

Epping Forest District Council Representations to the Draft Local Plan Consultation 2016 (Regulation 18)

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Letter or Email Response:

Epping Forest District draft Local Plan - Consultation 2016

Representations by Dandra Ltd Land to the West of Roydon at Temple Farm

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Executive Summary

These representations to the 2016 consultation Epping Forest District draft Local Plan (EFDLP) will demonstrate that the document fails to satisfy all four of the tests of soundness set out in para. 182 of the National Planning Policy Framework.

The housing strategy underpinning the EFDLP is fundamentally unsound as a result of significant deficiencies identified within the supporting evidence base. This includes the Council failing to properly assess the development potential of land to the west of Roydon at Temple Farm despite the site, and significant supporting information, being submitted by Dandara Ltd as part of the Council's 2016 'Epping Forest Developer, Landowner and Promoter Survey'.

This information, accompanied by independent Green Belt and landscape assessment work, demonstrates that the site could accommodate between 200-250 new homes on approximately 6 ha of developable land without any material harm to the main purposes of the Epping Forest District Green Belt nor the surrounding landscape, including the setting of the Lee Valley Park. Unfortunately, despite the Council acknowledging that this information would inform the Local Plan site assessment work, they did not take it into account, instead relying on out-of-date information originally associated with the 2012 SHLAA.

The rejection of land to the west of Roydon due to the Council assessing a much larger land parcel based on out-of-date information has resulted in the exclusion of a site which not only has minimal Green Belt and landscape impact (when considering proposed allocations within the EFDLP, sixteen of the draft allocation sites perform worse from a Green Belt and landscape perspective than land to the west of Roydon at Temple Farm), but is also located in an inherently sustainable part of the District, lying immediately adjacent to Epping Forest's only mainline railway station. Development to the west of Roydon would also allow ease of access to the local shops and services available within the village centre, would represent a logical and coherent extension to the existing settlement and would allow for the dedication of a significant proportion of the westernmost part of the site for leisure and recreation purposes associated with the Lee Valley Park.

Deficiencies within the EFDLP evidence base has resulted in various soundness conflicts arising. This includes the Plan being in direct conflict with para. 47 of the NPPF by not identifying sufficient numbers of new homes to meet full, objectively assessed housing need as identified within the 2016 SHMA. It is considered that this shortfall may be even more pronounced having regard to various deficiencies identified within the methodology underpinning the SHMA and particularly the significant downward adjustment made to the demographic baseline due to the application of 10 year migration trends which, having regard to the 2012 and 2014 SNPP and MYEs, includes years not representative of recently experienced and projected migration trends.

The evidence base deficiencies have also informed a Plan which is heavy on rhetoric, including focusing development in sustainable parts of the District; encouraging public transport use; protecting valuable community facilities; and optimising the London - Stansted - Cambridge growth corridor but does not have a development strategy that can deliver this rhetoric. Instead, the Plan rejects growth on land to the west of Roydon which would optimise use of the District's only mainline station, providing access to the thousands of employment opportunities available on the London - Stansted - Cambridge growth corridor. It would also deliver much needed new housing not only to allow the Council to meet OAN, but also to prevent the Council needing to consider the loss of significant community assets, including public open spaces and a range of social and community facilities, alongside more sensitive Green Belt land.

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Development of land to the west of Roydon at Temple Farm would represent a legible, coherent addition that respects the settlement pattern and encroaches no further into open countryside than the existing village. It would have no significant impact on the five NPPF Green Belt purpose tests and would have minimal impact on landscape character. Roydon is an inherently sustainable location, being within walking and cycling distance of a number of core services as well as being immediately adjacent to the shops, services, employment opportunities and sustainable transport modes available in the village. The scheme is deliverable within five years of the adoption of the Plan and is available, achievable and viable.

1.0 Introduction

These representations are submitted by Dandara Ltd in respect of the Epping Forest District Local Plan 2016 consultation draft (EFDLP). Dandara Ltd are promoting land located to the west of Roydon at Temple Farm being accessed off High Street and / or Epping Road for residential led mixed-use development. The land ownership as a whole extends to circa 28 ha of which only circa 6 ha is being proposed to accommodate new development. A red line site location plan is included alongside these representations at Appendix 1 and is reproduced in Figure 1 below:

Figure 1: Site Location Plan

The site was originally assessed as part of a much larger land holding within the 2012 Epping Forest Strategic Housing Land Availability Assessment (SHLAA). The site that was subject to SHLAA assessment in 2012 measured 40.01 ha in total and extended almost the entire western length of Roydon village from the River Stort in the north to the rear of existing properties fronting Low Hill Road to the south (site ref. SR-0303). Dandara Ltd was not involved with the promotion of the site at this stage. Figure 2 overleaf shows the extent of the 2012 SHLAA site boundary compared with the current site boundary in Figure 1.

Following Dandara Ltd entering into an agreement with the landowner to promote the site for residential led mixed-use development, an email was sent to Kevin Twomey dated 9th June 2016, a Planning Policy Officer at the District Council, to confirm that the parcel of land being promoted had reduced in size and enclosing a revised red line site location plan. Mr Twomey helpfully replied on 28th June 2016, acknowledging receipt of the email and confirming that Arup, who had been commissioned by the Council to update the 2012 SHLAA in the form of a 2016 'Report on Site Selection', would shortly be issuing additional proformas to update information held for sites originally assessed in conjunction with the 2012 SHLAA.

Figure 2: Extent of 2012 SHLAA Site SR-0303

Dandara Ltd, following receipt of the Arup proforma, submitted a full suite of updated information for site SR-0303 to the Council on 5th July 2016 as part of the 'Epping Forest Developer, Landowner and Promoter Survey 2016' (see Section 4.0, para. 4.3 of these representations for full list). This included a revised site location plan and accompanying covering letter which explained that the land being promoted for residential led mixed-use development comprised circa 28 ha and, following the completion of initial Green Belt and landscape impact assessment work, was considered able to accommodate circa 200-250 new homes. The red line site location plan submitted to the Council on 5th July is identical to that reproduced in Figure 1 above.

The 200-250 home capacity of the site had been directly informed by detailed Green Belt and landscape assessment work undertaken by Define, a specialist landscape consultancy practice. This work informed an initial Masterplan which located development within the less visually prominent parts of the site, on lower lying ground which physically and visually integrates with the existing settlement edge. Furthermore, the Masterplan identified options to increase access

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and recreational use of an extensive part of the site to the west within the Lee Valley Park. The initial Masterplan, sent to the Council on 5th July 2016, is reproduced in Figure 3 overleaf:

Figure 3: Initial Masterplanning Work

A further e-mail was received from Kevin Twomey dated 16th September 2016 which confirmed that “the documents in support of SR-0303 sent on July 5th were received and informed the assessment of the site as part of our site selection process”. The Arup ‘Report on Site Selection’ was published in September 2016 and included a detailed proforma for site ref. SR-0303 within Appendix B1.4.2 for Roydon. Unfortunately, due to an error made by EFDC and Arup, as acknowledged in a meeting with Policy Officers held on 21st November 2016, the additional ‘Epping Forest Developer, Landowner and Promoter Survey 2016’ information provided to the Council on 5th July 2016 had not been taken into consideration resulting in the Council failing to assess the site as submitted and instead assessing the much larger site area submitted back in 2008.

These representations will demonstrate that due to the Arup 2016 ‘Report on Site Selection’ assessing the development potential of a much larger circa 40 ha site for the delivery of 1,200 new homes, despite the updated, detailed information sent to the Council on the 5th July 2016, the rejection of the site at Stage 3 of the process due to potential adverse landscape impact and detriment to the setting of the Lee Valley Park is fundamentally unsound. They will also demonstrate that if Arup had assessed the smaller site submitted to them, land to the west of Roydon would have passed the Stage 3 sieve. It will be demonstrated that the delivery of circa 200-250 new homes on circa 6 ha of the site has been specifically informed by detailed Green Belt and landscape impact assessment work which would address and overcome the reasons given for the Stage 3 rejection of the site. In order for the Plan to be found sound, the Arup 2016 ‘Report on Site Selection’ work should be rerun for site ref. SR-0303 as an absolute priority.

These representations will also demonstrate that the EFDLP is unsound having regard to the four tests set out at para. 182 of the National Planning Policy Framework (NPPF). It will be demonstrated that the Plan could be made sound if the Council sought to meet full, objectively assessed need for market and affordable housing alongside positively and proactively addressing its Duty to Cooperate obligations. This would require the Council to revisit its draft housing allocations to identify additional sources of housing land supply and to ensure that the Plan meets its own key objectives by way of locating development in the most sustainable locations, with access to public transport modes and without resulting in the loss of a range of social and community facilities.

Dandara Ltd are one of the largest independently owned developers in the country and specialise in delivering high quality new homes which are inspired by their context and seamlessly integrate into the local vernacular. Dandara only promotes sites where the intention is to deliver new homes as soon as possible. If allocated for residential led mixed-use development associated with the adoption of a future Local Plan, Dandara Ltd would look to prepare an immediate planning application with the delivery of new homes within 1-2 years of planning permission being granted.

In addition to making representations to the content of the EFDLP, we will also comment where relevant on the following evidence base documents that have been prepared in support of the Plan:

- West Essex and East Hertfordshire SHMA (2015) with update (2016);
- Strategic Land Availability Assessment (2016);
- Arup Report on Site Selection (2016);
- Draft Memorandum of Understanding on Distribution of OAN (2016);
- Settlement Capacity Study (2016);
- Green Belt Review, Stage 1 (2015) and Phase 2 (2016);
- Draft Infrastructure Delivery Plan and Schedule (2016).

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2.0 Plan Preparation

Paragraph 151 of the National Planning Policy Framework (NPPF) requires Local Plans to be consistent with the principles and policies set out in the NPPF including the presumption in favour of sustainable development. Paragraph 14 of the NPPF sets out how the presumption in favour of sustainable development should inform Plan making by positively seeking opportunities to meet the development needs of the Plan area and meet objectively assessed needs unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

Paragraph 152 draws this advice together by stating “Local Planning Authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development, and net gains across all three”. Importantly, policies in Local Plans should seek to deliver the homes and jobs needed in the particular area and plan positively for the development and infrastructure the area requires to meet the objectives, principles and policies of the NPPF.

Paragraph 182 of the NPPF then goes on to explain that when the Local Plan is subject to Examination, the Inspector will consider whether it is found ‘sound’, assessing the following:

Positively Prepared - the Plan is 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 reasonable alternatives;

Effective - the Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic policies;

Consistent with National Policy - the Plan should enable the delivery of sustainable development in accordance with policies in the Framework.

3.0 Site Description and Development Proposals

Dandara Ltd are promoting land located to the west of High Street in Roydon for residential led, mixed-use development. The extent of land under the control of Dandara Ltd extends to circa 28 ha and is edged red in Figure 4 below. Please note that as explained previously in Section 1.0 of these representations, it is not proposed to develop the entirety of the land holding with only 6 ha being proposed to accommodate circa 200-250 new homes.

Figure 4: Aerial Site Location Plan (www.google.co.uk/maps)

The part of the site proposed for residential development is shown on the updated Masterplan reproduced overleaf in Figure 5 being enclosed on three sides by existing residential development fronting The Granary to the north, residential streets leading off High Street to the east and existing homes fronting Hansells Mead to the south. The principal vehicular access would be taken off High Street towards the north-east corner of the site with the option of a secondary vehicular access off Epping Road to the south-east.

The site is sustainably located within close proximity to a variety of local services and facilities including: Roydon Primary School immediately adjacent to the south-east across Epping Road;

Convenience store including post office along High Street;

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Pharmacy along High Street;

Various public houses along High Street;

Roydon village hall along Harlow Road being a circa 5 minute walk from the site;

St Peter's Church immediately adjacent to the site along High Street;

Various sport, leisure and recreation facilities including playing fields, tennis courts, allotments and a pavilion on Occupation Lane.

Roydon is a particularly sustainable location for future housing growth due to its excellent public transport connections. Roydon station, which is the only mainline station in Epping Forest District, is located a circa two minute walk from the north-eastern site access and provides regular services into the major employment and service centres of London Liverpool Street (circa 30 minutes), London Stratford (circa 40 minutes), Harlow (less than 5 minutes) and Cambridge (circa 55 minutes). The site also benefits from ease of access to a variety of bus services including routes 380, 381, 382 and 391 from Epping Road adjacent to the south-east boundary of the site.

These representations are accompanied by a concept Masterplan which has been informed by detailed Green Belt and landscape impact assessment work. The Masterplan envisages the introduction of 200-250 new homes as part of a residential led, mixed-use development on circa 6 ha of land on the easternmost field parcel on the site sitting immediately adjacent to the established settlement boundary of Roydon. The concept Masterplan is reproduced in Figure 5 and is attached at Appendix 2.

Figure 5: Roydon Concept Masterplan

The site benefits from vehicular access off either High Street towards the north-east corner of the site and / or off Epping Road towards the south-east corner of the site. The concept Masterplan envisages the introduction of new homes which represent a logical and coherent addition to the existing settlement boundary of Roydon, extending no further to the west than existing housing off Hansells Mead to the south. Limiting development to a single field parcel no more than 100 metres from the existing settlement edge, would ensure no material impact upon landscape sensitivity or the setting of the Lee Valley Park (LVP).

As shown on the concept Masterplan, it is proposed that the majority of the western part of the site would be offered to the local community or Lee Valley Park Authority to be managed in perpetuity for a purpose related to the leisure and recreation remit of the LVP. Through the incorporation of numerous pedestrian and cycle links through the site, the development would act as a new 'gateway' into the northernmost part of the LVP for existing and future residents as well as visitors to Roydon. The use of the land is open for discussion and could comprise something more formal, including a visitors centre, or could be managed for habitat and wildlife purposes to provide a more natural setting to the River Stort.

It is considered that the proposed development of the site in line with the concept Masterplan achieves a number of the key objectives established by the EFDLP:

The immediate proximity of Epping District's only mainline railway station would ensure that "development needs will be met in the most sustainable locations" (pg. 30);

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In addition to optimising access to key public transport modes, development at Temple Farm would provide ease of access to the various local shops, services and community facilities available in Roydon village ensuring that, as required by draft Policy T1, “development should seek to minimise the need to travel, promote opportunities for sustainable transport modes, improve accessibility to services and support the transition to a low carbon future”;

Supporting the EFDLP vision for the ‘London Stansted Cambridge Corridor Core Area’ (LSCC) by locating new housing in close proximity to the only mainline railway station in the District which serves those centres within the corridor which cumulatively contain 24,700 jobs, representing 11% of all national employment. This will ensure that the Council achieves its objective within para. 3.12 that “in developing the draft Local Plan, the Council has recognised, and taken into account, the wider context within which it is located, and therefore the need to reflect the aspirations and opportunities identified in the LSCC vision”;

Recognising that Harlow is considered one of the most sustainable settlements in the Housing Market Area (HMA) but has limitations on housing growth due to strategic highways infrastructure. Development at Roydon adjacent to the railway station provides direct access into the centre of Harlow to access shops, services and employment opportunities in under five minutes;

Dedicating a significant portion of the western part of the site to those leisure and recreational uses associated with the LVP alongside significant improvements to pedestrian and cycle access into the Park would be in full accordance with the ‘Lee Valley Regional Park Vision’ to “be an accessible and permeable, integrated visitor attraction to serve the region

which will include local communities” (pg. 29). It supports and provides an opportunity to enhance the recreational and public accessibility aims of the LVP as well as the overriding objective of the EFDLP to secure better integration between the Park and the District’s settlements, including continuous links to Epping. It would provide a positive and much improved setting to the LVP compared with the publically inaccessible poultry farm currently in situ;

As considered in more detail in Section 5.0 of these representations, development on circa 6 ha of land to the west of Roydon at Temple Farm would have little material impact on either the five Green Belt purpose tests contained in the NPPF nor landscape impact including the setting of the LVP which would be positively enhanced;

The land is not impacted by any other constraints such as flood risk, ecology, habitat designations, heritage assets, archaeology, topography or land contamination;

Initial technical notes addressing flood risk, drainage and transport matters are included alongside these representations having originally accompanied the July 5th 2016 ‘Epping Forest Developer, Landowner and Promoter Survey’ submission;

Recognising contemporary research on Metropolitan Green Belt release such as the London School of Economics publication entitled ‘A 21st Century Metropolitan Green Belt’ (2016). This particular report focuses on the importance of delivering new housing on Green Belt land to “... allow development within walking distance of existing public transport nodes in the MGB (so-called ‘ped-sheds’), on land that has no other environmental designation” (pg. 6). Of particular relevance to Roydon, is the idea of allowing more development along the ‘coordination corridors’ which link London with the wider south-east and for which the ‘London Stansted Cambridge’ corridor is to be treated as a front-running ‘Pioneer Corridor’ (pg. 7);

The sustainability credentials of the site are therefore in full accordance with para. 84 of the NPPF which advises that “when drawing up or reviewing Green Belt boundaries, Local Planning Authorities should take account of the need to promote sustainable patterns of development”. There is also an opportunity for any future development of the site to include an element of local retail or social and community facilities should a need be identified.

In accordance with para. 47 of the NPPF, land to the west of Roydon at Temple Farm is deliverable, with no known constraints to development; being available now; promoted by Dandara Ltd for residential led, mixed-use development; offering a suitable and sustainable location for development; and being viable, allowing development to be delivered during the early part of the Plan period.

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4.0 Evidence Base Deficiencies

As briefly summarised above, Dandara Ltd is promoting land located to the west of Roydon at Temple Farm for residential led, mixed-use development. A much larger parcel of land was originally submitted to the Council in 2008 as part of an earlier 'call for sites' exercise. The land measured circa 40 ha and as per Figure 2 in Section 1.0 of these representations, extended almost the whole western extent of Roydon village from the River Stort in the north to the rear of properties fronting Low Hill Road to the south. Dandara Ltd did not have any involvement with the land at that time.

As the Council were already aware of the availability of land to the west of Roydon which was assessed as part of the 2012 SHLAA under ref. SR-0303, it was advised that the land did not need to be resubmitted as part of the 2016 'call for sites' but would be subject to review and updating as part of a latterly issued developer proforma. Arup were subsequently commissioned by the Council to oversee the 'Epping Forest Developer, Landowner and Promoter Survey 2016' which sought updates and additional information on sites submitted to the Council under various 'call for sites' exercises.

On the 5th July 2016, Dandara Ltd submitted a suite of documents to the Council to inform them of changes to the size, scale and quantum of land being promoted for development at Temple Farm to the west of Roydon. This included the Masterplan reproduced at Figure 3 in Section 1.0 of these representations alongside various supporting documents including the following which are resubmitted to the Council alongside these representations:

Site Location Plan;

Supporting Survey Covering Letter;

Concept Masterplan;

Green Belt and Landscape Assessment (incl. Appendices A-C);

Transport and Highways Technical Note;

Flood Risk Technical Note.

The covering letter, making reference to the accompanying site location plan and concept Masterplan, made it clear that the total size of the site under the control of Dandara Ltd equated to a reduced 28ha compared with the circa 40ha assessed within the 2012 SHLAA under ref. SR-0303. The covering letter went on to confirm that the site was considered to have the potential to accommodate between 200-250 new homes on circa 6 ha of developable land - significantly different to the 1,200 dwellings assessed under ref. SR-0303.

The submission by Dandara Ltd to the Council's 'Epping Forest Developer, Landowner and Promoter Survey 2016' was informed by a suite of technical supporting documents as referenced in para 4.3 above. In particular, having regard to the Green Belt status of the land and its relationship with the LVP, Dandara Ltd commissioned Define, a specialist Green Belt and landscape visual impact consultancy to prepare an initial assessment report which then fed into producing the landscape led Masterplan. This work resulted in the carefully

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considered conclusion that the site was able to accommodate circa 200-250 new homes on approximately 6 ha of developable land with only limited effects on the purposes for including land within the Green Belt and on its landscape and visual context.

Following submission of the information to the Council on 5th July 2016, confirmation was sought that the information had been received and would inform the site selection work being carried out to inform the emerging EFDLP. An email was received from Mr Kevin Twomey, Planning Policy Officer, which is reproduced in Figure 6 below, which stated that "... I can confirm that the documents in support of SR-0303 sent on July 5th were received, and informed the assessment of the site as part of our site selection process".

Figure 6: Email from Planning Policy Officer at EFDC

Unfortunately, and as we will go on to explain in more detail, the information submitted to the Council on 5th July 2016 as part of their 'Epping Forest Developer, Landowner and Promoter Survey 2016' was not used to inform reassessment of the site as part of the EFDLP preparation process. Instead, the site continued to be subject to assessment based on the earlier 2008 'call for sites' submission.

Site Assessment - SLAA

The site was assessed within the Council's July 2016 Strategic Land Availability Assessment (SLAA). As per Appendix 3 of these representations, an email was sent to Mr Kevin Twomey, Planning Policy Officer, dated 9th June 2016, explaining both that Dandara Ltd were now responsible for promoting land west of Roydon at Temple Farm for development and that the size of the site had reduced to 28ha. Furthermore, the email went on to confirm that "it is important to note that it is not envisaged that the full 28 ha would be considered suitable for residential development and the attached red line plan purely shows the land falling within Dandara's interest and not necessarily the proposed extent of potential future residential development, with some of the land available to enhance the leisure and recreation value of this part of the Lee Valley Park".

Despite the Council being provided with this information on 9th June 2016, which included a revised red line site location plan, the subsequent July 2016 SLAA continued to refer to the development of circa 40 ha of land to the west of Roydon for 1,200 homes under ref. SR-0303

(pg. 178). Although the site was assessed within the SLAA as being suitable and achievable, albeit with any future development needing to have careful regard to the Green Belt status of the land and the setting of the LVP, it was concluded that the site was not deliverable or developable as its availability was unknown. As per the email of 9th July 2016, the Council were fully aware at least one month prior to the publication of the SLAA that the site was being promoted for development by a national developer in Dandara Ltd with the email even including a link to the company brochure to demonstrate the wide range of residential, commercial and mixed-use developments which have and continue to be delivered by Dandara Ltd. On two separate occasions, information submitted to the Council regarding development of land to the west of Roydon was ignored.

Site Assessment - Site Selection Methodology

As confirmed by Mr Kevin Twomey, Planning Policy Officer, in his email reproduced in Figure 6 above, the whole purpose of the 'Epping Forest Developer, Landowner and Promoter Survey 2016', to which Dandara Ltd replied on 5th July 2016, was to inform detailed site selection work being undertaken by Arup on behalf of the Council. This site

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selection work has directly informed the draft allocations made within the EFDLP and is set out in the September 2016 'Report on Site Selection'.

Unfortunately the updated information provided by Dandara Ltd was not taken into account by either the Council nor Arup and therefore the assessment of land to the west of Roydon at Temple Farm within the 'Report on Site Selection' is based on the 2012 SHLAA ref. SR-0303 comprising circa 40 ha with capacity for approximately 1,200 new homes. This has clearly resulted in a fundamentally flawed and unsound assessment of the site when compared with the 200-250 dwellings proposed to be delivered on circa 6 ha of developable land as provided to the Council and Arup as part of the 'Epping Forest Developer, Landowner and Promoter Survey 2016'. It also raises questions in respect of other potential deficiencies in the Local Plan evidence base if information as recent as the 2016 developer, landowner and promoter survey are being ignored.

Despite the site being assessed comprising a much larger parcel of circa 40 ha of land, it nevertheless passed pre-Stage 1 and Stage 1 of the 'Report on Site Selection' with the conclusion being, following consideration of various 'finite' constraints such as flood risk and national / international nature conservation status, that the "site is entirely or partially unconstrained" and should proceed (Appx B1.3, pg. 32).

The much larger site also then passed Stage 2 assessment which considered a variety of criteria which could be impacted by development including ecology, landscape, urban design, accessibility, flood risk and Green Belt impact. Despite the report incorrectly assessing the impact of development on a much wider circa 40 ha of land capable of delivering 1,200 new homes, the Stage 2 assessment is also passed with the following conclusions being notable:

94% of the much larger site is located on Flood Zone 1 land and is therefore sequentially preferable for development;

Most of the site falls within low / very low sensitivity Green Belt parcels; a small area extends into a medium sensitivity parcel. Integration of sensitive planting at the western edge would limit the harm to the purposes of the wider Green Belt;

The site is well located to the amenities and services located in Roydon village and public transport links including Roydon railway station;

Suitable access can be provided into the site and low level congestion is expected on adjacent roads at peak times;

Potential impacts on heritage assets, archaeology, trees, habitats, individual species and contaminated land but likely to be adequately mitigated.

The Stage 2 assessment identifies only two out of a total of thirty two criteria that may result in a harmful impact that could not be mitigated. These comprise impact on landscape sensitivity which is fundamentally associated with the incorrect assessment of a much larger parcel and associated dwelling capacity alongside impact of the loss of Grade 1-3 agricultural land which is a common characteristic shared with the majority of Greenfield sites proposed for allocation within the EFDLP.

The site is then excluded from consideration for allocation within the EFDLP through Stage 3 assessment of the site summarised within Appendix B1.5.2 of the 'Report on Site Selection'. Based on a fundamentally incorrect assessment of the impacts of introducing 1,200 new homes across 40 ha of land located to the west of Roydon, it is concluded that "this site is part of a strategic option which was judged to be a less favourable growth direction. This option would be most sensitive in landscape terms and would be harmful to the setting of the Lee Valley Regional Park".

In respect of the assessment of land being promoted for development through the EFDLP by Dandara Ltd, the 'Report on Site Selection' is fundamentally flawed as it has assessed a much larger parcel of land with a greater development capacity. The sensitive landscape and LVP setting of the site that result in its rejection during the Stage 3 sieve are precisely those sensitivities that were subject to professional assessment by specialist consultancy Define and directly informed the creation of a landscape led Masterplan which envisages the delivery of 200-250 new homes on circa 6 ha

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of developable land being circa one eighth of the area assessed by Arup. This information was submitted to the Council and Arup as part of the 'Epping Forest Developer, Landowner and Promoter Survey 2016' but was ignored.

Section 5.0 of these representations will go on to consider Green Belt and landscape impact in more detail having regard to the correct site area and a dwelling capacity that has been directly informed by these sensitivities. It will demonstrate that it is imperative that the Council recognise the fundamental error they have made in their evidence base by assessing an incorrect site area and dwelling capacity based on an out-of-date SHLAA entry from 2012 despite updated information being provided to them, and acknowledged as such, as part of the 'Epping Forest Developer, Landowner and Promoter Survey 2016'.

As suggested by the Stage 1-3 'Report on Site Selection' sieve, this fundamental error in assessment has resulted in the rejection of a site which is located on Flood Zone 1 land; is unlikely

to have any adverse impact upon any protected habitat or species; integrates well with the existing settlement pattern of Roydon; benefits from close proximity to local shops and services within the village; is located directly adjacent to the only mainline railway station in Epping Forest District; and can be provided with a suitable access from a highway network which does not suffer undue congestion at peak times.

It is important to note that the Council have recognised the error that they have made in not assessing the information provided by Dandara Ltd on 5th July 2016 despite confirmation received from Mr Kevin Twomey, Planning Policy Officer, that they would do so as part of the EFDLP site selection work. At a meeting held on 21st November 2016, the Council apologised for this error and confirmed that the site would be reassessed prior to the publication of the next draft of the Local Plan and would be considered afresh, and without prejudice to the draft allocations already proposed within the EFDLP.

It is imperative that the reassessment of the site is undertaken on a without prejudice basis having regard to those draft allocations currently included in the EFDLP. It is clear from the independent Green Belt and landscape assessment work undertaken by Define informed by the landscape led Masterplan that land to the west of Roydon, when properly assessed, will not only pass the Arup Stage 3 sieve but will also perform significantly better in Green Belt purpose and landscape impact terms than a significant number of the allocations proposed in the current EFDLP. The Council must therefore be committed to changing the Plan as currently drafted.

5.0 Green Belt Impact and Landscape Sensitivity

This section of the representations will refer to detailed work undertaken by specialist Green Belt and landscape visual impact consultancy Define to inform the information submitted to the Council on 5th July 2016 under their 'Epping Forest Developer, Landowner and Promoter Survey 2016' but not subsequently taken into consideration by the Council or Arup as part of their subsequent 'Report on Site Selection'.

It will demonstrate that the information provided by Dandara Ltd on 5th July 2016 was informed by a careful, professional assessment of the landscape and LVP setting sensitivities associated with the site which fed into the preparation of a Masterplan which proposes the introduction of 200-250 new homes on 6 ha of developable land in a manner which would seamlessly integrate with the existing settlement edge of Roydon and would result in no material landscape harm, enhancing rather than detracting from the setting of the adjacent LVP.

Green Belt Impact

Land to the west of Roydon at Temple Farm is located within the Green Belt with para. 80 of the NPPF establishing five main purposes of Green Belt land. The Council published a Stage 1 Green Belt Review and Parcel Assessment in 2015

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which divided the District into a number of strategic Green Belt parcels. Land to the west of Roydon fell within Parcel DSR-064. Each parcel was then subject to a more detailed review contained within an August 2016 Stage 2 Green Belt Assessment. It is important to note that the wider Stage 1 parcel DSR-064 has been further broken down within the Stage 2 assessment with parcel 064.8 comprising the broad extent of land under the control of Dandara Ltd. Figure 7 below refers:

Figure 7: Green Belt Parcel 064.8

The Stage 2 Green Belt Assessment proforma for parcel 064.8 can be found on pg. 353 of the Technical Annex. Having regard to the five Green Belt purposes set out in para. 80 of the NPPF, it concludes as follows for the parcel:

Purpose 1: Checking Unrestricted Sprawl - It concludes that the land makes no contribution to this particular purpose with land to the east of Roydon, rather than to the west, making a strong contribution to preventing sprawl from Harlow;

Purpose 2: Preventing Merging - It concludes that the land makes a weak contribution to this particular purpose with little risk of coalescence with Hoddesden to the west. Again, it is land to the east of Roydon, rather than to the west, that makes a strong contribution to preventing coalescence with Harlow;

Purpose 3: Safeguarding Countryside from Encroachment - It concludes that the land makes a relatively strong contribution to this particular purpose. The review goes on to state that whilst the parcel is not as expansive or undulating as the arable farmland on the western side of the hill, and is framed on three sides by development, it is nevertheless still a very open, rural landscape. However, the assessment recognises the scale of the parcel and the presence of several north-south hedgerows which subdivide the land. Having regard to these hedgerows, which are considered to offer scope as potential boundaries to a more limited intrusion into the countryside, it is concluded that "the area between the settlement edge and the first of these hedgerows can be considered to make a more moderate contribution to purpose 3";

Purpose 4: Preserve Heritage Setting and Character - It concludes that the land makes no contribution to this particular purpose as there is no relationship between the parcel and any historic town;

Purpose 5: Assist Urban Regeneration - Not assessed.

Parcel 064.8 is therefore only considered to make any material contribution to Green Belt purpose 3 in the context of safeguarding the countryside from encroachment. This overall assessment is also reiterated within Appendix B1.4.2 of the Arup 'Site Selection Report' which concludes for a much larger parcel that "most of the site falls within low/very low sensitivity Green Belt parcels; a small area extends into a medium sensitivity parcel. Integration of sensitive planting at the western edge would limit the harm to the purposes of the wider Green Belt".

These representations are accompanied by an independent Green Belt Assessment which has been undertaken by professional Green Belt and landscape assessment practice Define and is attached at Appendix 4. The assessment generally concurs with the Green Belt Review Phase 2 proforma prepared for parcel 064.8. In particular, the comments regarding the contribution different parts of the wider parcel make to assisting the countryside from encroachment are consistent, with the Define assessment concluding that the first field depth leading from the built-up area of Roydon into the site does not function nor appear as open countryside accommodating a poultry farm and being overlooked by the urban edge.

This conclusion by Define in respect of assisting the safeguarding of the countryside from encroachment is similar to that made within the Council's own Green Belt Review Phase 2 which effectively downgrades the contribution that the eastern-most part of the site, closest to the existing settlement boundary, makes from 'relatively strong' to

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'moderate'. As can be seen in Figure 8 below, Define have taken this Green Belt assessment work and directly incorporated the findings into Masterplanning for the site, siting development only one field depth to the west of the existing village to ensure it represents a logical and coherent addition to the settlement and, due to the presence of a strong vegetative boundary to the west, does not represent significant encroachment into open countryside. Indeed, the existing village to the south at Hansells Mead extends further to the west than development being proposed at Temple Farm.

Figure 8: Proposed Masterplan for Roydon West

Landscape and Visual Impact

As explained in detail within Section 4.0 of these representations, land to the west of Roydon at Temple Farm was excluded from consideration for allocation within the EFDLP at Stage 3 of the 'Report on Site Selection' on the basis that "this site is part of a strategic option which was judged to be a less favourable growth direction. This option would be most sensitive in landscape terms and would be harmful to the setting of the Lee Valley Regional Park". We have already seen that this conclusion is fundamentally flawed as it is based on a much larger circa 40 ha site with the capacity to accommodate 1,200 dwellings rather than the information submitted for the consideration of the Council and Arup by Dandara Ltd as part of the 'Epping Forest Developer, Landowner and Promoter Survey 2016'. We have also seen with the Green Belt Review that when a smaller parcel of land is assessed, it fundamentally changes the impact of the site which is also the case in respect of landscape and visual impact.

Define were also commissioned to undertake detailed landscape and visual impact assessment work to inform the siting, scale and quantum of development proposed to be introduced on land to the west of Roydon at Temple Farm. This assessment work is included alongside these representations at Appendix 4 and has been used to directly inform the production of the revised Masterplan included at Figure 8 above. It draws upon the same baseline data sources as the 2010 'Settlement Edge Landscape Sensitivity Study' (SELSS) and 2016 'Report on Site Selection' to inform which parts of the site are capable of accommodating new development without resulting in material harm to landscape sensitivity or the setting of the adjacent LVP.

This assessment work resulted in the following principal recommendations which have been incorporated into the Masterplan:

The extent of land and quantum of future dwellings assessed through the 2010 SELSS and 2016 'Report on Site Selection' are significantly greater than being proposed by the Masterplan reproduced at Figure 8 and the conclusions must therefore be read in this context;

As explained in the context of the Green Belt impact section above, development is proposed on only 6 ha of land and is not proposed to extend any further west into open countryside than the easternmost field parcel which is located immediately adjacent to the established settlement edge;

With development extending only 100 metres from the existing settlement edge, at a highest point of 54 m AON compared with a highest point of 74 m AON contained within the wider 40 ha parcel assessed by EFDC and Arup, the landscape and visual impact of development would be insignificant, amalgamating successfully with the existing settlement edge of Roydon;

The single field depth proposed for development is peri-urban in character, accommodates a poultry farm and is relatively flat, in direct conflict with the more rolling pastoral landscape located further to the west as one approaches the River Stort;

Through the gifting of land to the west to the local community or Lee Valley Park Authority, its use and function would change from an unsightly poultry farm affording no public access to a new 'gateway' to the LVP, linking the village of Roydon with the River Stort and routes beyond. The use of this land is open for discussion but could be more managed

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in character, including a visitors facility and more formal networks of pedestrian and cycle routes or could be managed as new habitat, providing a more natural setting to the LVP;

Development would extend no further west than the existing western extent of Roydon at Hansells Mead and would represent a coherent and logical addition to the settlement boundary, read as such from the surrounding landscape and providing a more publically accessible and higher quality setting to the LVP.

As can be seen from the detailed Green Belt and landscape impact assessment work included at Appendix 4 and undertaken by Define to inform the Masterplan, land to the west of Roydon

is capable of accommodating between 200-250 new homes on circa 6 ha of land with little material impact on the purposes of the Green Belt nor the wider landscape or LVP setting. It demonstrates the fundamental error made by the Council and Arup in assessing a much wider 40 ha parcel of land to accommodate 1,200 new homes despite being provided with a detailed evidence base and Masterplan demonstrating that only 6 ha of land was proposed to be developed, as informed by detailed Green Belt and landscape impact assessment work.

The current EFDLP has not considered the development proposals put forward by Dandara Ltd on 5th July 2016 under the Council's 'Epping Forest Developer, Landowner and Promoter Survey'. The rejection of the site as part of a much wider parcel assessment is therefore unsound as it has not had regard to the ability of a much smaller part of the site to accommodate new development with little material harm to the Green Belt or wider landscape as informed by work undertaken by specialist landscape consultancy Define. It is therefore imperative that the Council and Arup revisit the site, on a without prejudice basis, informed by the information originally sent to them on the 5th July 2016 and reattached alongside these representations.

We would suggest that this reassessment will conclude that the 6 ha of land being promoted for development at Temple Farm by Dandara Ltd would display similar characteristics as parcel SR-0117, identified alongside site SR-0303 in Figure 9 below, which passed the Stage 3 'Site Selection Report' sieve and was only rejected as a potential allocation due to access being reliant on land being promoted by Dandara Ltd also coming forward which, due to the fundamentally unsound assessment, has not passed the Stage 3 sieve. Pg. 26 of Appendix B1.6.5 explains that "this site is reliant on adjacent development to enable development to be brought forward. Adjacent sites have been identified as unsuitable for development, which would impact upon its deliverability as a standalone site. It should not be allocated".

Figure 9: Adjacent Parcel SR-0117

Green Belt Impact and Landscape Sensitivity Conclusions

As mentioned above, these representations are accompanied by an independent Green Belt review and landscape assessment undertaken by specialist consultancy Define at Appendix 4 which has fed into the concept Masterplan for the site at Appendix 2. This assessment report has also considered how land to the west of Roydon at Temple Farm performs from a Green Belt and landscape perspective if the correct developable area of 6 ha is considered, located immediately adjacent to the existing settlement boundary of the village.

We reproduce below Table 2 from the Define assessment report. It is important to note that the 6 ha of developable land being promoted by Dandara Ltd to the west of Roydon at Temple Farm is considered to result in 'moderate' harm to the Green Belt, as set out in the detailed annex to the EFDC Green Belt Review - Phase 2, and is of moderate landscape sensitivity.

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Table 2 confirms that of the twenty-two proposed EFDLP allocations identified as being reasonable to compare against land promoted by Dandara Ltd to the west of Roydon, no less than sixteen perform worse in terms of Green Belt harm ('High' or 'Very High' harm - in red text). In respect of landscape sensitivity, the majority of the sites, being fourteen, have equal sensitivity compared to land to the west of Roydon (moderate sensitivity), with four out of the twenty-two sites being worse performing (in red text) with only two sites being of a lower landscape sensitivity (green text).

In conclusion, when considering Green Belt harm and landscape sensitivity together, only three of the proposed EFDLP allocation sites perform better than land being promoted by Dandara Ltd, with sixteen of the draft allocation sites performing worse (and three being of the same performance). This is a significant conclusion and puts into perspective the magnitude of the error made by the Council in not assessing the smaller parcel of land at Temple Farm to the west of Roydon which was promoted by Dandara Ltd through the 'Epping Forest Developer, Landowner and Promoter Survey 2016'. When the Council reassess the site, as they have committed to doing during the meeting of 22nd November 2016, they will not only conclude that the site performs much better in Green Belt impact and landscape assessment terms to many of the current draft EFDLP allocations but that it provides a range of other benefits including ease of access to the District's only mainline railway station; ease of access to the local shops and services in Roydon village; ease of accessibility to the London - Stansted - Cambridge corridor; and facilitating improved use of, and access to, the amenity and leisure offer of the LVRP.

6.0 Housing Strategy

In order to be found sound, the emerging EFDLP must be shown to be justified having regard to para. 182 of the NPPF being "... the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence". Furthermore, it must also be shown to be positively prepared, "... based on a strategy which seeks to meet objectively assessed development and infrastructure requirements".

As we have previously explained, we have little confidence in the robustness of the site selection process undertaken by the Council and Arup which, certainly in the case of land to the west of Roydon at Temple Farm, has not taken into account the most up-to-date evidence provided by developers in conjunction with the 2016 'call for sites' and subsequent 'Epping Forest Developer, Landowner and Promoter Survey 2016' and has simply relied on out-of-date data associated with the 2012 SHLAA.

Putting aside the inability of the EFDLP to meet full, objectively assessed housing need as required by para. 47 of the NPPF which we will consider in more detail in Section 7.0 of these representations, it is considered that the housing strategy underpinning the delivery of 11,400 new homes under draft Policy SP2 is fundamentally unsound and unable to satisfy the 'justified' test of soundness as the most appropriate strategy when considered against the reasonable alternatives and, critically, based on proportionate evidence.

Housing Strategy - Reliance on Completions from Harlow

The EFDLP identifies Harlow as one of the most sustainable settlements within the HMA, identifying its strategic position on the London, Stansted, Cambridge corridor as a significant contributor to its importance. Despite this, as can be seen from Figure 21 of the 2015 SHMA, Harlow experiences significantly lower average house prices and slower rates of house price growth than the majority of the surrounding area. In particular, current average house prices in Harlow are shown as being between £186,000 - £276,000 whilst almost all immediately adjacent areas, including Epping Forest District, show current average house prices of £332,000 or more.

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In order to satisfy the 'effective' test of soundness, the EFDLP must be able to demonstrate that the quantum of new homes, both in total and when considered on an annualised basis, are able to be delivered by the market taking into account the somewhat depressed market conditions in and around Harlow compared with surrounding areas. As an example, taken from the housing trajectory included alongside the 2016 'Report on Site Selection', the Council are projecting that from the period 2020/21 there will be significant numbers of new homes delivered on the five strategic allocation sites located to the south of Harlow on land falling within Epping Forest District.

There are numerous years when three of the strategic Harlow allocation sites are cumulatively expected to deliver 385 new homes per annum which represents circa 75% of total supply based on the 2015 SHMA OAN of 518 dpa which the EFDLP is currently working to (despite the conclusions of the 2016 SHMA update). It is imperative that the Council provide evidence that Harlow, as a localised housing market area, is able to deliver this number of new homes across a relatively small part of the southern fringe of the town. This is particularly important not only because it represents a significant proportion of Epping Forest District's own OAN, but because Harlow will also be expected to accommodate a further 5,600 new homes delivered on land falling within Harlow District and East Herts District which may also be projected to be delivered during a similar period. It is considered that there is a real risk that one of the weakest performing local housing market areas within the wider HMA in respect of average house prices and house price growth is unable to absorb such significant numbers of new homes within what is a relatively localised market without risking market saturation and a subsequent shortfall in required housing completions because ultimately market demand is proportionally much weaker than elsewhere in the HMA.

Housing Strategy - Harlow Infrastructure

The draft Memorandum of Understanding concerning the distribution of OAN across the HMA (2016) identifies in Figure 5 a total of 16,100 new homes to be delivered in and around Harlow over the Plan period. The 2016 SA of strategic spatial options for the HMA identifies on pg. 25 that based on housing growth of 14,000 in and around Harlow, "... transport modelling indicated a 35-40% increase in trips on the network by 2033". In order for Harlow to be able to accommodate this level of growth without leading to significant adverse transport impacts, resulting in conflict with para. 32 of the NPPF, the SA advises the following:

a major improvement to Junction 7 of the M11 is essential to deliver growth;

a major improvement to Junction 7a of the M11 is essential to deliver growth;

a major improvement to Junction 8 of the M11 is essential to deliver growth;

early delivery of a second crossing over the River Stort is essential to deliver growth.

The SA concludes that "in terms of the level of development that can be accommodated in and around Harlow, the transport modelling undertaken to date indicates that growth of between 14,000 and 17,000 new homes in and around Harlow could be accommodated provided that key mitigation measures are delivered during the plan period" (pg. 25).

More information on the delivery of these essential highway improvements is set out in the draft Memorandum of Understanding concerning highways and transport infrastructure for the HMA. There are two principal concerns in respect of the information contained within the MoU:

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Timing - The MoU recognises at A2.1 that the “M11 Junction 7 serves as the main point of access to the strategic road network for the town of Harlow and the surrounding areas” with improvements to this junction being identified within the SA as essential to delivering growth. The MoU acknowledges at A2.3 that “Highways England is at the very early stages of developing these proposals and once they have been refined, the scheme will go out to public consultation”. At the present time, with proposals acknowledged to be at the very early stages of development, works are expected to start by 2020. Our principal concern is that by 2020/21, which is the very earliest that improvement works to Junction 7 of the M11 are anticipated to start, not to be completed, the ‘Report on Site Selection’ housing trajectory is

anticipating 350 completions in Harlow on land falling within Epping Forest District alone. Even if works do commence by 2020, which does represent a significant timescale risk given the acknowledged early stages of development of the proposals which have not even been subject to public consultation, there are projected to have already been 600 completions in Harlow on Epping Forest land starting from 2018/19. Given the clear advice contained within the SA that these improvement works are essential to delivering growth, we would question whether the current EFDLP can be considered to be in accordance with the NPPF by adding vehicles associated with 600 new homes onto the highway network prior to any improvements to Junction 7 of the M11 being completed which would result in a significant adverse impact in conflict with para. 32 of the NPPF;

Funding - A2.4 of the MoU explains that “Essex County Council are leading on proposals to create a new junction on the M11 (7a) to the east of Harlow that will enable housing and commercial development within and around Harlow and relieve some of the pressure on the existing Junction 7 to the south”. Improvements to Junction 7a, as with Junction 7, were identified within the SA as being essential to delivering growth. The MoU goes on to acknowledge that “funding is yet to be identified”. At the present time, without funding having been secured for improvements to Junction 7a, the EFDLP cannot be considered to satisfy the ‘effective’ test of soundness as the quantum of new housing identified in and around Harlow may not be deliverable if essential improvements to Junction 7a of the M11 do not receive the necessary funding. As funding has yet to be secured, timescales for delivery are unknown and therefore similar concerns raised above in respect of Junction 7 improvements apply having regard to the EFDLP housing delivery trajectory.

Housing Strategy - Viability

As recognised within the SA, given the quantum of new development to be introduced in and around Harlow, equating to circa 16,100 dwellings in total having regard to the MoU relating to delivery of OAN within the HMA, significant pressure will be placed upon existing infrastructure including highways, public transport, social and community facilities and infrastructure. In order for the EFDLP to be found sound, it must be shown to be ‘effective’ meaning deliverable over its period and also ‘consistent with national policy’ including ensuring that new development does not result in adverse impacts that significantly and demonstrably outweigh the benefits.

We have previously raised concerns in respect of the comparatively depressed average house prices and house price increases associated with Harlow compared with the remainder of the HMA and whether the market can absorb the cumulative and continuous annual level of housing growth assumed within the EFDLP housing trajectory. These concerns are exacerbated by the level of financial burden likely to be placed on future development in Harlow to assist with the funding of significant service and infrastructure improvements required for the town to accommodate the scale of housing growth envisaged without adverse impacts arising. The EFDLP does not appear to be accompanied by any detailed viability work which considers whether new housing in Harlow can assist with funding necessary improvements without impacting upon the viability and deliverability of development.

Housing Strategy - Annual Completions

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Notwithstanding our concerns above regarding cumulative completions projected to be delivered from sites in and around Harlow, we are also concerned regarding latter stage annual completion levels associated with the proposed allocation on land to the east of Harlow. Whilst annual completions rates associated with individual sites shown elsewhere on the housing trajectory published alongside the 'Report on Site Selection' seem realistic, at up to 150 dwellings per annum, the 300 dwellings per annum projected to be delivered east of Harlow is a significant outlier and represents an unachievable rate which has not been evidenced. We consider that the delivery of 300 dwellings per annum from a single site is unrealistic, especially given the cumulative housing numbers that the Harlow market is being expected to absorb.

Housing Strategy - Sustainability

The 'vision' of the EFDLP set out on pg. 30 gives significant support to "development needs will be met in the most sustainable locations" with "access to places by public transport, walking and cycling will be promoted". Despite this strong rhetoric, a significant number of the housing allocations included in the Plan fail to support or accord with this wider 'vision'. We would point to two common themes:

Urban Extensions - The EFDLP proposes significant housing development on the edge of existing settlements, most notably Harlow, on the basis that such settlements are sustainable, offering a good range of shops, services and sustainable transport opportunities. However, as perhaps most easily demonstrated having regard to Harlow, with Figure 3.7 of the EFDLP being helpful, these urban extensions are located a significant distance from those shops, services and public transport modes that make the settlement a sustainable location for growth. As an example, one of the principal reasons for Harlow being identified as accommodating such significant growth relates to its strategic position on the London, Stansted, Cambridge corridor.

However, the proposed allocation of land at Latton Priory for 1,000 new homes is located no less than three miles from the railway station which is comparable to many of the other proposed allocations around the town. The distance and difficulty of new housing being able to sustainably access the railway station and town centre completely undermines the overriding principle of locating such significant housing growth at Harlow and overlooks alternative spatial options, such as at Roydon, where housing could be introduced immediately adjacent to a railway station which is not only on the strategically important London, Stansted, Cambridge line, but also allows access into Harlow in less than five minutes - less time than it would take to drive from Latton Priory to Harlow town centre! Locating new housing on the edge of Harlow a significant distance from shops, services and public transport modes will simply exacerbate use of the private car, leading to unsustainable forms of development, and adding further pressure to the local and strategic highway network;

Isolated Development - Despite the District benefitting from a settlement, Roydon, that is served by a mainline railway station on the London, Harlow, Cambridge corridor, the EFDLP proposes to introduce significant development into settlements which do not benefit from a railway station and would be wholly reliant on the use of the private car. Examples include the 1,580 new homes to be introduced at North Weald Bassett, the 600 new homes to be introduced at Chipping Ongar and perhaps most unsustainably of all, the 130 new homes to be delivered at Thornwood which does not even benefit from the most basic of services. This will likewise exacerbate an unsustainable pattern of development in the District, increasing reliance on the use of the private car and being in direct conflict with the underlying 'vision' of the Plan.

It is evident from reviewing a number of the draft allocations included in the EFDLP, that the 'vision' for the document to promote the use of sustainable transport modes and to locate development in the most accessible locations is nothing more than hyperbole. Instead, the Plan has sought to introduce significant numbers of new homes either on the

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edge of existing settlements, remote from the shops, services and public transport modes that make those settlements sustainable locations for growth, or in villages that are not served by any notable form of public transport. This is despite the presence of a settlement, Roydon, which benefits from a mainline station and is currently only being considered for very minor growth. The EFDLP does not appear to have properly assessed the ability of Roydon as the only settlement with a mainline station to contribute to the achievement of a number of the key objectives underpinning the housing strategy, the principles of which are currently not being carried through into many of the draft allocations. If adopted, this housing strategy would result in an unsustainable pattern of development detrimental to the environmental, social and economic strands of the NPPF.

Housing Strategy - Achieving the Plan Vision

As explained above, in the context of accessibility and sustainable transport, the EFDLP sets out a core 'vision' on pg. 30 which should have fed into the selection of allocated development sites. There are three other examples of where the clear 'vision' established at the outset of the Plan has not been carried through into choosing sites for future allocation and eventual development:

Supporting the Lee Valley Park - Pg. 29 of the EFDLP establishes a vision for the LVP which includes "full utilisation of the unique land and water assets ..." and "to be an accessible and permeable, integrated visitor attraction". There is little evidence provided in the Plan of how the proposed allocations are able to contribute to meeting these stated objectives and to improve integration between the LVP and Epping town. It is particularly disappointing that the explicit offer by Dandara Ltd to 'gift' a significant western proportion of land lying to the west of Roydon at Temple Farm for leisure and recreation uses associated with the LVP has not been taken into consideration. As shown on the Masterplan provided at Appendix 2, we consider that a significant opportunity to increase accessibility to the LVP alongside improvements to the offer of the Park, from a leisure, recreation and nature conservation perspective, has not been taken into account during

the site selection process which could have significantly contributed to the Plan achieving part of its vision surrounding the future of the LVP;

Supporting the LSCC Vision - Pg. 26 of the EFDLP reinforces the importance to the District of the London, Stansted, Cambridge Corridor (LSCC) with the HMA Authorities delivering sustainable growth which supports the economic ambitions of the LSCC. This includes delivering housing in locations which benefit from good access to the LSCC, particularly by public transport, to support the growing economy in a sustainable manner. However, the EFDLP proposes virtually nil growth in the one settlement of Roydon which benefits from a mainline station located on the LSCC and is well positioned to deliver new homes which benefit from sustainable access to the majority of the job opportunities located within the corridor;

Vision for Roydon - The vision for Roydon is set out on pg. 161 of the EFDLP and states that the village will utilise its key strengths such as the mainline railway station and the LVP. It is difficult to understand how the subsequent allocations for approximately 40 new homes, largely to the south of the village furthest from the railway station, achieve the realisation of these key strengths. The Plan is fundamentally failing to achieve this vision for Roydon. Clearly the allocation of land to the west of Roydon at Temple Farm would accord with the 'vision' for Roydon by optimising use of the mainline railway station by future residents and improving both accessibility to, and use of, the LVP.

In order to ensure that the core 'visions' for the EFDLP are achieved, visions that are considered to be consistent and compatible with national policy, it is imperative that the emerging allocations actually take them into account. Land located to the west of Roydon at Temple Farm provides a unique opportunity to both improve accessibility to, and the overall offer of, the LVP in the northern part of the District but also to deliver homes immediately adjacent to a

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mainline railway station which serves the strategically important LSCC which can only continue to function and grow if supported by new development and particularly new housing.

Housing Strategy - Loss of Public Open Space

Para. 74 of the NPPF is clear that existing open spaces should not be built on unless:

an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

The EFDLP proposes the majority loss of a number of existing open spaces including no less than three in Loughton. This is loosely justified by the Council with reference to the 2016 'Open Space and Standards' Topic Paper which states that "there are no identified current deficiencies in the quantum of open space in the settlement", with proposed development "retaining a minimum of 25% of the site for high quality amenity space for local residents". It

is important to note that these public spaces are located in established, densely populated residential areas and are well used for a variety of activities including leisure, recreation and play. These spaces provide a vital resource for residents who live within established settlements, providing green space for a variety of day-to-day activities. They are often the only open space open to residents who may not be able to travel to the open countryside surrounding the settlement.

Whilst the Council may have applied a quantitative assessment looking at the amount of public open space available in a particular settlement per head of population, this fundamentally misapplies and misunderstands the criteria set out in NPPF para. 6.16. The test is not to protect existing open spaces unless a settlement is overprovided for, but rather to protect existing open spaces unless the land is surplus to requirements. This is a very different assessment and would require the Council to demonstrate that these well used, valued public open spaces are surplus to requirements. It is also unclear whether additional demand for such facilities and services arising from the planned housing growth has been factored into this calculation. We would suggest that such open spaces are a precious and finite resource in heavily developed settlements and should be afforded the highest level of protection.

Figure 9: Jessel Green as Existing (www.google.co.uk/maps)

Figure 10: Jessel Green as Proposed

Housing Strategy - Loss of Social and Community Facilities

The NPPF advises at para. 70 that when Local Authorities are preparing new Local Plans, they should "guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs". Similar to public open spaces, there are numerous examples within the EFDLP where the Council is proposing to redevelop sites for housing currently used for sports clubs (SR-0132Ci), sports centres (SR-0347), hospital (SR-0555), resources centre (SR-0548), library (SR-0565), community centre (SR-0541) and swimming pool (SR-0903).

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There is little information contained within the supporting evidence to explain whether the facilities are to be lost in totality, whether they are to be reprovided alongside mixed-use development, whether they are to be relocated elsewhere or whether services are to be amalgamated. One notable example is the loss of Epping Sports Centre to North Weald Bassett. Such a proposal would see Epping left with no sports centre and the facility relocated from a settlement which benefits from excellent public transport links, including the underground Central line, to one which has no mainline or underground station with any users of the facility from outside North Weald Bassett, such as Epping, relying on the use of the private car.

It is imperative that the Council provides clear information to explain whether the facilities are proposed to be lost from the settlement in totality and if so, the justification for this given the requirement of para. 70 of the NPPF to “guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs”.

Housing Strategy - Reliance on Public Sector Land and Assets

As explained above, there are numerous proposed housing allocations on land which is currently within public sector ownership and use. In order to be found sound, the EFDLP is required to be ‘effective’ and deliverable over its period. Cross-referencing the proposed allocations with the 2016 SLAA and the Arup ‘Site Selection Report’, we would identify a number of concerns regarding the deliverability of a number of the sites:

Availability - the SLAA confirms that the St Margaret’s Hospital site in Epping, which is proposed for allocation for 181 new homes, is currently operational with Appendix B1.6.4 of the ‘Site Selection Report’ acknowledging that “based on a desk-top review of site characteristics the existing land use is as a hospital, and the Council’s SLAA does not indicate the anticipated timescale for on-site uses to cease”. It is therefore unclear how the EFDLP can allocate the site for housing given that there is no indication that the extant use as a hospital will cease and if it does, when;

Deliverability - There are sites proposed for allocation, with Borders Lane Playing Field and the old Epping Forest College site being examples, where it is acknowledged within Appendix B1.6.4 that there are restrictive covenants pertaining to the land which limits its use to, in these cases, educational only. The sites cannot currently be considered deliverable for new

housing as there is inherent legal uncertainty associated with the lifting of such covenants in the future;

Achievability - There is an inherent risk associated with the deliverability of a housing strategy that is so reliant upon public sector land, the majority of which accommodates extant uses. Whilst public land does commonly come forward for development, this can be subject to significant delays associated with the cessation and relocation of the extant use; confirming disposal; procurement; and securing a development partner. As an example, almost every Central line station car park is proposed to be redeveloped for new housing with car parking reprovided in a basement. Putting aside disruption this will cause to users of the service and viability concerns regarding basement excavation, it is considered challenging for Transport for London (TfL), to manage the redevelopment of each of their station car parks in Epping Forest District almost simultaneously.

7.0 Meeting Full Housing Need

Paragraph 47 of the NPPF requires Local Authorities to ensure that their Local Plan “... meets the full, objectively assessed needs for market and affordable housing in the housing market area ...” as far as is consistent with the policies included in the NPPF. There are two specific points to consider in paragraph 47 - (i) the NPPF does not simply require

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Local Authorities to meet objectively assessed housing need but crucially, full objectively assessed housing need, and (ii) the Local Authority should seek to meet full objectively assessed need for both market and affordable housing.

In order for the 2016 consultation draft EFDLP to be in accordance with the NPPF, it must therefore include a housing target that is able to meet the District's full, objectively assessed need for both market and affordable housing.

Establishing Full, Objectively Assessed Housing Need

In order to establish the full, objectively assessed need for market and affordable housing in Epping Forest District, the Council commissioned Opinion Research Services (ORS), working alongside other Authorities falling within the West Essex and East Hertfordshire Housing Market Area (HMA), who published their 'West Essex and East Hertfordshire Strategic Housing Market Assessment' in September 2015 (SHMA). This original SHMA was then updated in August 2016

Figure 75 of the original 2015 SHMA concludes that the overall need for housing in the HMA over the Plan period 2011-33 equates to a total of 46,058 dwellings. Para. 5.91 then goes on to explain that for Epping Forest District, this equates to an objectively assessed need for housing of 11,300 dwellings which equates to 514 dwellings per annum (over 22 years). It is this figure which has informed the housing target included at Policy SP2 of the emerging EFDLP which plans for the delivery of 11,400 new homes over the Plan period.

However, in August 2016, ORS published an update to their original 2015 SHMA following the publication of the ONS 2014 based Sub-National Population Projections (SNPP) alongside the CLG 2014 based Household Projections. Figure 7 of the August 2016 update establishes a revised objectively assessed housing need figure for the HMA of 54,608 over the same 2011-33 period. Figure 8 then translates the HMA-wide OAN figure for each of the four constituent Local Authorities which, for Epping Forest District, equates to a total housing need of 13,278 equating to 604 dwellings per annum (rounded). Compared with the original 2015 SHMA, this represents an OAN increase for Epping Forest District of 1,978 new homes being an additional 90 dwellings per annum.

Without interrogating any of the methodological assumptions underpinning the SHMA, the emerging EFDLP fails to meet both the 'positively prepared' and 'consistent with national policy' tests of soundness set out at para. 182 of the NPPF by not delivering full, objectively assessed need for market and affordable housing. The housing target included in Policy SP2 of the EFDLP undershoots the objectively assessed housing need identified in the August 2016 SHMA update by 1,978 dwellings and is thus unsound. It is also unsound as sites that are available to assist with meeting full OAN have not been subject to proper assessment as made clear in Section 4.0 of these representations.

The 'Housing Background Paper' published alongside the EFDLP recognises that the Plan is not proposing to meet full, objectively assessed housing need as identified within the 2016 SHMA update. It explains that the constituent Local Authorities "... have identified the potential to increase the level of housing to be delivered across the HMA but the level of infrastructure constraints, as well as environmental and policy designations are such that to provide for the full objectively assessed housing need based on the July 2016 figures would result in Local Plans which did not fully accord with other policies set out in the NPPF" (para. 1.9).

The 'Housing Background Paper', drawing upon the draft memorandum of understanding entitled 'Distribution of Objectively Assessed Need across the West Essex / East Hertfordshire HMA' (2016), concludes that the maximum quantum of housing growth able to be accommodated within the HMA without significant conflicts arising with the NPPF is 51,000 dwellings which for Epping Forest District equates to 11,400. This 'policy on' housing figure is very close to the OAN for the HMA and Epping Forest District originally identified in the earlier 2015 iteration of the SHMA. This suggests that regardless of the conclusions of the 2016 SHMA update, the Local Authorities had committed to a pre-determined housing target which they are reluctant to update despite the availability of sites, such as land to the west of Roydon, which if properly assessed, are clearly deliverable with no significant policy or infrastructure constraints. Given that the SHMA update was only published in August 2016, with the draft Local Plan being approved by EFDC Cabinet for consultation in October 2016, it is evident that the Council did not intend the SHMA update to inform the content of this draft of the EFDLP.

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The 'Housing Background Paper' references the AECOM 2016 Sustainability Appraisal (SA) for the West Essex / East Herts HMA as the key evidence base document which justifies the HMA as a whole, and each constituent Local Authority, not seeking to deliver full, objectively assessed housing need due to identified 'policy on' constraints. Para. 4.1 of the SA explains that the Co-operation for Sustainable Development Member Board (the Co-op Member Board) considered six options for accommodating new housing development across the HMA comprising housing growth ranging from circa 48,300 to 56,250 dwellings alongside variations on the numbers of new homes to be delivered in and around Harlow town. The Co-op Member Board subsequently reported to AECOM that their preferred spatial option was to deliver 51,000 new homes across the HMA of which 11,400 were to be delivered in Epping Forest District (n.b. this figure has informed Policy SP2 of the EFDLP).

The SA then assesses the Co-op Member Board 'preferred spatial option' alongside six alternatives. These alternatives include only one option, being 'Option F', which considers the ability to deliver housing numbers at or in excess of the OAN identified for the HMA within the 2016 SHMA update. The SA concludes that "the [preferred] spatial option was identified as the most sustainable choice for the HMA" (para. 4.3). We do not consider that the assessment undertaken by the SA is either independent nor sufficiently robust and has been pre-judged by the clear preference of the commissioning Authorities that the 'preferred spatial option' is considered "the furthest the Authorities consider that they can reasonably go in delivering the most recent advice from ORS regarding housing need" (SA pg. 34).

When concluding that the preferred spatial option of 51,000 new homes across the HMA represents the most sustainable choice, the SA gives four principal reasons at para 4.3:

The SA recognises that whilst the 51,000 new homes able to be delivered under the 'preferred spatial option' is lower than the OAN identified within the 2016 SHMA update, it "... nonetheless represents good progress towards this higher figure" which "... indicates that the four HMA Authorities are positively seeking opportunities to meet the development needs of their areas". This is a clear misinterpretation of NPPF para. 47 which requires Local Authorities to use their evidence base to ensure that their Local Plans meet the full, objectively assessed needs for market and affordable housing in the HMA, not to make 'good progress' towards meeting it! The SA should acknowledge that the 'preferred spatial option' is unable to meet full OAN and would require an accompanying detailed assessment to demonstrate that the adverse impacts of meeting a higher housing target would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole (NPPF para. 14). The SA has failed to undertake this assessment and to demonstrate that a higher housing figure capable of achieving the OAN is unable to be sustainably delivered;

The SA states that Harlow represents the most sustainable location within the HMA at which to concentrate development due to its role as a sub-regional centre for employment; its Enterprise Zone status; the need to rejuvenate the town centre; the opportunity to capitalise on its transport connections (for example, good rail links to London, Stansted Airport and Cambridge); its important location on the London - Stansted - Cambridge corridor; and the wider economic growth aspirations for the town. Whilst Dandara Ltd do not disagree with this, we are concerned that the seven housing delivery options considered by the SA primarily differ from each other based on the number of new homes to be delivered in and around Harlow. As an example, for Epping Forest District, the only difference between the assessed 'preferred spatial option' and 'option F', which delivers in excess of OAN, comprises, with the exception of a small increase in the number of homes proposed to be delivered in Loughton / Buckhurst Hill, increases in the number of new dwellings delivered in and around Harlow. The SA does not consider any alternative distribution of housing, such as increasing numbers at the larger villages, which could contribute to meeting OAN without impacting upon identified infrastructure constraints to growth associated with Harlow;

The SA explains that transport modelling undertaken to date demonstrates that growth of between 14,000 and 17,000 new homes can be accommodated in and around Harlow provided identified mitigation measures are delivered. Whilst this evidence base potentially represents a constraint as defined within para. 14 of the NPPF whereby the adverse impacts associated with housing numbers in excess of 17,000 in and around Harlow would outweigh the benefits, the SA does not adequately assess alternative spatial options able to deliver full OAN away from the strategic infrastructure constraints associated with growth in and around Harlow;

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The SA recognises that sufficient suitable strategic sites are available in and around Harlow to deliver the figure of circa 16,100 new homes identified for the town within the 'preferred spatial option'. Whilst no doubt true, it is nevertheless the case that the 'preferred spatial

option' is unable to meet full OAN as required by the NPPF due partly to the SA seemingly using infrastructure constraints associated with Harlow as justification for limiting housing growth across the HMA as a whole without considering alternative spatial distribution options.

Policy SP2 of the EFDLP seeks to deliver 11,400 new homes over the period 2011-33 which is 1,978 dwellings short of the OAN identified within Figure 8 of the 2016 SHMA update. The 2016 'Housing Background Paper' acknowledges this OAN shortfall and attempts to justify it on the basis that identified infrastructure constraints, alongside environmental and policy designations, would result in conflicts with paras. 14 and 47 of the NPPF should full OAN be met (n.b. with reference to the AECOM SA). There are considered to be significant deficiencies within the SA which fundamentally undermine the conclusion that the HMA is unable to meet full, objectively assessed housing need as required by the NPPF:

There are serious question marks regarding the independence of the SA which makes it clear in section 4.1 that they were provided with a clear 'preferred spatial option' by the commissioning Authorities capable of delivering 51,100 new homes across the HMA. The SA appears to have been pre-judged based on an earlier resolution, presumably not informed by any SA testing, by the Co-Op Member Board that 51,100 new homes represents the maximum deliverable housing target across the HMA;

Whilst the SA does consider seven individual housing delivery options, the principal difference, certainly in the case of Epping Forest District, between the 'preferred spatial option' and 'option F' which is able to achieve OAN, is the number of new homes to be delivered in and around Harlow. As there are evidenced limitations to the number of new homes that Harlow is able to accommodate, due principally to strategic highways infrastructure, the SA, in order to be robust, should have tested an alternative distribution of housing growth across other settlements including the larger villages. By principally testing increased housing numbers at Harlow to meet full OAN which has known highways infrastructure limitations to growth, it is self-fulfilling the earlier resolution of the Co-Op Member Board that the Authorities are unable to meet full OAN;

Despite the SA recognising that the 'preferred spatial option' is unable to meet full OAN as identified by the 2016 SHMA update, there is no consideration within the SA or the draft MoU of how this unmet housing need will be addressed. The NPPF is clear that in order to be found sound, the EFDLP should be 'positively prepared' being able to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring Authorities. No evidence has been provided by the four constituent members of the HMA that they have sought to engage with neighbouring Authorities under the Duty to Cooperate to accommodate unmet housing need originating from the HMA which is currently circa 3,508 (August 2016 SHMA OAN of 54,608 - SA Option of 51,100);

As we will go on to demonstrate in more detail, the undue focus of the SA on delivering housing on land in and around Harlow has excluded consideration of alternative locations for housing which, from a spatial perspective, benefit from many of the strategic benefits of Harlow. Roydon is an example of a location in Epping Forest District which is currently envisaged to accommodate only 40 new homes despite the presence of the District's only

mainline railway station which provides access to the core services and employment opportunities provided, not only by the adjacent Harlow, but also by the railway line forming a key link in the London - Harlow - Stansted - Cambridge corridor. By unduly focusing on Harlow, the SA has painted a picture of a HMA unable to meet OAN to due strategic infrastructure constraints when in reality, there are sustainable and unconstrained locations for growth, such as Roydon, which have simply not been properly assessed;

As explained in detail in previous sections of these representations, there has been a fundamental error made by Epping Forest District Council when assessing the delivery of new housing on land to the west of Roydon under ref. SR

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0303. The Council cannot at the current time therefore state that they are unable to meet full OAN as they have sites which they have rejected without due consideration of detailed evidence provided to them as part of their 'call for sites' exercise and which are located in fundamentally sustainable parts of the District.

Despite Policy SP2 of the EFDLP being unable to meet full OAN for Epping Forest District of 13,278 new homes over the period 2011-33 as identified within the 2016 SHMA update, we will now go on to demonstrate that there are various aspects of the methodology underpinning the SHMA which suggests the OAN should be higher in any event.

Demographic Projections

In accordance with Planning Practice Guidance (PPG), the SHMA uses household projections published by the CLG as a starting point for estimating future housing need in Epping Forest District and across the HMA (para. 015, ref ID: 2a-015-20140306). The 2014-based CLG household projections are considered to represent the most up-to-date evidence base and are those referred to within the SHMA August 2016 update. However, the PPG goes on to make three important points with respect to the use of household projections published by the CLG:

The household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. For example, formation rates may have been suppressed historically by under-supply and worsening affordability of housing (para. 015, ref ID: 2a-015-20140306);

Plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates (para. 017, ref ID: 2a-017-20140306);

The housing need number suggested by household projections (the starting point) should be adjusted to reflect appropriate market signals, as well as other market indicators of the balance between the demand for and supply of dwellings including house prices, rates of development and affordability (para. 019, ref ID: 2a-019-20140306).

The original 2015 SHMA suggested, having regard to the 2012 based CLG household projections that the number of households across the HMA would increase by 49,638 over the Plan period 2011-33. The SHMA was updated in 2016 following the publication of the 2014 based CLG household projections which suggested a relatively marginal rise in household growth over the period 2011-33 of 50,697 which represents a net increase of 1,059 dwellings.

Both the 2015 and 2016 versions of the SHMA note that the CLG household projections, both 2012 and 2014 iterations, are based on short-term migration trends derived from the preceding five year period. ORS argue that such short-term trends are 'very unstable' and it is therefore more appropriate to adopt a longer base period when establishing migration trends. In response, both the 2015 SHMA (2001-2011) and the 2016 update (2005-2015) apply a ten year migration rate to the CLG household projections. This results in a significant reduction in the OAN demographic starting point with the 2015 SHMA overseeing a reduction of - 12,739 dwellings through the application of a 10 year migration trend whilst the 2016 SHMA update oversees a reduction of - 6,938. Dandara Ltd has a number of concerns regarding the justification provided for this significant adjustment:

Recessionary Impact - The 2015 SHMA applies migration trends for the period 2001-11 to the CLG 2012 household projections which results in a significant downward adjustment to the demographic OAN starting point. Having regard to Figure 30 of the SHMA, it is highly questionable whether this 10 year period represents a reliable trend to project forward to 2033 given that (a) it includes four unrepresentative years during the period 2001-05 when migration levels were either unrepresentatively small or were experiencing a net out-migration from the HMA and (b) it includes the recessionary years of 2008-09 when economic output was significantly depressed which had a well-documented impact on relative levels of both domestic and international migration;

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UPC - The 2015 SHMA places great emphasis on changes made to mid-year estimate (MYE) data for population change following corrections applied post publication of the 2011 Census. The SHMA notes that the highest number of adjustments made to the MYEs were during the latter years of the pre-Census period 2008-11 which suggests that "... the original component of change data for the most recent years was the least reliable across the area as a whole" (para. 3.18). The ONS is clear that no adjustment was made to the 2012-based SNPP as it could not be demonstrated that UPC measured a bias in the trend data that will continue in the future. It is considered that the SHMA should have attempted to interrogate the discrepancies between the 2008-11 MYEs and the subsequent 2011 Census data to understand where the differences in forecasting occurred and how this could then be applied to latter MYEs to allow migration trends projected over more recent years to be included within the OAN calculation. Instead, the SHMA has simply assumed the continuation of unrepresentative, historic migration rates which do not recognise the strong trend towards a significant increase in both population and migration growth experienced since 2005-06 which we will interrogate in more detail below;

ONS MYEs - The 2016 SHMA update includes ONS population estimates for mid-2013, mid-2014 and mid-2015. These have been compared against the 2012 based SNPP, which the 2015 version of the SHMA considered to require significant downward adjustment due to the application of 'very unstable' short-term migration trends. The MYEs suggest that both population growth and rates of migration were higher than that projected by the 2012 SNPP despite the conclusions of the 2015 SHMA that the 2012 SNPP was likely to be applying unrepresentatively high and thus unrepresentative migration trends. There is a clear conflict here between the assertion of the 2015 SHMA that the migration trends underpinning the

2012 SNPP are unrepresentative and consistently published MYE data which is suggesting an even higher population and migration rate than projected through the 2012 SNPP;

Migration Trends - The 2016 SHMA update looks in more detail at changes in population recorded over the period 1991 to 2014. Para. 17 explains that over the period 1991 to 2004, annual population growth averaged around 1,100 persons. However, over the period 2005/06 to 2011/12, average population growth almost doubled to average 2,100 persons per year. For the period 2011-14, population growth increased to 3,200 persons per year. Rather than the SHMA recognising a trend, as indicated within Figure 5, whereby net population change has consistently increased since 2005/06, which would be in line with the 2012 and 2014 SNPP, they continue to apply a 10-year migration trend averaging an increase of circa 2,260 persons per year which is significantly less than for the most recent period 2011/14. Even if a longer trend is applied, para. 23 goes on to consider ONS MYEs up to mid-2015 which for the 10 year period 2005/15, "... represents an annual average of 2,500 persons which is higher than the 2,100 identified as a possible new long-term norm".

The PPG advises that "the household projections produced by the Department for Communities and Local Government are statistically robust and are based on nationally consistent assumptions" (para: 017, ref ID: 2a-017-20140306). Rather than the SHMA using the 2012 and 2014 household projections as the demographic starting point, ORS have applied a significant downward adjustment based on the application of a ten year, rather than a five year, migration trend. This adjustment was originally justified on the basis that most recent MYEs, prior to being ratified by the accompanying Census, were typically unstable. The theory being that applying a longer 10 year trend captured more data from those years which had been ratified by the 2011 Census.

However, what is becoming increasingly clear from the August 2016 SHMA update is that the 2012 and 2014 based household projections, which estimate significant increases in migration levels, actually represent a proven trend of population growth across the HMA from 2005/06 onwards:

Rates of population growth from 2005/06 onwards have averaged 2,100 persons per annum which is an increase of 1,000 persons per annum compared with the 1991-2011 period average;

For the period 2011-14, there was an overall increase in population which averaged 3,200 persons per year which represents a further circa 1,000 persons per annum increase compared with the period 2005/06 onwards;

ONS MYEs, including up to mid-2015, suggest that across the HMA over the period 2005- 2015 an annual average population increase of 2,500 persons per annum was experienced.

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As shown in Figure 5 of the 2016 SHMA update, it is clear that population growth across the HMA has increased significantly and consistently from 2005-06 onwards. It is therefore considered that in this context, and taking into account the objective of para. 47 of the NPPF to boost significantly the supply of housing, there is no justification to apply a significant downward adjustment to the CLG household projections based on the application of longer-

term 10 year migration trends. If anything, applying a 10 year migration trend to the 2014 CLG household projection captures a period of significant recession that is not representative of population change experienced since 2011-12 and does not represent a period when population growth, migration rates or housing completions were compatible with the NPPF objective of boosting housing supply. We would therefore advocate that the 2014-based household projections are used as the starting point, with no adjustment applied, when calculating the OAN.

Household Formation Rates

Both the 2015 SHMA and 2016 SHMA update apply positive adjustments to the demographic baseline in response to concealed families and homeless households. Whilst this adjustment is supported in principle, the SHMA also identifies across the HMA, but more particularly for Epping Forest District, a repeating pattern of rising house prices and rental levels compared with lower quartile earnings. Para. 5.60 of the 2015 SHMA explains that house prices in Epping Forest District have typically been very similar to London prices with Figure 73 demonstrating that the ratio of lower quartile house prices to lower quartile earnings for Epping Forest District sits at around 11.0 which is only marginally below that of Greater London.

In such cases, where there is demonstrable evidence of rising house prices and worsening affordability, the PPG is very clear that “the household projection-based estimate of housing need may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. For example, formation rates may have been suppressed historically by under-supply and worsening affordability of housing” (para. 015, ref ID: 2a-015-20140306).

The SHMA does not include any detailed assessment of historic and future household formation rates within certain age brackets to consider whether past trends and future projections indicate some suppression in household formation rates, particularly amongst young adults who may be looking to establish themselves on the housing ladder. There is likely to be a clear observable link between the inability of younger age groups to establish new households and a lack of housing supply and affordability which is unsurprising given house prices in Epping Forest District being comparable with Greater London.

The SHMA should give serious consideration to including a further adjustment to the 2014 CLG household projections to address suppressed household formation rates within the young adult age bracket in response to the differential between house price growth and earnings to allow for an improved rate of household formation moving forward. Similar to other Local Authorities in and around Greater London, this may involve identifying a base year, such as 2001 for example, to which the Council will seek to return household formation rates within the younger adult age bracket as a result of an upward adjustment to the OAN and increased housing delivery.

Affordable Housing

Paragraph 47 of the NPPF makes it clear that Local Authorities should ensure their Local Plan meets “... the full, objectively assessed needs for market and affordable housing in the housing

market area”. The PPG provides clear advice in respect of how affordable housing need should be considered in terms of Plan preparation stating, “The total affordable housing need should then be considered in the context of its likely

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delivery as a proportion of mixed market and affordable housing developments, given the probable percentage of affordable housing to be delivered by market housing led developments. An increase in the total housing figures included in the Local Plan should be considered where it could help deliver the required number of affordable homes” (ref. ID: 2a-029-20140306).

Para. 4.42 of the 2015 SHMA states that the number of housing benefit claimants in the West Essex and East Hertfordshire HMA increased from 18,227 in 2001/02 to 26,134 in 2012/13. Figure 62 concludes that for Epping Forest District, there is a current unmet need for 627 affordable homes with a further 2,525 being required over the period 2011-33. This gives a total affordable housing need proportionate to 34% of total OAN.

The recommendation of the SHMA is that an uplift in the housing target is only being applied in direct response to need arising from concealed families and homeless households linked to an adjustment for household formation rates. We would offer the following observations in respect of affordable housing:

The SHMA excludes all those households that currently rely on the Private Rental Sector (PRS) for their affordable accommodation, supplemented by the Local Housing Allowance (LHA). Para. 4.107 of the SHMA makes it clear that “... many tenants that rent from a private landlord can only afford their housing costs as they receive housing benefit. These households aren’t counted towards the need for affordable housing ...”. Whilst it is accepted that PRS does, and will continue to, play an important role in affordable housing provision, it does represent an inherently unstable tenure due to the continued availability of funding mechanisms such as the LHA; the role of private landlords and the tenure being available as market housing; the insecurity of the tenure if a landlord decides to re-let or sell the property; and the aspirations of people to own their own home. This is particularly telling given that para. 4.110 concludes that “if no households were to receive housing benefit support in the private rented sector, more than half of the growth in household numbers would need affordable housing. This would need a total of 19,700 affordable homes to be provided over the 22 year period 2011-33”. It is strongly recommended that the Council considers whether an adjustment to the housing target should be made to increase affordable housing delivery and reduce such reliance on the PRS sector. This is considered especially important in an Authority such as Epping Forest District where lack of supply and affordability in the owner-occupied sector pushes market demand into the PRS sector which, due to finite supply, then pushes up rents and directly competes with those relying on the tenure for affordable housing;

The 2015 SHMA indicates that the HMA as a whole is unable to meet full, objectively assessed need for affordable housing without an upward adjustment to the overall housing target. A clear example is Harlow where the need for 3,289 affordable homes over the period 2011-33, represents 67% of the overall identified housing need. The 2015 SHMA, prepared jointly by the four constituent Authorities, should therefore be considering whether an uplift in the housing target, including for Authorities adjacent to Harlow such as Epping Forest District, could assist in meeting full, or closer to full,

affordable housing need. It is considered that there is a particular opportunity for Epping Forest District to assist Harlow in meeting a proportion of its unmet affordable housing need which currently represents an unachievable 67% of total need;

Whilst Figure 62 of the SHMA considers affordable housing need as a proportion of overall housing need, it does not consider whether planning policy is able to deliver the proportion of affordable housing identified. For example, whilst affordable housing as 35% of total housing need could appear achievable through planning policy as a proportion of affordable housing sought on market housing sites, this does not take into consideration that a large proportion of new homes will be delivered on sites comprising 10 units or less and would not thus be required to deliver affordable housing or that some major schemes may have reduced affordable housing due to viability issues associated with infrastructure delivery or re-providing public car parking within extensive basements. The SHMA should therefore consider past completion evidence to provide an estimate of the proportion of affordable housing that could be delivered through the planning system and whether an uplift to total OAN could assist in meeting full, objectively assessed need;

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Whilst the SHMA is correct in ensuring that double-counting does not take place when one affordable home is vacated to allow for occupation by an alternative household in affordable housing need, the Council should satisfy itself that this assumption allows for some flexibility where affordable housing is vacated but is not available for reoccupation due to it being unsuitable for habitation.

Economic Growth

The PPG advises that “Plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area” (ref. ID: 2a- 018-20140306).

The original 2015 SHMA concludes that based on various evidence base documents, including EEFM outputs (East of England Forecasting Model), the HMA is likely to yield 41,700 extra jobs over the period 2011-33. This increase equates to a need for a further 5,600 dwellings to be provided which would be added to the baseline demographic projections as shown in Figure 75.

However, having regard to Figure 75, the SHMA would appear to be suggesting that because a 20% adjustment to the demographic baseline has been made in response to market signals, equating to an additional 7,009 dwellings, this would be in excess of the 5,600 dwellings required in response to economic signals and therefore no further adjustment is required.

We consider that this is a fundamental error as the 20% adjustment for market signals is a specific intervention to attempt to rebalance a housing market which is significantly ‘overheated’ when considering a range of indicators including house prices, rental values, availability and overcrowding against earnings. The purpose of the 20% OAN adjustment, in line with PPG guidance, is therefore an attempt to increase supply in order to regulate property prices and availability and deliver a more equitable and balanced housing market.

What the SHMA is effectively saying is that this 20% uplift in response to market signals will incorporate the 5,600 dwellings necessary to provide sufficient accommodation for those workers required to support economic growth. However, this is a fundamentally unsound approach as the objective of the 20% uplift specifically required in response to market signals to improve affordability and supply in the market will be fundamentally undermined as no less than 80% of the 7,009 dwelling uplift will now be required to accommodate those working in the HMA due to substantial increases in economic performance and associated jobs.

The SHMA should instead recognise that adjustments to the demographic baseline due to market signals and economic growth are mutually exclusive as each is proposed in response to very different indicators. If 80% of the dwellings provided in response to market signals are accommodated by future residents who have moved to the HMA due to jobs growth, then the ability of the residual 20% to engender a positive adjustment to a housing market whereby the relationship between house prices, rental values and earnings is significantly unbalanced is significantly undermined.

Market Signals

Both the 2015 SHMA and the 2016 SHMA update propose an uplift to the baseline housing target of 20% in response to market signals. This approach is supported in principle by Dandara Ltd.

OAN Conclusions

These representations have demonstrated that the EFDLP is fundamentally unsound as it fails to meet full, objectively assessed housing need identified within the 2016 SHMA update and as required by para. 47 of the NPPF. Policy SP2 of

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the draft Plan looks to deliver 11,400 new homes over the period 2011-33 which is 1,878 dwellings short of full OAN identified within Figure 8 of the SHMA 2016 update.

Notwithstanding the Council failing to deliver full OAN, these representations have also highlighted various deficiencies contained within the methodology underpinning both iterations of the SHMA. These include the application of unrepresentative longer term migration rates; the failure to consider suppressed household formation rates amongst younger age groups; the absence of any upward adjustment for affordable housing; and the assumption that applying a 20% uplift for market signals is sufficient to also address additional homes needed to support economic growth.

8.0 Duty to Cooperate

Paragraph 178 of the NPPF makes it clear that Local Authorities have a duty to cooperate on planning issues that cross administrative boundaries, particularly in respect of the NPPF 'strategic priorities' set out in paragraph 156 which include housing. Paragraph 179 advises that "Local Planning Authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and are clearly reflected in individual Local Plans". It then reiterates that "Joint working should enable Local Planning Authorities to work together to meet development requirements which cannot wholly be met within their own areas ...".

The PPG recognises that the duty to cooperate is not a duty to agree but "... Local Planning Authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination". The PPG goes on to state that Local Planning Authorities will "... need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters" (para. 001, ref ID: 9-001-20140306).

As previously discussed, ORS published a joint SHMA for West Essex and East Hertfordshire Authorities in 2015 prior to the publication of an update in 2016. The original 2015 SHMA includes a section that looks to define a housing market area (HMA) acknowledging the inherent difficulties and challenges of doing so. There are three outcomes of this HMA assessment work which are relevant to Duty to Cooperate considerations:

West Essex and East Hertfordshire HMA

The SHMA concludes at 2.73 that "... we would recommend to the West Essex and East Hertfordshire Councils that East Hertfordshire, Epping Forest, Harlow and Uttlesford represent the most appropriate 'best fit' for West Essex and East Hertfordshire HMA". The Local Authorities which comprise the West Essex and East Hertfordshire HMA have subsequently worked together to consider strategic matters, such as housing delivery, as they are required to do under Section 33A(4) of the 2004 Planning and Compulsory Purchase Act.

As previously explained in more detail, the 2016 'Housing Background Paper' acknowledges that the constituent HMA Authorities are unable to deliver sufficient new homes to meet their combined objectively assessed housing need of 54,608 dwellings over the period 2011-33 as set out within the 2016 SHMA update. The paper references infrastructure constraints, alongside environmental and policy designations, to justify the position that "... the maximum quantum of growth for the Plan period is 51,000 homes for the HMA" (para. 1.9) being 3,608 dwellings short of full OAN.

In order to be found sound, the EFDLP must be shown to be 'positively prepared', capable of meeting full, objectively assessed development requirements and 'effective', capable of being deliverable over its period and based on effective joint working on cross-boundary strategic priorities. The HMA is currently unable to deliver full, objectively assessed housing need across its area and is therefore unable to satisfy the 'positively prepared' test of soundness and is in direct conflict with para. 47 of the NPPF. Para. 179 of the NPPF advises that "joint working

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should enable Local Planning Authorities to work together to meet development requirements which cannot wholly be met within their own areas”.

The constituent Local Authorities within the HMA have acknowledged that they cannot currently meet objectively assessed housing need. In accordance with para. 47 of the NPPF, and in order to meet the ‘effective’ test of soundness, these Authorities should be seeking to coordinate with other neighbouring Authorities beyond the HMA to establish whether they could accommodate some unmet need from the West Essex and East Hertfordshire HMA. At the present time, there is no evidence that the HMA Authorities have sought to do this.

This engagement under the Duty to Cooperate is particularly important in the case of the West Essex and East Hertfordshire HMA as para. 2.75 of the 2015 SHMA is clear that the HMA does not represent a ‘perfect fit’ and that there are strong commuting and migrating patterns with Authorities beyond the HMA. It gives the example of the relationships that Epping Forest District has with Broxbourne and Chelmsford alongside the relationships that East Hertfordshire has with Broxbourne and Welwyn Hatfield. It is evident then that the West Essex and East Hertfordshire HMA should not represent a fixed HMA geography but that in order to be found sound and to accord with NPPG and PPG guidance, the Authorities should engage with neighbours beyond the HMA in order to discuss whether they could accommodate a proportion of the HMAs unmet housing need.

Relationships Beyond the HMA

Linked to the above, we have already referred to para. 2.75 of the 2015 SHMA which recognises that functional commuting and migration relationships exist between Authorities outside the HMA. In the case of Epping Forest District, this includes particularly strong linkages with Broxbourne, Chelmsford and other Essex Authorities. In order to comply with the ‘effective’ test of soundness, as well as NPPF and PPG guidance, Epping Forest District should demonstrate that they have actively engaged with other non-HMA Authorities with which they have an established relationship to ensure that they are able to meet their own objectively assessed housing needs or whether they may require assistance from neighbouring Authorities such as Epping Forest District. At present, the EFDLP is suggesting that the District is unable to meet full OAN and therefore as an absolute minimum, the Council are required to demonstrate that they have engaged with neighbouring Authorities, including those outside the HMA, to discuss the possibility of them accommodating a proportion of this unmet need.

Relationship with the Greater London Authority

The 2015 SHMA acknowledges the role of London within the defined HMA from both a commuting and migration perspective. It recognises that “... there are clearly some parts of Epping Forest and Uttlesford where the largest flows are to Greater London” (para. 2.32) with “the modelling analysis has clearly shown that the commuting ‘pull’ from Central London is often stronger than from more local employment centres” (para. 2.33). The SHMA concludes that “the area of West Essex and East Hertfordshire is strongly linked to London through commuting and migration patterns” (para. 2.71) with the clear recommendation that “all four Authorities will need to maintain dialogue with each other and the Boroughs to the north and

east of London, as well as with the Mayor of London through the Greater London Authority” (para. 2.75).

The PPG advises that “the Duty to Cooperate applies in London where Boroughs, alongside Local Planning Authorities in the rest of England, are required to cooperate with other Local Planning Authorities, County Councils, and prescribed public bodies”. The London Plan (Spatial Development Strategy for London Consolidated with Alterations from 2011)

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adopted in March 2016 establishes a housing target of at least 42,000 new homes per annum over the period 2015-25. However, the January 2014 'London Strategic Housing Market Assessment' identifies a housing need of between 49,000 to 62,000 homes a year - producing an annual shortfall of between 7,000 and 20,000 homes.

There is thus a clear unmet housing need identified within London with the 2015 SHMA identifying a demonstrable link between commuting patterns and migration flows between Greater London and West Essex and East Hertfordshire. Evidence should be provided by the constituent HMA Authorities to demonstrate that they have positively and proactively engaged with the Greater London Authority under the Duty to Cooperate to establish whether any unmet OAN could be accommodated within West Essex and East Hertfordshire given the functional links that exist.

Duty to Cooperate Conclusion

The NPPF and PPG are clear that when Inspectors are considering whether a Local Authority has discharged their Duty to Cooperate, they must consider whether such engagement has resulted in the delivery of effective and deliverable policies on strategic cross boundary matters. The evidence base acknowledges that Epping Forest District sits within an established HMA which collectively is unable to meet full, objectively assessed housing need. In addition, there is also unmet housing need originating in Greater London with which the HMA has an established economic and migratory relationship.

In respect of land to the west of Roydon at Temple Farm, these representations have clearly shown that the rejection of the site by the Council was fundamentally flawed due to the consideration of out-of-date information derived from the historic 2012 SHLAA. The EFDLP has not therefore soundly considered the potential of the site to accommodate development in any detail despite evidence provided by Dandara Ltd on 5th July 2016 which demonstrates that 200-250 new homes could be accommodated without material harm to the Green Belt, landscape character or setting of the LVP. It is therefore considered that the Council has not satisfactorily demonstrated that additional housing could not be accommodated within the District to address unmet need derived from within the HMA and from Greater London.

At present, the EFDLP is not considered to be sound as it has not been positively prepared with an absence of effective and deliverable policies to address unmet housing need within the HMA. The evidence base does not justify why a higher housing delivery figure could not be accommodated within Epping Forest District and as the PPG advises:

"The Duty to Cooperate requires Authorities to work effectively on strategic planning matters that cross their administrative boundaries. The Duty to Cooperate is not a duty to agree and

Local Planning Authorities are not obliged to accept the unmet needs of other planning authorities if they have robust evidence that this would be inconsistent with the policies set out in the National Planning Policy Framework, for example policies on Green Belt, or other environmental constraints" (para. 021, ref ID: 9-021-20140410).

9.0 Five Year Housing Land Supply

Paragraph 47 of the NPPF states that Local Authorities should "identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land". The PPG advises that "the examination of Local Plans is intended to ensure that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption ..." (Para. 033, Ref ID: 3-033-20150327).

The Plan period runs for 22 years from 2011-33. Notwithstanding concerns raised elsewhere in these representations regarding the methodology underpinning the SHMA, the Council is therefore required to deliver 604 dpa (rounded) x 22

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= 13,288 units based on the current objectively assessed need (OAN) of 13,278 for Epping Forest District as identified within Figure 8 of the 2016 SHMA update minus any Duty to Cooperate uplift.

Five Year Housing Land Supply - Accumulated Shortfall

Over the first five years of the Plan period, the housing trajectory included at Appendix B1.6.6 of the 2016 Arup 'Report on Site Selection' confirms that the Council delivered the following:

2011/12 = 288 (- 316 shortfall)

2012/13 = 89 (- 515 shortfall)

2013/14 = 299 (- 305 shortfall)

2014/15 = 230 (- 374 shortfall)

2015/16 = 267 (- 337 shortfall)

Total = - 1,847 (2011-16)

Over the first five years of the Plan period, there was a shortfall in housing completions of - 1,847 units. The housing trajectory projects that this shortfall will increase by a further - 289 units during the monitoring year 2016/17 bringing the cumulative shortfall over the first six years of the Plan to - 2,136. The PPG is clear that "Local Planning Authorities should aim to deal with any undersupply within the first five years of the Plan period where possible (i.e. Sedgefield methodology). Where this cannot be met in the first five years, Local Planning Authorities will need to work with neighbouring authorities under the Duty to Cooperate" (para. 035, ref ID: 3-035-20140306).

To accord with the guidance set out in the PPG, the - 2,136 unit shortfall accrued over the first six years of the Plan period should be added to the five year housing land supply requirement of 3,020 units (604 x 5) to give a housing requirement over the period 2017/22 of 5,156 (1,031 dpa). This will ensure that the Plan is positively prepared in order to ensure a five year housing land supply is reinstated following adoption of the Plan.

Five Year Housing Land Supply - Applying Buffer

The NPPF states at para. 47 that to boost significantly the supply of housing Local Authorities should "... identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the Plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, Local Planning Authorities should increase the buffer to 20% (moved forward from later in the Plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

The Council do not provide any data on past housing completions - http://www.wyg.com/uploads/files/pdfs/5_yr_housing_infographic_V5.pdf. We therefore consider that the

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application of a 20% buffer is justified based on the available information which demonstrates that the Council has not delivered sufficient housing to deliver OAN over the first six years of the Plan period. It should be noted that even if the Council persists in seeking to justify that their OAN should be 514 dpa as set out in the out-of-date 2015 SHMA, they would still have failed to have met OAN during any of the first six years of the Plan period since 2011/12.

Having regard to the PPG we therefore consider that it is appropriate to apply a 20% buffer to the five year housing land supply calculation due to evidence of a record of persistent under- delivery of housing. However, we will only apply this 20% buffer to the baseline 3,020 five year housing land supply target (604 x 5) and not the accumulated six year shortfall. The Council is therefore considered to have a five year housing land supply requirement as follows:

- $604 \times 5 = 3,020$ units over period 2017/22;

- $3,020 \times 20\%$ buffer = 3,624;

- 3,624 plus accumulated shortfall of - 2,136 = 5,760;

Total 5 YHLS target = 5,760 (1,152 dpa).

Whilst the PPG advises that any accrued housing shortfall during the early part of the Plan period should be made-up as soon as possible within the first five years (Sedgefield methodology), it is expected that the Council will argue that this shortfall should be spread over the Plan period due to the extent of Green Belt coverage across Epping Forest District acting as a constraint to increasing housing delivery over the shorter term (Liverpool methodology). If the eventual Local Plan Inspector is minded to agree with this approach, the five year housing land supply calculation would be as follows:

- $604 \times 5 = 3,020$ units;

2,136 shortfall from period 2011/17;

2,136 shortfall divided by remaining 16 years of the Plan period = 134 dpa (rounded);

- Total 5 YHLS target = $3,020 + 670 (134 \times 5) = 3,690$ plus 20% = 4,428.

Five Year Housing Land Supply - Projected Completions

Projected housing completions are shown within the housing trajectory included in Appendix B1.6.6 of the Arup 'Report on Site Selection'. Over the next five year period 2017/22, the Council considers that it is able to deliver the following new homes:

2017/18 = 653;

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2018/19 = 761;

2019/20 = 909;

2020/21 = 903;

2021/22 = 832.

Total supply over the period 2017/22 = 4,058.

Five Year Housing Land Supply - Position

As calculated above, the Council requires the delivery of either 4,428 or 5,760 new homes over the period 2017/22 to ensure the reinstatement of a five year housing land supply in accordance with para. 47 of the NPPF (n.b. this does assume 315 completions are achieved in 2016/17 as projected). However, identified supply over the same period equates to a maximum 4,058 new homes. This results in a shortfall in housing land supply over the next five year period of either - 370 or - 1,702 depending upon whether the Sedgfield or Liverpool methodology is used to calculate past shortfall.

The EFDLP is not currently in accordance with para. 47 of the NPPF as, following adoption, it would be unable to reinstate a five year housing land supply resulting in a shortfall of between

- 370 or - 1,702 homes. This shortfall is evident without even interrogating the assumptions underpinning the Council's projected completion data which have been expanded upon in more detail in Section 6.0 of these representations and include:

Significant new homes being projected to come forward on land adjacent to Harlow from as early as 2018/19 despite strategic highway improvements necessary to support such growth either not being committed or expected to be completed much later than the projected housing;

The cumulative number of new homes being projected to come forward on land adjacent to Harlow and whether the market can accommodate up to 350 new homes per annum in one location plus houses being delivered elsewhere within and adjacent to Harlow outside Epping Forest District;

The ability for a number of the sites currently in public sector use to be delivered within the next five year period due to challenges surrounding extant uses, service relocation, procurements issues, resourcing issues and eventual disposal common to public sector land and assets;

The over-reliance on housing delivery from larger-scale, strategic allocations, including on land surrounding Harlow, when average completion levels over the past six years have equated to 248 dpa compared to the projected 812 dpa over the next five years which will require supply coming from a diverse range of small, medium and large sites.

We have demonstrated elsewhere in these representations that there are alternative sites, such as land to the west of Roydon at Temple Farm, which are small / medium sized in scale, able to be delivered within five years following adoption of the Plan and have yet to be properly assessed for allocation within the evidence base underpinning the EFDLP.

However, if the Council consider they are unable to reinstate a five year housing land supply following adoption of the Plan due to, for example, Green Belt sensitivity issues, the PPG is clear that "where this cannot be met in the first five years, Local Planning Authorities will need to work with neighbouring authorities under the Duty to Cooperate". The

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Council have provided no evidence to date to demonstrate that they have sought to engage with other West Essex and East Herts HMA Authorities to discuss the possibility of them accommodating unmet need arising from EFDC during the early to middle part of the new Local Plan period in order to ensure a five year housing land supply is maintained. The emerging Plan cannot therefore be considered to satisfy the 'positively prepared' or 'justified' test of soundness as set out in para. 182 of the NPPF.

10.0 Summary and Conclusions

10.1 These representations have demonstrated that the EFDLP Local Plan is currently unsound for the following principal reasons:

The evidence base underpinning the EFDLP site selection process is fundamentally unsound by way of failing to assess up-to-date information provided by developers in conjunction with the 2016 'Epping Forest Developer, Landowner and Promoter Survey';

As a result of not adequately assessing all available development sites, Policy H1 looks to establish a housing target that does not meet full, objectively assessed housing need as identified within the accompanying 2016 SHMA update in conflict with para. 47 of the NPPF;

There are a range of deficiencies within the SHMA evidence base which suggest the OAN should be higher having regard to more representative migration trends, upward adjustments to address affordable housing need and the requirement for an upward adjustment to positively address both market signals and future jobs growth;

Having regard to the inability of the Council, and the wider HMA to meet full OAN, the EFDLP has failed to demonstrate positive engagement with adjacent Local Authorities under the Duty to Cooperate to consider whether they could accommodate unmet housing need;

Similarly, the Council has failed to properly assess the ability of the District to accommodate unmet housing need arising from other adjoining Authorities, especially given the presence of sites that have not been adequately assessed, including with the Greater London Authority with which strong commuting and migratory links exist;

The housing strategy underpinning the EFDLP is fundamentally unsound by virtue of the overriding policy objectives not being carried forward to inform the emerging site allocations;

The unevidenced exclusion of land located to the west of Roydon at Temple Farm for new housing is an example of a site which is sustainably located; benefits from ease of access to the Districts only mainline railway station; is located on the strategic London, Stansted, Cambridge corridor; and offers increased access to the Lee Valley Park; being unsoundly rejected despite the land contributing to the achievement of a number of strategic objectives in the Plan;

Instead, the housing strategy is over-reliant on the delivery of a large number of homes on land adjacent to Harlow whose delivery, funding and timing is uncertain due to the parallel delivery of significant strategic highway improvements;

The over-reliance of the Plan on the delivery of numerous large scale allocations on the edge of Harlow has resulted in the EFDLP being unable to deliver a five year housing land supply upon adoption of the Plan;

Furthermore, the Local Plan is proposing development on a number of locally valued community facilities and services including public open spaces, sports centres, medical facilities, car parks and community centres;

The Plan also proposes development on a number of strategically important Green Belt sites whereas land to the west of Roydon has been shown to not materially contribute to any of the five NPPF Green Belt purpose tests;

Land to the west of Roydon is able to contribute to the delivery of 200-250 new homes on land that plays no strategic Green Belt role and is of little landscape sensitivity. This would ensure new homes are delivered in the most sustainable locations, optimising the use of public transport modes and providing significant community benefits including enhanced access to, and use of, the adjacent Lee Valley Park towards which land is proposed to be gifted;

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When considering Green Belt harm and landscape sensitivity together, only three of the proposed EFDLP allocation sites perform better than land being promoted by Dandara Ltd at Temple Farm, with sixteen of the draft allocation sites performing worse (and three being of the same performance);

The Council has committed to a reassessment of land to the west of Roydon at Temple Farm without prejudice to the draft allocations contained in the existing EFDLP and having proper regard to the information submitted to them by Dandara Ltd which demonstrates the ability to introduce new homes in a manner that would result in no material harm to Green Belt purposes nor landscape setting and would represent truly sustainable development that represents a logical and coherent addition to the existing settlement of Roydon and a positive enhancement to the setting and use of the Lee Valley Park.