mix of units in respect of size will be determined on a site by site basis dependent on the overall **published evidence with regards housing** needs for the local area and on the specific characteristics of the individual site. ~~However, the Council will generally expect the mix of the affordable homes to reflect the mix of the market housing, in terms of the ratios of types, sizes and the overall number of habitable rooms.~~

## 10 Policy DM 10 Housing Design and Quality

*Sound* – No, concerns regarding the lack of justification and evidence.

Policy DM 10 Housing Design and Quality states; *‘All new housing development is required to meet or exceed the minimum internal space standards set out in National Prescribed Space Standards and open space standards’.*

### National Context

In 2013, The Housing Standards Review (the Review) was launched which sought to simplify and rationalise the raft of housing standards which local authorities applied to development. At the heart of the Review was a desire to reduce developer costs and create attractive conditions to significantly boost housing delivery. The industry was heavily involved in the Review.

The outcome of the Review was the establishment via Building Regulations of mandatory baseline standards which apply nationwide to all developments. The Government also created a series of enhanced Optional Standards relating to access and water, along with a new optional national standard on internal space. All of these are implemented through planning but access and water are optional Building Regulations and Space Standards are planning only.

Initially the industry had concerns that the enhanced standards would be applied by Local Authorities as their starting point. Application of the enhanced standards has the potential to have significant implications in terms of product range, build cost, affordability and consumer choice, cumulative policy burden, viability and ultimately housing delivery.

In response, the Government confirmed that the enhanced standards were intended to be optional and that they would only be needed and viable in certain local circumstances. Otherwise, they would have been made mandatory in Building Regulations across the country.

The enhanced standards were introduced on a ‘need to have’ rather than on a ‘nice to have’ basis and policy safeguards were put in place.

The standards could only be introduced via a new Local Plan and to do so, clear evidence of need had to be demonstrated and impact upon viability had to be considered. It was recognised that EIP could be the only forum to properly debate whether development should be subject to such enhanced standards.

## New Regime and Policy Context

The new regime was launched by a Ministerial Statement dated 25th March 2015 and the creation of a new section on optional technical standards in the National Planning Practice Guidance (NPPG). This was also underpinned by existing policy within the National Planning Policy Framework (NPPF).

Paragraphs 174 and 177 of the NPPF make it clear that via the Local Plan process LPAs should assess the cumulative impact of policy burden, including housing standards, to ensure that it does not put implementation of the plan at serious risk.

The new Ministerial Statement stated the following: *“The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the National Planning Policy Framework and Planning Guidance.”*

Accompanying this, Paragraph 001 Reference ID:56-001-20150327 of the NPPG made it clear that LPAs will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. Paragraph 002 Reference ID 56-002-20160519 of the NPPG confirms that LPAs should consider the impact of using these standards as part of their Local Plan viability assessment.

The new NPPG section provided substantial guidance in terms of the implementation of the new regime including specific advice on the individual standards which are discussed below.

As referred to above, via Policy DM0, Epping Forest District Council is seeking to apply the optional national space standard along with the optional accessibility and adaptability standards (which are embedded in Policies H1 and H2).

## Nationally Described Space Standards (NDSS)

NPPG sets out clear criteria which Councils must satisfy in order to adopt optional NDSSs over and above the requirements of Building Regulations.

Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

*need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*

*Viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*

*timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.*

The guidance effectively sets out three stages which must be overcome to ensure the NDSSs are only applied where needed and impacts are fully considered. We have considered Policy DM12 below with these policy hurdles firmly in mind.

#### **NEED**

First and foremost a local authority must demonstrate clearly evidenced needs to require the NDSSs. The Council have not presented sufficient evidence to demonstrate need for the optional enhanced housing standard above what is established as nationally suitable in Building Regulations.

#### What is currently being built?

The point to note here is that all new housing clearly must comply with Building Regulations which allows flexibility in terms of footprint, room size, circulation space etc. This can be considered carefully by the housing market in determining product choice to meet the needs and demands of customers. This in turn allows for build refinement in relation to internal fit out. Finally this results in whole range of supply chain and construction efficiencies which are crucial to reducing cost, driving affordability and reducing build time to increase production. None of this appears to have been considered by the Council.

#### Current sales / Need for market intervention

The industry is firmly of the view that current sales rates confirm that current product range is fully suitable for those wanting to buy properties. The industry knows its customers and what they want. Sales rates in the district are strong.

When establishing need, we would expect Epping Forest DC to consider market indicators such as quality of life impacts or reduced sales rates with consumer information sighting the inadequacy of housing stock in the local area. This does not appear to have been provided to justify application of the enhanced standard and market intervention. The Inspector should not endorse the policy without this being demonstrated. The Council must demonstrate why there is a need to impose the NDSS via Policy DM10.

#### Existing Stock / Second Hand Market

Whilst not directly referenced in the NPPG, it is sensible to consider the existing stock. The borough has a wide range and choice of second hand properties, ranging from flats and terraced housing stock to larger suburban properties. New housing forms only a part of the overall housing market. Consumers can choose whether to buy new build or second hand. Those who want to buy properties of a larger size than the market is currently building can choose a different offer from the second hand market.

#### Meeting Needs and Impacts on Affordability

A key part of the national guidance is considering the affordability implications of adopting the enhanced national space standards. Delivering new housing to assist with affordability is

an important consideration. It is clear from the emerging plan's evidence base that affordability in Epping Forest District is already a key issue. Indeed, the affordability gap is such that there is a need to boost overall housing numbers to seek to combat this. To adopt the enhanced standards we would have expected a clear need to have been identified by the SHMA. However, this has not been the case and conversely the main issue has been the need to address affordability pressures.

The increase in size increases build cost. Increases in sales prices can have a negative impact on the level of accessibility to market dwellings based upon mortgage rates.

Clearly inclusion of the NDSS would have an adverse impact upon affordability and would be contrary to the plan's own objectives. The implications of applying the NDSS is that it increases build cost, which in turn increases sales price and this undermines delivery of the plans objectives. We note that no assessment has been undertaken as to how many more families will be pushed into affordable need as they can no longer afford a NDSS compliant home.

#### Strategic Housing Market Area

Purchasers of new homes have a choice of where and what to buy. They make their choice based on a range of factors which includes what they can afford. Adoption of the standard will have an adverse impact on the affordability of new homes. Based on this impact, purchasers could choose or be forced to live elsewhere potentially having significant impacts on the assumptions and objectives of the plan.

#### VIABILITY

Only once a clear need has been demonstrated should the local authority consider testing if the enhanced standards are viable, bearing in mind cumulative policy burden. It is not clear from the Councils evidence that it has suitably assessed the viability implications of applying the NDSSs and all other costs.

The Reg 19 Local Plan is accompanied by a report *'Stage 2: Update Assessment of the Viability of Affordable Housing, Community Infrastructure Levy (CIL) and Local Plan - Final Report, November 2017, DSP17500'*

This Stage 2 assessment states;

*'2.2.9 The Government's Technical Housing Standards have introduced national space standards for C3 housing which can be used in a Local Plan policy if there is sufficient evidence of need and viability.'*

*2.2.10 As the Council has introduced a requirement to meet the Nationally Described Space Standard through Policy DM10 of the emerging EFDLP, those standards have been included in the modelling for this viability assessment as a standard assumption. See Appendix I for detail'.*



Appendix I comprises 'Whole Plan Viability Assessment (Stage 2) - Residential Assumptions Overview Sheet - 2 of 2'. This quantifies the 'residential building, marketing and s106 costs' derived from development and application of the proposed development plan policies. Detailed below is an extract from that appendix with the heading 'Technical Housing Standards – nationally described space standard' highlighted in yellow. The second column details the costs factored into the stage 2 assessment (2017). As detailed, no costs appear to have been ascribed to the policy requirement of meeting the nationally described space standard.

Building Regs M4 (2) Compliance (100% of dwellings) <sup>4</sup>	n/a	£1,646 (Flats) £2,447 (Houses)	per unit (applicable units only) - tested at 100% (base policy position)
Building Regs M4 (3) Compliance Sensitivity Testing <sup>4</sup>	n/a	£15,691 (Flats) £26,816 (Houses)	per unit (applicable units only) - sensitivity tested at 5%, 10% and 20% of units
<b>Technical Housing Standards - nationally described space standard</b>			
Reduced Water usage (max consumption)	n/a	110 litres per person per day	Based on the Housing/technical Standards Review - optional increased standard included within Building Reg.s
Electric Car Charging Points	n/a	£500 per unit	
SAC Mitigation (£/per unit)	n/a	£1,404 (1-Beds) £2,146 (2-Beds) £2,628 (3-Beds) £3,140 (4-Beds)	per unit based on tariff levels provided by EFDC following AECOM report to SAC MoU. Note: Local Tariff per Affordable Housing reduced by 33% equating to £941 (1-Beds), £1,438 (2-Beds), £1,761 (3-Beds and £2,104 (4-Beds)

### Efficient use of Land

The Council should be ensuring that new development maximises the efficient use of land.

### Implications on Affordability

Sales price increases would have a significant impact on affordability in an area where the gap is widening. Applying the NDSSs will increase the price of a starter home making it markedly harder for people to get on the housing ladder.

### Viability of Sites

Adoption of the NDSS on 100% of housing will have a significant impact on the viability of sites. It is also not a case of simply increasing build cost - increased housing sizes will result in less efficient use of land and thus a relative increase in infrastructure burden per plot.

### Implications for Brown Field sites

The space standard will have a disproportionate effect on sites in lower value areas and those which are brown field. These sites often have remediation costs associated with them + current use value which further compound issues with achieving minimum benchmark land values.

### **TIMING**

Based on the above, Persimmon Homes is expecting that the NDSS requirement will be dropped from Policy DM10 however in the event that it is retained, transitional arrangements must be suitably addressed as required by NPPG. A transitional period would

allow developers to factor in the additional cost associated with this policy into future land deals.

The land deals which underpin the majority of identified sites for this plan period will have already been secured and as such the proposed transitional arrangements will not provide adequate time for the cost to be factored in to the contracts for those sites. Nevertheless, if EFDC is minded to retain the NDSS requirement then we recommend a transitional arrangement of a minimum of 3 years to allow those sites to move through the planning system before the requirements are enforced.

Clarity should be included within the policy to ensure that NDSSs cannot be applied to any approval (outline or detailed) prior to the specified date and that where development is approved prior to this date all housing built pursuant to the approval under Reserved Matters applications will not be subject to the increased space standard. It also needs to be made clear that the cut-off date is based upon the time at which planning approval is secured, not when development commences as the implications of enhanced standards cannot be factored in so late in the development process.

Taking the above into account and the consequential effect of the transitional policy, the removal of the NDSS requirement altogether would appear much more logical thus providing clarity for all.

#### Housing White Paper – ‘Fixing our broken housing market’

In the recently Housing White Paper the Government have confirmed their view that the fundamentals of the Building Regulations system remain sound and that important steps were taken in the last Parliament.

*In relation to Space Standards, paragraph 1.55 states that “the use of minimum space standards for new development is seen as an important tool in delivering quality family homes. However the Government is concerned that a one size fits all approach may not reflect the needs and aspirations of a wider range of households. For example, despite being highly desirable, many traditional mews houses could not be built under today’s standards. We also want to make sure the standards do not rule out new approaches to meeting demand, building on the high quality compact living model of developers such as Pocket Homes. The Government will review the Nationally Described Space Standard to ensure greater local housing choice, while ensuring we avoid a race to the bottom in the size of homes on offer.”*

The above confirms the Government’s intentions to review NDSSs. This does not have any immediate impact upon Epping Forest’s emerging plan. However, it does demonstrate the Government’s unease with a one size fits all approach and its desire to ensure greater local housing choice. Unfortunately, introduction of the NDSSs would narrow the choice available at the expense of affordability and viability.

11 Policy DM 20 Low Carbon and Renewable Energy

The 2015 Housings Standards Review removed the ability for local planning policies to require higher than building regulations energy efficiency standards for new domestic developments.

It is considered that there is insufficient evidence presented within the plan to justify the requirements of DM20 Part D in relation to its promotion of and default position of utilising district heating within Strategic Masterplans. District Heating generally relies upon gas fired plant and is therefore not necessarily low carbon or renewable. There is no evidence in the local plan to support the default to District Heating for the Strategic Masterplan areas.

The development plan default to District Heating is unduly prescriptive. The Policy requires District Heating unless (a) it's proven to render the whole development unviable or that (b) [unspecified] *'alternative technologies are available that provide the same or similar [unspecified] benefits and opportunities'*.

By requiring development to default to District Heating unless such a system is rendering the whole development 'unviable', it is placing a huge additional cost on development. A cost which is not factored into the 'Whole Plan Viability Assessment (Stage 2)'.

12 Policy P4 Ongar

Support.

**Policy P4** allocates land north of Chelmsford Road (site ref. ONG.R4 formally SR0184/0185/0186) for 163 homes. Persimmon Homes support the draft allocation of the site for residential development. The land is subject to an Option Agreement with Persimmon Homes. A Deliverability Statement accompanied the December 2016 representations to; a) supports its draft allocation b) provide detail on technical issues which support its delivery and c) begin the design process and illustrate what the site could achieve.

The site is deliverable and will make a valuable contribution to housing delivery within the early part of the plan period. Its allocation is fully supported.

I would be grateful if you could acknowledge receipt of these representations.

Yours sincerely

.....Redacted.....

David Moseley

**Planning Manager, Persimmon Homes Essex**