

**Epping Forest District Local Plan**

**Housing Implementation Strategy – Update  
January 2019**

**This page is intentionally left blank**

## Table of Contents

<b>1 Introduction</b>	<b>1</b>
<b>2 OAHN and LPSV Housing Requirement</b>	<b>1</b>
<i>The Revised National Planning Policy Framework</i>	2
<b>3 Local Plan and Five Year Housing Land Supply</b>	<b>3</b>
<i>Historic Completions 2011 to 2017</i>	5
<i>Commitments and Assumed Non-Implementation Rate</i>	6
<i>LPSV Housing Allocations</i>	7
<i>Windfall Allowance</i>	9
<i>Five Year Housing Land Supply Position</i>	9
<b>4 Justification for Stepped Housing Requirement</b>	<b>10</b>
<i>To seek assistance from neighbouring authorities</i>	11
<i>To speed up decision making and housing delivery</i>	12
<i>To identify new deliverable sites and introduce new policies to increase short-term supply</i>	12
<b>5 The Stepped Requirement</b>	<b>14</b>
<b>Appendices</b>	
Appendix 1 – Housing Trajectory	16
Appendix 2 – Housing Implementation Plan – Discussion Paper	18
Appendix 3 – Developer Forum 18 December 2018 Attendee List	28
Appendix 4 – Summary of comments received and the Council’s responses	29
Appendix 5 – Projected delivery rate for commitments	attached separately
Appendix 6 – Projected delivery rate for LPSV allocations	attached separately
Appendix 7 – EFDC Progress of Major Development Schemes	38
Appendix 8 – Correspondence with LPAs within the HMA	39

**This page is intentionally left blank**

## 1. Introduction

- 1.1. To support the Epping Forest District Local Plan Submission Version ("LPSV"), the Council published a Housing Implementation Strategy (HIS) in October 2017<sup>1</sup> which explained how the Council will maintain a five-year supply of deliverable housing land against the LPSV Housing Requirement. The HIS also included a housing trajectory to illustrate the expected rate of housing delivery throughout the Plan period between 2011 and 2033.
- 1.2. The Council has now produced an update to the HIS to reflect new monitoring data available for the 2017/18 monitoring year, and to reflect the latest assumptions on supply and delivery, including an updated housing trajectory. This update includes:
  - an update on the Council's objectively assessed housing need (OAHN) and Local Plan housing requirements;
  - an update on the Council's housing supply position, including clarification on delivery assumptions;
  - an update on the Council's five year housing land supply position;
  - justification for the incorporation of a stepped housing trajectory; and
  - an updated housing trajectory; and

## 2. OAHN and LPSV Housing Requirement

- 2.1. The LPSV housing requirement (11,400 new homes or 518 new homes per annum) is based on the Memorandum of Understanding (MoU) relating to the Distribution of Objectively Assessed Housing Need across the Housing Market Area signed in March 2017 by the four constituent LPAs<sup>2</sup> and represents a collective commitment from the authorities to meet the identified objectively assessed housing need of 51,100 new homes for the entire housing market area<sup>3</sup>. This took account of the likely scale of housing needed and the development constraints considered through the Sustainability Appraisal process, which tested alternative scenarios with delivery of up to approximately 57,400 new homes.
- 2.2. The Council is satisfied that the LPSV housing requirement is compliant with the NPPF which requires local planning authorities to *"...use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area..."* (paragraph 47, first bullet point).

---

<sup>1</sup> Available at <http://www.efdclocalplan.org/wp-content/uploads/2018/02/EB410-Housing-Implementation-Strategy-Epping-Forest-District-Council-December-2017.pdf>

<sup>2</sup> East Hertfordshire District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council

<sup>3</sup> For further details please refer to See paragraph 2.41 – 2.44 of the LPSV

- 2.3 The Strategic Housing Market Assessment 2017 provides the most recent OAHN for housing. This identifies a need for 57,700 dwellings (including 12,573 dwellings in Epping Forest) over the 22-year period 2011-2033. This figure closely aligns with the housing requirement of around 57,100 dwellings that has been agreed through the MoU. As the latest OAN is only 1.2% higher than the housing requirement agreed through the MoU (and the difference represents only 600 dwellings over the 22-year plan period, equivalent to a total of 27dpa across the four local authorities that comprise the HMA), the latest OAN does not represent a meaningful change in the housing need identified for the HMA.
- 2.4 The Council supports the Government’s aim to significantly boost local housing supply through a plan-led approach. The LPSV housing requirement is supported by robust evidence and will help to deliver a significant number of new homes in an area where development opportunities are heavily restricted by local constraints including the extensive coverage of Green Belt designation<sup>4</sup>, and the Epping Forest Special Area of Conservation (SAC) which is strictly protected under the European Union Habitats Directive and relevant UK regulations.

*The Revised National Planning Policy Framework*

- 2.5 The Government published the revised National Planning Policy Framework on 24 July 2018 (NPPF 2018). The NPPF 2018 introduced a new ‘standard method’ which LPAs should use to determine local housing need. The revised NPPF, however, includes a transitional arrangement which states that *“The policies in the previous Framework will apply for the purpose of examining plans, where those plans are submitted on or before 24 January 2019 (Annex 1, paragraph 214, NPPF 2018)”*.
- 2.6 The Epping Forest District LPSV was submitted to the Secretary of State for independent examination on 21 September 2018, meaning that the aforementioned transitional arrangement is engaged. The transitional arrangement also applies to the application of relevant PPG. The soundness of LPSV policy will therefore be assessed against the NPPF 2012 and any PPGs that were in place prior to the publication of the NPPF 2018. In light of the transitional arrangement, the Council’s OAHN and the LPSV housing requirements remain unchanged and do not need to be updated to reflect the new ‘standard method’.

---

<sup>4</sup> According to latest statistic published by the government, 93.5% of the District land area is designated as Green Belt. Available at <https://www.gov.uk/government/statistics/local-authority-green-belt-statistics-for-england-2017-to-2018>

### 3. Local Plan and Five Year Housing Land Supply

3.1 During the Plan period 2011 to 2033, a minimum of 13,103 additional new homes are anticipated to be delivered through the new Local Plan. This provides for flexibility and will help to maintain a five year housing land supply throughout the Plan period, ensuring that the housing target of at least 11,400 dwellings will be achieved. Sources of new homes which constitute the future housing supply include:

- housing completions since the start of the plan period in 2011;
- current commitments;
- LPSV housing allocations; and
- an allowance for windfall development.

3.2 Despite the absence of an up-to-date Local Plan, a total of 1,856 new homes have been completed since 2011, and it is expected that a minimum of 2,777 new homes will be delivered across the District over the next five years. An update to the LPSV housing trajectory is provided in Appendix 1.

3.3 In order to inform the production of the updated HIS, a discussion paper (see Appendix 2) was prepared by the Council in December 2018. The discussion paper set out projected rates of housing delivery on committed housing sites and Local Plan allocations, as well as a number of underlining assumptions behind the projections. It also included measures undertaken by the Council to seek to boost short-term housing supply and the Council's proposed approach to formulating a new stepped housing trajectory for the Local Plan which reflects current policy guidance, best practice and local circumstances. An outline of the discussion paper was presented at a recent Co-op Officer Group meeting<sup>5</sup>.

3.4 The full discussion paper was presented and issued to the Council's Developer Forum meeting on 18 December 2018. The Developer Forum consists of representatives from all sites allocated in the Local Plan<sup>6</sup>. The paper was also issued to neighbouring authorities within the Housing Market Area and the Home Builders Federation for comment. A summary of comments received on the discussion paper and the Council's responses to those comments are provided in Appendix 4.

---

<sup>5</sup> The Co-op Officer Group is a sub-ground under the Co-operation for Sustainable Development Board which was formed in 2014 to identify the sustainable development issues that impact on more than one local planning area and agreeing how these should be managed. Core members of the group includes Epping Forest district, Harlow district, Uttlesford districts, Brentwood Borough, Chelmsford City, East Herts district, Broxbourne district, and Essex County Council and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield.

<sup>6</sup> List of attendees for the Developer Forum on 18 December 2018 is included in Appendix 3

- 3.5 The discussion paper includes general assumptions on projected delivery rates for sites with planning permission and housing allocations in the LPSV. The projected delivery rate for individual housing sites informed by these general assumptions is included in Appendix 5 (for sites with planning permission) and Appendix 6 (for housing allocations in the LPSV). It should be noted that the projected delivery timescales for housing sites and allocations serves only as a reasonable and realistic estimate to inform local plan-making. They are not intended to be an exact phasing arrangement for respective sites which could restrict sites coming forward sooner than expected. In some cases, housing delivery could occur at a quicker rate than stated.
- 3.6 In terms of the types of 'deliverable sites' to be included in the five year land supply, footnote 11 of NPPF 2012 stated that a deliverable site "*... should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years ...*".
- 3.7 The NPPF 2018 supplements this definition (within Annex 2: Glossary), and states that "*sites that are not major development and sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (e.g. they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans)*". The revised definition also states that sites "*with outline planning permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years*". In its recent technical consultation<sup>7</sup>, the Government proposed further clarification to this definition to make clear that sites which involve minor development with outline permission are, in principle, considered to be deliverable.
- 3.8 Although the soundness of the LPSV does not require consistency with the revised definition of 'deliverable' in national policy, the Council considers it prudent to apply the updated definition set out in NPPF 2018 when considering the deliverability of sites.
- 3.9 The following sections explain the approach that has been taken in relation to different types of land supply.

---

<sup>7</sup> Available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)



*Historic Completions 2011 to 2017*

3.10 A net total of 1,856 additional homes have been completed since the start of the Plan period (see Table 1 over the page). These new homes have arisen from a number of different sources including the completion of planning permissions, new residential units created under permitted development rights and new dwellings created as a result of lawful development. The completion data has also been used to calculate undersupply of delivery in the early years of the Plan period, which in turn feeds into the requirement for future housing supply in the remaining Plan period.

Table 1: LPSV housing target and historic completion rate since 2011

<b>Year</b>	<b>LPSV annualised housing target</b>	<b>No. of homes completed</b>
<b>2011/12</b>	518	288
<b>2012/13</b>	518	89
<b>2013/14</b>	518	299
<b>2014/15</b>	518	230
<b>2015/16</b>	518	267
<b>2016/17</b>	518	157
<b>2017/18</b>	518	526 <sup>8</sup>
<b>Total</b>	<b>3,626</b>	<b>1,856 (265 p.a.)</b>
<b>Shortfall</b>	<b>3,626 - 1,856 = 1,770</b>	

3.11 The Council acknowledges that the completion figure of 526 new homes for the 2017/18 monitoring year represents a noticeable increase from earlier years. However, the figure is considered to represent an anomaly which reflects a large number of windfall sites delivered in this single monitoring year. It will be difficult for the Council to reach this level of housing delivery again until the LPSV housing allocations starts to deliver, which is dependent on the adoption of the Local Plan.

<sup>8</sup> Please note that this is marginally different from the housing completion number stated in paragraph 1.119 of the Authority Monitoring Report 2017/18 i.e. 1,897 new homes as a result of further verification of historic data and the exclusion of C2 units from the monitoring data.

*Commitments and Assumed Non-Implementation Rate*

3.12 Commitments, which consist of development proposals under the following categories, are generally considered to be deliverable within five years unless there is clear evidence which indicates otherwise:

- Minor residential development schemes (sites less than 10 units and less than 0.5 hectares) with detailed or outline planning permission are considered deliverable until permission expires;
- Larger developments (sites more than 9 units or larger than 0.5 hectares) with detailed planning permission that are not allocated within the Local Plan are considered at least partially deliverable with an indicative build out rate of 50 per annum;
- Sites with prior approval granted for conversion from other uses into residential use are considered deliverable; and
- Sites with a Certificate of Lawfulness of Existing Use or Development for residential use are considered deliverable

3.11 Based on the latest monitoring data which covers the period between 1st April 2017 and 31st March 2018, a total of 1,497 new homes have been identified as commitments. Projected delivery rates for individual sites are detailed in Appendix 5.

3.12 Latest PPG has made reference to non-implementation rate and states that “... *Assumptions [to help to inform and test 5 year land supply assessment] can include lapse/non-implementation rates in permissions, lead-in times and build rates...* (Paragraph: 047 Reference ID: 3-047-20180913)” Guidance issued by the Planning Advisory Service suggests that non-implementation rate might be appropriate where there is uncertainty about whether some of the sites are going to come forward<sup>9</sup>. Given the fact that not all planning permissions will ultimately be implemented, a 10% non-implementation rate has been applied to housing sites under the ‘Commitments’ category.

3.13 Responses received on the discussion paper (Appendix 4) indicates that a 10% non-implementation rate is generally appropriate for the District and could potentially be set at a lower level. For the purpose of the LPSV, however, the Council has taken a cautious approach and remain satisfied that a 10% non-implementation rate is an appropriate allowance for the District. After the 10% non-implementation rate is applied, a total of 1,315 new homes under this category are deemed to be deliverable and be counted against the Council’s five-year housing land supply requirement. 32 dwellings which fall within the category of commitments are anticipated to be delivered beyond 2022/23.

---

<sup>9</sup> See question 20 of the Five Year Land Supply FAQ published by the Planning Advisory Service <https://www.local.gov.uk/pas/pas-topics/local-plans/five-year-land-supply-faq>

*LPSV Housing Allocations*

- 3.14 Sites under this category form the majority of future housing supply for the District with a total of 9,816 new homes allocated across 91 housing allocations, including a large number of small and medium sized sites<sup>10</sup>, a range of larger allocations as well as three new Garden Communities which form part of the Harlow and Gilston Garden Town.
- 3.15 Delivery of larger, strategic allocations can be complex and often requires a much longer lead in time than smaller sites. The NLP report ‘Start to Finish: How Quickly do Large-Scale Housing Sites Deliver?’<sup>11</sup> indicates that, on average, it takes 3.9 years from the first formal identification of a site as a potential housing allocation to the submission of the initial planning application (4th paragraph on page 6 of the NLP report). The report does, however, acknowledge that the sample size in this case is too small to reach any conclusive findings, and that there are significant variations between different sites. The NLP report also found that the larger the site in terms of housing number, the longer it takes from planning approval to first delivery. On average, NLP found that it takes less than five years for sites less than 500 units to come forward; this increases to between 5.3 to 6.9 years for sites larger than 500 units. Again, the report indicates that there are significant variations between sample sites with some coming forward in under two years and some others taking upwards of 15 to 20 years.
- 3.16 The recently published ‘Independent review of build out: final report (the Letwin Review)’<sup>12</sup> examined the built-out rate for 15 large housing sites ranging from over 1,000 to over 15,000 homes in areas of very high housing demand (five in Greater London, nine in the south of England, and one in the North West). The Review found that the median build-out rate for these large sites was 6.5% (of the total number of new homes permitted on site) per annum, which equates to a median build-out period of 15.5 years. The report concluded that the homogeneity of the types and tenures of the homes on offer on these sites are the fundamental drivers of the slow rate of build-out. A number of recommendations have also been made in the report to improve the build-out rate for large housing schemes, including requiring large housing sites to provide a diversity of offering on the site which are able to address the various categories of demand within the local housing market. The Government has announced that a full response to the review will be delivered in February 2019.

---

<sup>10</sup> 52 out of 91 (57%) housing allocations are less than 1 ha

<sup>11</sup> Available at <https://lichfields.uk/media/1728/start-to-finish.pdf>

<sup>12</sup> Available at <https://www.gov.uk/government/publications/independent-review-of-build-out-final-report>

- 3.17 The Council also has undertaken its own high-level analysis looking into the progress of some 19 major development schemes (ranging from 10 to 105 units) across the District which were approved in the last five years. The results of the Council's analysis (see Appendix 7) show that it took an average of around 33 weeks for the sample sites to progress from validation of application, to receiving planning permission. The data also suggests that 16 out of 19 sites have either been commenced or completed within four years from when the planning application was first validated by the Council, which is not dissimilar to the timescales identified in the NLP report mentioned above.
- 3.18 The Council acknowledges that slow build-out rates on large sites could represent a potential risk to the timely delivery of large-scale strategic site allocations in the LPSV. To improve delivery rates, the LPSV already requires all new development to maximise densities on housing sites, whilst recognising that different density levels will be appropriate for different sites in different locations. Policy H 1 of the LPSV requires new development to provide a range of house types and sizes to address local need, which is in line with the main recommendations from the Letwin Review.
- 3.19 The Council is also working closely with partners to facilitate timely delivery of allocations, in particular on sites that form part of identified 'Masterplan Areas' and 'Concept Framework Areas' as these sites will contribute significantly to the Council's housing supply in the medium-term and in the long-term, as shown in Appendix 6. This approach will help to ensure that development proposals are 'front-loaded' and where possible accelerated, recognising the scale and complexity of delivering large scale development sites.
- 3.20 In light of the above, the following assumptions have been applied as a starting point in establishing future housing delivery rates on LPSV housing allocations:
- For smaller allocations (<50 units), it is expected that a large proportion of the allocated site will be delivered by the 2022/23 monitoring year. Build out rates for smaller allocations are not expected to exceed more than 50 units per annum;
  - For larger allocations (>50 units), it is expected that at least a proportion of the allocated site will start to deliver by the 2022/23 monitoring year. Build out rates for larger allocations are not expected to exceed more than 50 units per annum;
  - For strategic allocations (sites requiring the production of a Strategic Masterplan), including the Garden Town Sites, the vast majority of homes are not expected to be delivered in the next five years. However, a small number of new homes could be delivered within these masterplan areas by 2022/23, so long as they do not prejudice future development or infrastructure provision across the whole Masterplan area. Build out rates for strategic allocations are not expected to exceed more than 50 units per outlet per annum.

- 3.21 12 smaller LPSV housing allocations have already been granted full planning permission for a total of 122 homes. Active pre-application and masterplanning discussions are also underway between the Council and site promoters on a number of LPSV allocations.

#### *Windfall Allowance*

- 3.22 Paragraph 48 of the NPPF 2012 and paragraph 70 of NPPF 2018 concern windfall allowance as a potential source of housing land supply. According to the Council's monitoring data, all of the housing allocations in the current adopted Local Plan had been realised by 2006. Therefore, it can be argued that all new homes completed since 2006 (an average of 242 new dwellings per annum<sup>13</sup>) could be viewed as windfall development. While the Council does not expect the rate of windfall delivery to continue at this rate following the adoption of the Local Plan, it is considered that a windfall allowance of 35 new homes per annum is a reasonable and, in fact, a rather conservative estimate taking into account the amount of windfall sites delivered since 2006. No windfall allowance is made in the first five years of the plan to avoid potential double counting against existing commitments.

#### *Five Year Housing Land Supply Position*

- 3.21 The Council is fully committed to meeting the identified housing requirement of 11,400 new homes for the District between 2011 and 2033, and was able to demonstrate 5.3 years' worth of deliverable housing sites against LPSV housing requirement in the HIS.
- 3.22 The methodology for calculating the Council's five-year housing land supply requirement was explained and justified in Chapter 3 of the HIS. In essence, the Council considers that the identified housing shortfall should be addressed evenly across the remaining plan period i.e. the Liverpool Approach, and a 5% buffer (moved forward from later in the plan period) should be applied to ensure choice and competition.
- 3.23 For Epping Forest District, an undersupply of 1,770 dwellings has been identified during the period between 2011/12 and 2017/18 (see Table 2 above). This results in an updated five year housing land supply requirement for the LPSV of 3,340 new homes, just slightly higher than the target of 3,304 as set out in the HIS. However, the total amount of projected housing supply over the next five years has reduced from 3,486 homes to 2,776 homes (see Appendix 1). This reflects a reduction in the pool of available 'committed' sites which are considered to be deliverable (in part due to the relatively high delivery rate achieved in 2017/18), and constraints in the District which have limited the amount of planning applications being approved in advance of the adoption of the Local Plan.

---

<sup>13</sup> See Table 1 above and Table 6 on page 7 of the HIS

- 3.24 The Council's 'policy-on' five-year housing land supply position based on LPSV allocations and utilising the methodology set out in the HIS can therefore be calculated as follows:

$$\underline{\underline{2,776 \text{ (Total supply)} / 3,340 \text{ (Five-year housing requirement)} \times 5 = 4.2 \text{ years}}}$$

- 3.25 The deterioration of the Council five-year housing land supply position is due mainly to the delayed submission of the LPSV and the consequential delay to the adoption of the Local Plan which impacted upon the delivery of Local Plan allocations and commitments. Between 20 March and 20 September 2018, a High Court Injunction Order restricted the Council from submitting the LPSV for examination, thereby delaying the adoption considerably. In addition, projected housing delivery has and will be disrupted in the short-term by the temporary 'moratorium' on granting planning permission for development likely to have a significant effect on the Epping Forest Special Area of Conservation (SAC), pending the adoption of a mitigation strategy approved by Natural England<sup>14</sup>. The introduction of an updated set of delivery assumptions (detailed in this paper) have also reduced the projected level of housing supply within the next five years.

#### 4. Justification for Stepped Housing Requirement

- 4.1 As shown above, if the housing requirement and the housing trajectory stays the same as it is in the current LPSV, there is little prospect that a five year housing land supply could be demonstrated or maintained post Local Plan adoption. It is therefore necessary to consider a sensible, pragmatic way forward, in the form of a stepped requirement, to avoid any further unnecessary delay in the adoption of new Local Plan. Any such delay would prolong the present 'out-of-date' Local Plan situation, delay the delivery of emerging allocations in the Plan, and significantly increasing the risk of speculative developments coming forward which could undermine the current strategic approach set out in the LPSV.
- 4.2 Para. 47 of the NPPF 2012 requires LPAs to ensure that there are deliverable sites sufficient to provide five years' worth of housing against their housing requirements. The recent PPG update also provides guidance as to when a stepped requirement may be appropriate. It states that: *'A stepped requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and/or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to set out evidence to support using stepped requirement figures, and not seek to unnecessarily delay meeting identified development needs. In reviewing and revising policies, strategic policy-makers should ensure there is not continued delay in meeting identified development needs (Paragraph 034 of the PPG for Housing and Economic Land Availability Assessment).'* Although the soundness of the LPSV does not require

<sup>14</sup> Please see Natural England's advice to EFDC, available at <http://www.efdclocalplan.org/wp-content/uploads/2019/01/EB207-Local-Plan-Habitats-Regulations-advice-to-Epping-Forest-District-Council-Natural-England-March-2018.pdf>

consistency with the revised PPG, the Council considers it prudent to take account of the updated guidance when formulating the approach.

- 4.3 The current annualised housing requirement in the LPSV stands at 518 new homes per annum. This represents a three-fold increase from the previous adopted target of 150 new homes per annum set out on page 30 of the now revoked East of England Plan<sup>15</sup>. This paper also outlines the complexity in delivering large strategic sites in the Plan and that these sites are likely to be delivered later in the plan period. There is, therefore, a clear case for the Council to introduce a stepped requirement for housing delivery in the Local Plan.
- 4.4 There are numerous examples where stepped trajectories have recently been adopted in Local Plans and are legitimate methods of complying with the requirements of paragraph 47 of the NPPF. These include Arun, Cheltenham, and Tewkesbury and Gloucester. The PPG provides some useful guidance for boosting housing delivery, including suggested actions under paragraphs 044 and 072 of the PPG for Housing and Economic Land Availability Assessment. These actions can be summarised into three main categories:
- To seek assistance from neighbouring authorities;
  - To speed up decision making and housing delivery; and
  - To bring forward allocations from the later Plan period
- 4.5 The following sections explain how the Council has considered each of the three possible actions and what measures have been undertaken to seek to boost short-term housing supply.

*To seek assistance from neighbouring authorities*

- 4.7 The Council has sought assistance from neighbouring authorities in order to address identified undersupply within the next five years. Discussions prior to the Regulation 19 of the LPSV with other LPAs in the same HMA i.e. Harlow, Uttlesford and East Herts District Councils confirmed that none of the them were able to contribute towards EFDC's undersupply as they too need to meet challenging housing requirements through their Local Plans and are likely to struggle to meet their own undersupply. The Council consulted with neighbouring authorities again in December 2018 and their position remains unchanged. Appendix 8 includes letters sent to neighbouring authorities in December 2018 and written responses received.

---

<sup>15</sup> Available at

[https://webarchive.nationalarchives.gov.uk/20100529080446/http://www.gos.gov.uk/goe/doc/Planning/Regional\\_Planning/Regional\\_Spatial\\_Strategy/EE\\_Plan1.pdf](https://webarchive.nationalarchives.gov.uk/20100529080446/http://www.gos.gov.uk/goe/doc/Planning/Regional_Planning/Regional_Spatial_Strategy/EE_Plan1.pdf)

*To speed up decision making and housing delivery*

- 4.8 To provide planning certainty to landowners and site promoters, the Council agreed in December 2017 to treat the LPSV as a material planning consideration in decision making and to give appropriate weight to LPSV policies in accordance with paragraph 216 of the NPPF 2012<sup>16</sup>. Some of the smaller allocations have already received planning permission for development. However, until the Local Plan is adopted the vast majority of the planned housing supply remains constrained by Green Belt designation.
- 4.9 The Council actively encourages developers to engage in pre-application discussions to ensure any planning and delivery issues can be addressed early in the process. Masterplans, Concept Frameworks, Planning Performance Agreements and the Quality Review Panel are all being utilised to frontload the planning process and streamline decision-making. A dedicated Implementation Team has also been set up to ensure that there is sufficient resource and expertise in processing and delivering larger and more complex allocations in a timely manner. The effect of these measures has already been accounted for in the Council's assumptions towards future housing delivery.

*To identify new deliverable sites and introduce new policies to increase short-term supply*

- 4.10 The Council must ensure that the Local Plan as a whole is realistic, deliverable and most importantly, sustainable. The Council does not consider it to be feasible, appropriate or realistic to further increase short-term supply.
- 4.11 In order for the Council to meet its own five year housing land supply requirement of 3,440 new homes, a minimum of 662 new homes will need to be delivered in addition to the 2,776 new homes that have already been identified. The potential of sites to contribute to the Council's five year housing land supply was one of the key factors considered through the extensive Local Plan site selection process<sup>17</sup>. As a result, the Council identified and allocated a large number of smaller sites in the LPSV. 63 out of 91 LPSV housing allocations are sites with capacity less than 50 units. Collectively, these sites are expected to deliver a minimum of 751 new homes in the next five years. The LPSV, as it stands, represents a well-balanced strategy for the district which include an appropriate mix of larger and smaller housing sites.
- 4.12 The Council does not consider it to be possible or appropriate to bridge the gap by allocating a large number of additional smaller allocations. In the unlikely event that sufficient new sites could be identified, given the quantum of new allocations needed, the Council would have to undertake a substantial amount of further technical assessments and consultation to test potential impacts (individually and collectively) of these new sites on local infrastructure, environment, and the communities. Such an approach would clearly result in significant delays in the adoption of the Local Plan, which will in turn delay both short-term and long-term housing delivery.

<sup>16</sup> See the report for Extraordinary Meeting of the Council on 14 December 2017, available at <https://rds.eppingforestdc.gov.uk/documents/s81029/Submission%20Local%20Plan%20Report%20to%20Full%20Council%20on%2014%20December%202017.pdf>

<sup>17</sup> See paragraph 2.131 of the Site Selection Report 2018, available at <http://www.efdclocalplan.org/wp-content/uploads/2018/03/EB805-Site-Selection-Report-Arup-2018.pdf>



- 4.13 Increasing density on site allocations has also been considered as a potential option to boost housing supply. The current estimated site capacities in the Local Plan were based on information collected through the Council’s site selection process which took account of identified opportunities and constraints, local character and the best use of land. While the Council is open to considering a higher density development on a site by site bases where this can be justified with site specific evidence, it is not considered appropriate or justifiable for the Local Plan to adopt an increase density assumption across board.

## 5. The Stepped Requirement

5.1 Given the above, and the extent of the shortfall in the early years of the Plan period dating back to 2011, the Council considers that a stepped requirement to housing delivery is the most appropriate and only realistic option to meeting development needs over the Plan period and ensuring that development remains plan-led. Table 2 below shows the Council's stepped requirement which reflects the following considerations:

- i. The stepped housing trajectory seeks to optimise the level of short-term housing delivery, whilst maintaining a plan-led approach to growth;
- ii. Assumptions on phasing and delivery are considered to be robust and appropriate, and follow consultation with relevant landowners and the development industry;
- iii. There is no realistic prospect of the Council meeting the five-year land supply on adoption of the Plan under either the Liverpool or Sedgefield approaches;
- iv. The practical difficulties of seeking to include any further deliverable sites in the short term;
- v. The requirement to have sufficient time to catch up with ever increasing under delivery due to the fact delays in the adoption of the Local Plan;
- vi. The extensive work that the Council is undertaking to front-load the planning process and accelerate housing delivery;
- vii. The almost threefold increase in housing requirement for the District;
- viii. The constraints that exist in the District making it impossible to address undersupply without an up to date and adopted Local Plan;
- ix. The need to ensure that delivery assumptions on sites remain realistic and achievable, taking into account the capacity of the construction industry and the ability of the market to deliver;
- x. The need to ensure that housing targets remain realistic and achievable over the plan period as a whole and over the next five years in particular; and;
- xi. The overall supply of new homes during the Plan period will exceed the Local Plan housing requirement

Table2: LPSV housing requirement and approach to stepped requirement

	2011/12-2017/18	2018/19-2022/23	2023/24-2032/33
<b>Current annual requirement</b>	518	518	518
<b>Proposed stepped requirement</b>	265	425	742

5.2 The stepped housing trajectory formulated by the Council is attached within Appendix 1. The three main 'steps' in the trajectory are:

- i. **Step 1: Previous years (2011/12 – 2017/18):** the housing requirement for this period has been set at a level that reflects the actual delivery rate during the same period i.e. 265 per annum. This will help to ensure that Local Plan housing delivery target over the remaining plan period is realistic and meets the residual requirement in full.
- ii. **Step 2: Years 1 to 5 (2018/19 – 2022/23):** the housing target for the five-year period starting 2018/19 is set at 425 new homes per annum (2,125 new homes for five years). Taking into account all the considerations stated above, the Council considers this to be a realistic and achievable target and will be able to demonstrate 6.2 years of housing land supply upon adoption of the Plan in 2019 based on this target, taking in to account the requirement set out under paragraph 47 of the NPPF 2012 for a 5% buffer to ensure choice and competition. If a 20% buffer is applied, the total five-year housing requirement for the five year period will increase to 510 new homes per annum (2,550 new homes for five years) and the Council would still be able to demonstrate 5.4 years of land supply.
- iii. **Step 3: Years 6 to 15 (2023/24 – 2032/33):** to meet the overall Local Plan housing requirement of 11,400 new homes, the Council will need to deliver 742 new homes per annum during the last 10 years of the Plan period. Most of the strategic allocations are expected to commence delivery from 2023 onwards, making this target achievable, albeit challenging.

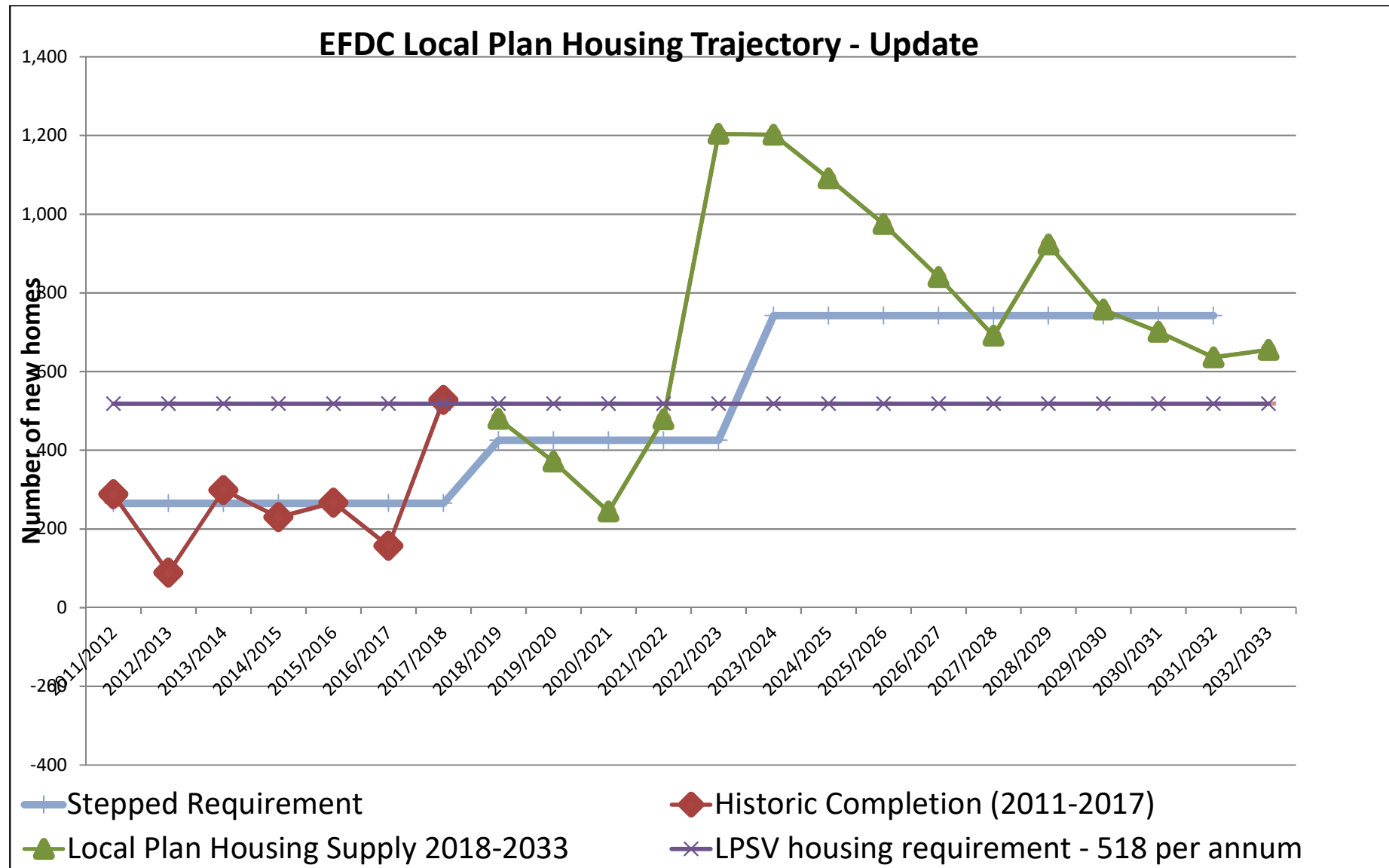
### Appendix 1 - Housing Trajectory\*

	Total	Previous Years							Years 1-5					Years 6-10					Years 11-15				
		11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33
Completions	1,856	288	89	299	230	267	157	526															
Commitments	1,497								533	412	271	214	31	36									
10% non-implementation	-149								-53	-41	-27	-21	-3	-4									
Outstanding LPSV allocations	9,551**											286	1176	1135	1056	940	805	656	888	722	666	601	620
Windfall allowance	350													35	35	35	35	35	35	35	35	35	35
Total Housing Supply 2011-2033	13,103	288	89	299	230	267	157	526	480	371	244	479	1204	1202	1091	975	840	691	923	757	701	636	655
LPSV annualised housing requirement	11,400	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518	518
Future housing requirement (Liverpool +5%) – for illustrative purposes only	9,544								668	668	668	668	668	620	620	620	620	620	620	620	620	620	620
Proposed stepped housing requirement***	11,400	216	216	216	216	216	216	216	425	425	425	425	425	742	742	742	742	742	742	742	742	742	742

\* Numbers may not add up due to rounding

\*\* Allocations with planning permission are counted under the 'Commitments' category

\*\*\* these numbers do not include any buffer in relation to paragraph 47 of the NPPF 2012



**Appendix 2 – Housing Implementation Plan – Discussion Paper****Epping Forest District Council****Housing Implementation Strategy Update: Discussion Paper****12<sup>th</sup> December 2018***Introduction*

1. Local Planning Authorities (LPAs) are required by the National Planning Policy Framework (NPPF) to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. This also means that Local Plans need to ensure that there is a reasonable prospect of a five-year land supply being achieved upon adoption and throughout the lifetime of the Plan. To support the Epping Forest District Local Plan Submission Version (LPSV), the Council published a Housing Implementation Strategy (EB410) (HIS) in 2017 setting out how the LPSV will maintain an adequate five-year supply of deliverable housing land against its housing requirement. The HIS also includes a housing trajectory which illustrates the expected rate of housing delivery throughout the plan period.
2. With new monitoring data available for the 2017/18 monitoring year, the Council is updating the Housing Implementation Strategy and the Housing Trajectory. The Council is also looking to review the assumptions that are being used to calculate the future local housing supply, in particular the types of sites that should be included in calculating the Five Year Land Supply (FYLS), timescales and phasing of individual housing sites, and the non-implementation rate that should be applied.
3. Engagement with, and inputs from landowners, agents and the development industry are vital to ensure that the HIS update and the new housing trajectory is as robust, realistic and justified as possible. This briefing paper sets out the assumptions that are currently being used in assessing future housing delivery. This paper also outlines the Council's proposed approach to formulating a new stepped housing requirement for the emerging Local Plan, which reflects guidance, best practice and local circumstances.
4. **A set of questions has been included at the end of each sections to guide responses. The Council is seeking responses from the Developer Forum in response to these questions or any other element of this discussion paper by no later than noon on Monday 7<sup>th</sup> January 2019.**
5. Following the receipt of responses, the Council will produce an updated HIS taking into account the representations received. It is anticipated that the updated HIS will be published before the end of January 2019 and will be used to inform the on-going Local Plan examination.

*Local Plan Housing Delivery Assumptions*

6. Table 1 below sets out the types of sites that are currently included in the housing trajectory as well as general assumptions on their phasing arrangements. In considering these assumptions, the Council has taken into account local monitoring data, latest national guidance, and the two widely cited reports looking into build-out rate for housing development i.e. the Nathaniel Lichfield and Partners' report<sup>18</sup> which looked at lead-in times and delivery rates of large-scale housing schemes; and the independent review conducted by Sir Oliver Letwin<sup>19</sup> which focuses on build-out rates. The projected delivery rate for individual housing sites informed by these general assumptions is included in Appendix 1 (for sites with planning permission) and Appendix 2 (for housing allocations in the LPSV). Please note that phasing arrangements on individual housing site is still subject to on-going internal review.

*Type of housing sites to be included in the Housing Trajectory*

7. The NPPF includes guidance on what kinds of site could be deemed to be 'deliverable'. Footnote 11 of the NPPF 2012 states that a 'deliverable' site '*...should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years....*'. The NPPF 2018 added to this definition by stating that non-major development and sites with detailed planning permission should generally be deemed as deliverable unless there is clear evidence to suggest otherwise, while sites with outline permission, permission in principle, allocated in the development plan or identified on a brownfield register should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years. In its recent consultation<sup>20</sup>, the Government proposed further clarification to this definition to make it clear that minor development with outline permission is also deemed to be deliverable. The Council agrees with these general principles and has embedded them into the assumptions set out in Table 1.

*Lead-in time and Build-out rate*

8. In terms of lead-in time, the NLP report indicates that on average it takes 3.9 years from first formal identification of the site for housing (e.g. in a LPA policy document) to the submission of the initial planning application, although the report does acknowledge that the sample size in this case is too small to reach any conclusive findings, and that there are significant variations between different sites. The NLP report also found that the larger the site in terms of housing number, the longer it takes from planning approval to first delivery. On average, it takes less than five

<sup>18</sup> Start to Finish: How Quickly do Large-Scale Housing Sites Deliver? by NLP, November 2016  
<https://lichfields.uk/media/1728/start-to-finish.pdf>

<sup>19</sup> Independent Review of Build Out: Final Report by Sir Oliver Letwin MP, October 2018  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/752124/Letwin\\_review\\_web\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752124/Letwin_review_web_version.pdf)

<sup>20</sup> Technical consultation on updates to national planning policy and guidance, MHCLG, October 2018  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/751810/LHN\\_Consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/751810/LHN_Consultation.pdf)

years for smaller sites (less than 500 units) to come forward, this increases to between 5.3 to 6.9 years for sites larger than 500 units. Again, the report indicates that there are significant variations between sample sites with some coming forward under two years and some others taking upwards of 15-20 years.

9. The Council has also undertaken a high-level analysis on the progress of some 19 major development schemes (ranging from 10 units to 105 units) across the District approved in the last five years. The result of the analysis shows that on average it takes 36 weeks between validation and the granting of planning permission. The data also suggests that 16 out of 19 sites have either been commenced or completed within four years from when the planning application was first validated by the Council, which is not dissimilar to the timescale identified in the NLP report.
10. The recently published Letwin Review examined the built-out rate for 15 large housing sites ranging from over 1,000 homes to over 15,000 homes in areas of very high housing demand (5 in Greater London, 9 in the south of England, and 1 in the Northwest). The review found that the medium build-out rate for these large sites was 6.5% (of the total number of new homes permitted on site) per annum, which equates to a medium build out period of 15.5 years. The report concluded that the homogeneity of the types and tenures of the homes on offer on these sites is the fundamental drivers of the slow rate of build out. A number of recommendations have also been made in the report to improve the build out rate for large housing schemes, including requiring large housing sites to provide a diversity of offerings on the site which are able to address the various categories of demand within the local housing market.
11. The Council acknowledges that slow build out rates on large sites could be a potential risk to the timely delivery of large-scale housing allocations in the LPSV. To improve delivery rates, the LPSV already requires all new development to maximise densities on housing sites, whilst recognising that different density levels will be appropriate for different sites in different locations. Policy H 1 of the LPSV requires new development to provide a range of house types and sizes to address local need which is in line with the recommendations from the Letwin Review.
12. The Council is working closely with partners to facilitate timely (and where possible accelerated) delivery of allocations that form part of identified Masterplan Areas and Concept Framework Areas which will contribute significantly to the Council housing supply in the middle to long term.

#### *Non-implementation rate*

13. While this is not a specific requirement in national planning policy, the Council considers that it is good practice and pragmatic to deduct a percentage of dwellings from their projected supply to take into account the fact that not all planning permissions will ultimately be implemented. The Council has applied a 10% non-implementation rate accordingly to all sites identified in the future supply, which is regarded to represent a suitable allowance for the District.



**Q1 Do you have any comments on the housing delivery assumptions in Table 1?**

**Q2 Do you have any comments on the phasing arrangement for individual housing sites/allocations detailed in Appendix 1 and 2?** Please provide any specific comments on proposed phasing arrangements as clearly as possible.

**Q3 Is the 10% non-implementation rate realistic and justified? If not, please provide evidence where possible to explain why not.**

**Table 1 – General assumptions on housing delivery**

General assumptions	Justification
<p>1. Minor residential development schemes (sites less than 10 units and less than 0.5 hectares) with detailed or outline planning permission, are deemed to be deliverable within five years from the date of permission.</p>	<p>NPPF guidance suggests that this type of site should generally be deemed as deliverable unless there is clear evidence to suggest otherwise.</p>
<p>2. Larger developments not allocated within the Local Plan with detailed permission are deemed to be at least partially deliverable within the next five years from the date of permission.</p> <p>Build out rates for this kind of development are not expected to be more than 50 units per annum.</p>	<p>The Council’s own analysis indicates that it is reasonable to assume that small to medium sized housing sites can come forward relatively quickly once planning permission is received. Most of the sites under this category will be readily available and suitable for delivery. Planning applications on these sites are likely to be submitted soon after the local plan is adopted with at least some new homes being completed within the next five years.</p>
<p>3. For smaller Local Plan allocations (&lt;50 units), it is expected that a large proportion of the allocation will be delivered towards the end of the first five-year period.</p> <p>Build out rates for this type of development site are not expected to exceed more than 50 units per annum.</p>	

<p>4. For medium sized allocations (&gt;50 units), it is expected that at least a proportion of the allocation will start to deliver within the next five year period.</p> <p>Build out rates for this kind of development are not expected to exceed more than 50 units per annum.</p>	
<p>5. For larger allocations requiring the production of a Strategic Masterplan, including the Garden Town Sites, small parcels may be delivered within the first five years subject to ongoing discussions with site promoters, where delivery will not prejudice the cohesive delivery of the wider masterplan, in accordance with Local Plan policies.</p> <p>Build out rates are not expected to exceed 50 units per outlet per annum.</p>	<p>The Council acknowledges the fact that lead in-times for larger allocations will be longer than small housing sites/allocations, and that the vast majority of homes under this category will not be delivered in the next five years. That being said, it is still reasonable to assume that in some cases a small number of new homes could be delivered within these masterplan areas as long as they are in compliance with the Masterplan and will not prejudice future development across the whole Masterplan area.</p>
<p>6. Sites with prior approval granted for conversion from other uses into residential use will be delivered within the next five years.</p>	<p>While delivery timescales for prior approval developments vary depending on the nature of the proposal, local monitoring data seems to indicate that this type of development will generally be implemented within two to three years.</p>
<p>7. Sites with Lawful Development Certificate issued for residential use will be delivered in the next five years.</p>	<p>Generally speaking, these sites are already being used for residential purposes.</p>

*A case for a Stepped Housing Trajectory*

14. The Housing Implementation Strategy published in late 2017 indicates that, with the adoption of the LPSV, the Council would be able to demonstrate 5.3 years' worth of deliverable land against identified housing requirement using 2016/17 monitoring data. The Council's FYLS position has since deteriorated due to the delay in Local Plan adoption caused by the Judicial Review which has a knock-on impact on the delivery of local plan housing allocations and commitments. There is also uncertainty around how the temporary 'moratorium' on planning permissions (to be lifted pending the adoption of a mitigation strategy for the Epping Forest Special Area of Conservation) may affect housing delivery in the short term<sup>21</sup>. Given the circumstances, and the growing shortfall in housing delivery in the early years of the plan period brought about by the delay in Local Plan adoption, there is little prospect that the Local Plan can maintain FYLS post adoption with the current housing trajectory. It is therefore necessary for the Council to consider a pragmatic approach in the form of a stepped requirement.
15. The Planning Practice Guidance states that '*A stepped requirement may be appropriate where there is to be a significant change in the level of housing requirement between emerging and previous policies and/or where strategic sites will have a phased delivery or are likely to be delivered later in the plan period. Strategic policy-makers will need to set out evidence to support using stepped requirement figures, and not seek to unnecessarily delay meeting identified development needs....* ( Paragraph: 034 Reference ID: 3-034-20180913)'
16. For the Epping District, there is a significant difference between the housing requirement set out in the LPSV (518 new homes per annum) and previous housing target (175 new homes per annum) based on the now abolished East of England Plan. As mentioned above, the majority of new homes from strategic allocations will only come forward later in the plan period. Together with the concerns over short term supply and the extensive Green Belt coverage in the District, there is a clear case for the Council to develop a stepped housing trajectory.

**Q4 Is the Council justified in introducing a stepped housing trajectory for the Local Plan?**

17. It should be noted that the Council has explored a number of other possible options to boost short term housing supply before reaching the conclusion that a stepped trajectory is the only realistic option. These actions include:

*To seek assistance from neighbouring authorities.*

18. The Council sought assistance from neighbouring authorities through Duty to Cooperate discussions in order to address identified undersupply within the next five

<sup>21</sup> The draft stepped trajectory in Appendix 3 has taken in account these delivery constraints

years. Discussions prior to the Regulation 19 publication with other LPAs in the same HMA i.e. Harlow, Uttlesford and East Herts District Councils confirmed that that none of the them were able to contribute towards EFDC's undersupply as they too need to achieve a challenging housing requirement through their Local Plans and are likely to struggle to meet their own undersupply. We consulted with neighbouring authorities again in December 2018 and their position remains unchanged.

*To bring forward housing sites earlier*

19. To provide planning certainty, EFDC agreed to apply material weight to policies in the LPSV in decision making, and a number of smaller allocations have received planning permission. A dedicated Implementation Team has been put in place to ensure that there is sufficient resource and expertise in the Council to deal with planning applications on strategic allocations in a timely manner. The Council also actively encourages developers to have pre-application discussions to ensure any planning and delivery issues can be addressed early in the process, and Planning Performance Agreements are being utilised to frontload the planning process and streamline decision-making. However, the effect of these measures has already been accounted for in the Council's assumptions towards future housing delivery.

*To identify new deliverable sites and introduce new policies to increase short-term supply*

20. This option would require a significant amount of new evidence and public consultation to be carried out to justify the quantum and location of any proposed new allocations. This would significantly delay the Local Plan process, leaving the District without an up to date Local Plan for a longer period, extending the shortfall and delaying the delivery of housing allocations in the Plan.
21. In addition, the District has a number of considerable constraints that significantly restrict the potential to accommodate additional growth. These constraints include:
- Availability of land outside of the Green Belt;
  - The need to ensure the ongoing protection of environmental assets, including the Epping Forest Special Area of Conservation; and
  - The capacity of the transport network.
22. The Council must ensure that the Local Plan as a whole is realistic, deliverable and sustainable. In this case, the Council considered it will neither be appropriate nor realistic to attempt to increase short term housing supply through further allocations.

**Q5 Are there other *realistic* ways for the Council to significantly boost short term housing supply?**

*The Stepped Trajectory*

23. The draft Stepped Trajectory is included in Appendix 3. The three main ‘steps’ in this draft trajectory are:
- i. Previous years (2011-2017) – the housing requirement for this period is being set at a level that reflects the actual delivery rate during the same period. This will help to ensure that Local Plan housing delivery target over the remaining plan period is realistic.
  - ii. Years 1-5 (2018/19 – 2022/23) – housing target for the five-year period starting 2018/19 is proposed at 425 per annum. This is considered by the Council to be a realistic and achievable target. If applied with a 20% buffer (brought forward from later plan period), the total FYLS requirement for this period would be 2,550, meaning that the Council could demonstrate 5.5year of land supply on adoption of the Plan based on revised housing delivery assumptions.
  - iii. Years 6-15 (2023/24 – 2032/33) –the Council will need to deliver 742 new homes per annum during the last 10 years of the plan period in order to meet the overall Local Plan housing requirement of 11,400 new homes. Most of the strategic allocations are anticipated to commence delivery from 2023 onward, which makes the target challenging but achievable.

**Q6 Has the draft stepped trajectory been set at the right levels and is it justified by the evidence? If not, please explain why.**

**Q7 Please provide any other comments on the proposed approach set out within this discussion paper.**

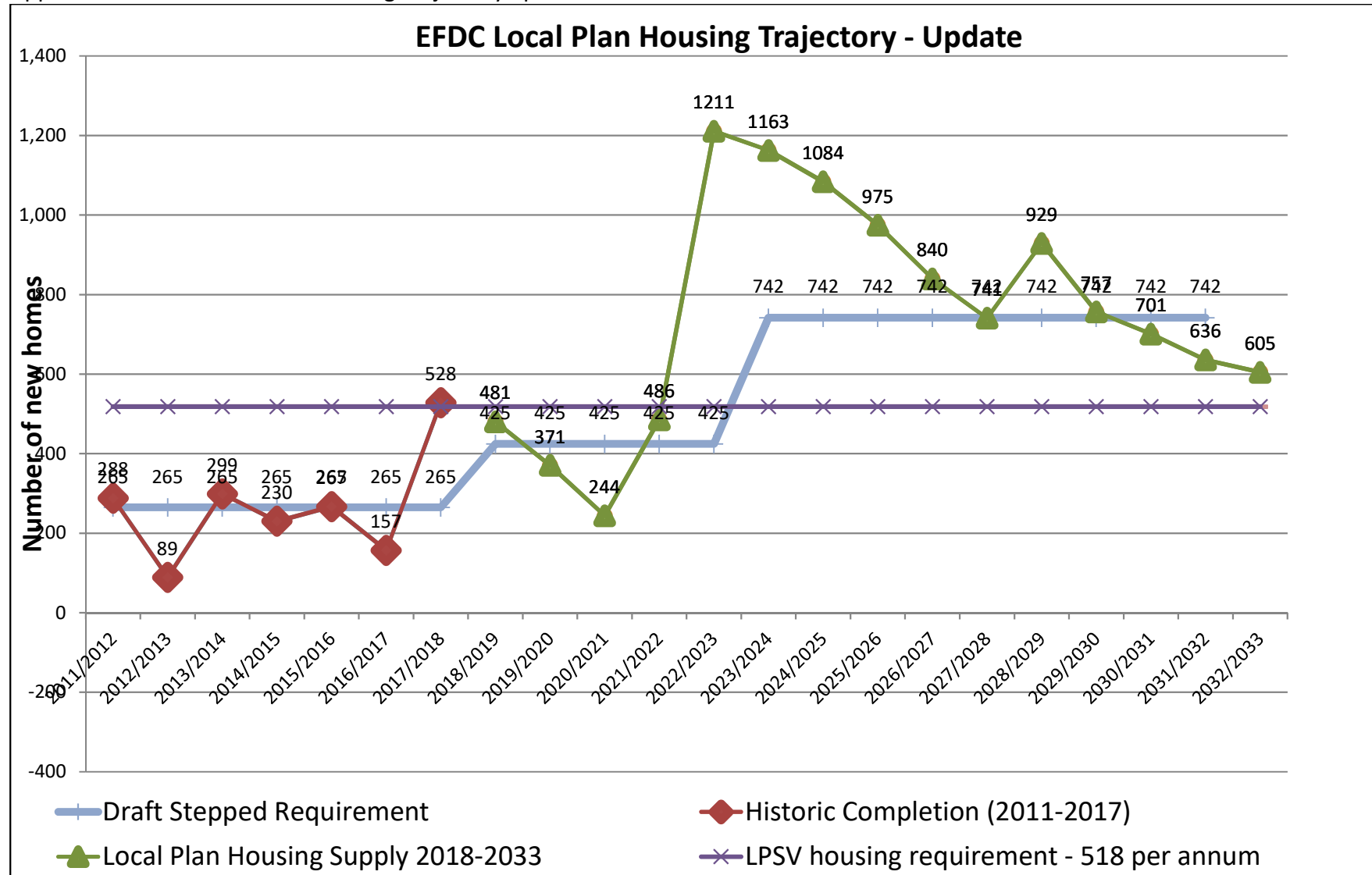
**Please provide your written response to [LDFconsult@eppingforestdc.gov.uk](mailto:LDFconsult@eppingforestdc.gov.uk), by no later than noon on Monday 7<sup>th</sup> January 2019.**

*Your comments will be greatly appreciated, and assist in informing the updated Housing Implementation Strategy for the Local Plan Examination.*

Appendix 1 – Phasing arrangements for sites with planning permission (attached separately)

Appendix 2 – Phasing arrangements for Local Plan allocations (attached separately)

Appendix 3 – EFDC Local Plan Housing Trajectory update



## Appendix 3 – Developer Forum 18 December 2018 Attendee List

**Meeting Note**

**Local Plan Developer Forum**  
**EFDC**  
**18<sup>th</sup> December 2018**  
**Committee Room 1 & 2**  
**10:00 – 12:00**

**Attendees:**

Nigel Richardson	EFDC	Rachel Bryan	Sworders
David Coleman	EFDC	Martin Eldred	Booker Hart
Tai T Tsui	EFDC	Nine M.Sairn	English Architectural
Lydia Grainger	EFDC	N Hutchings	Cala Homes
Nicky Liniham	Fortismere	H Yan	CPPLC
Bliss O'Dea	EFDC	Sarah Watkins	CPPLC
Mike Newton	Boyer Planning	Andy Butcher	Strutt & Parker
Ian Macsween	Hallam Land Management	Chris Wooden	Landowner
Charlotte Robinson	CEG	Richard Kelly	Croudace Homes
Vanessa Rowell	Boyer Planning	Mark Behrdndt	H.B.F
Brodile Hill	CEG	Ben Thomas	Savills
Ryan Jones	RMJ Services	Victoria Cutmore	Scott Properties
Lynsey Rigg	ARP	Rebecca Cox	Sworders
Geoff Armstrong	ARP	Emily Disken	Montagu Evans
Paige Harris	Persimmon Homes Essex	William Main	Manor Oak Homes
S+E Marsh	Tudor House	Liam O'Malley	Sherrygreen Homes
Toby Haselwood	Manor Oak Homes	Liz Connell	Countryside
Gaby Medforth	David Lock Associates	Sam Bampton	City & Country
C Newton	Newtons Farm	Paul Wisbey	Wisbey Goodsell
Jamie Braha	Landvest	Hayden Payne	Martin Grant Homes



## Appendix 4: Summary of comments received and the Council’s responses

Organisation	Respondent	Summary of Response	EFDC position / action required
Strutt and Parker on behalf of Croudace Homes – Promotor of site ROYD.R3	Sam Hollingworth	<ul style="list-style-type: none"> <li>- Cannot commit to bringing forward ROYD.R3 and the site is not available for development in the form that the Council proposes in the new Local Plan. Additional land to the rear of ROYD.R3 should be allocated for housing development and construction work could commence around 2022.</li> <li>- Non-implementation rates in the area in the past will have been largely based on brownfield redevelopment or intensification schemes within the urban areas, which will have different non-implementation rates compared to some of the greenfield releases envisaged in the new Local Plan.</li> <li>- Concerned that the need to propose a stepped approach appears to be a function of the Council’s Local Plan, rather than necessary due to local circumstances per se. a stepped approach could potentially be considered sound, but only if the Local Plan has exhausted the potential of all suitable, available and achievable sites which could contribute to housing supply in the earlier years of the plan, yet still cannot meet immediate development needs in full. This is clearly not the case in respect of ROYD.R3 and the wider land we are promoting adjoining it. As per our representations on the Local Plan Submission Version, a suitable allocation is available here which is achievable and available for c.180 dwellings.</li> </ul>	<p>Projected delivery timescale to be updated for site ROYD.R3 due to site availability concern.</p> <p>The Council acknowledges that non-implementation rate could be different between brownfield and green field site but still considers that the current 10% rate in the LPSV is reasonable and proportionate.</p> <p>Potential options for boosting short term supply has been considered in the discussion paper and the Council maintains its views that a stepped housing trajectory is the most appropriate approach to make the plan sound.</p>

		<ul style="list-style-type: none"> <li>- The Discussion Paper claims that a significant amount of new evidence and public consultation would need to be prepared and carried out. This clearly cannot, or at the very least should not, be the case – all reasonable alternatives were required to be assessed with the same rigour as those which have been included in the plan. Assuming the requisite evidence base work to support the Local Plan has been undertaken, a review of alternative potential sites will not require substantial additional work.</li> </ul>	
Armstrong Rigg Planning on behalf of Manor Oak Homes - promoter of the West Sumners site	Geoff Armstrong	<ul style="list-style-type: none"> <li>- support the approach being proposed by the council and the assumptions made regarding the delivery and phasing of our client’s site</li> <li>- the 10% non-implementation rate, is appropriate and has been accepted by many other local plan inspectors.</li> <li>- stepped housing trajectory may not be preferred approach, but is the best approach for Epping Forest District Council given the specific circumstances of the District, and in particular, its Green Belt constraints</li> <li>- cannot see how short-term supply can be boosted given the significant constraints that Epping Forest faces, especially Green Be</li> </ul>	No action required
Pegasus Group – promoter of the	Gabrielle Rowan	<ul style="list-style-type: none"> <li>- Water Lane allocation to commence delivery in 2022/23 with a maximum delivery of 50 units per outlet per annum; we</li> </ul>	No action required

<p>West Katherines site</p>		<p>consider that these assumptions are realistic in relation to the West Katherines site which forms part of the Water Lane allocation and it is likely that these build rates can be achieved.</p>	
<p>Scott Property – promoter of CHIG.R2</p>	<p>Victoria Cutmore</p>	<ul style="list-style-type: none"> <li>- not supportive of the phasing arrangements suggested in Appendix 2, with particular reference to site allocation CHIG.R5. Site can be delivered within the first five years of the plan being adopted, and certainly sooner than 2028/29. The phasing arrangements set out in Appendix 2 are inconsistent with the Discussion Paper to the HIS</li> <li>- Scott Properties supports the use of pre-application discussions as a mechanism to shorten the determination period for planning applications.</li> <li>- The Local Plan should explicitly state that the housing need is greater than the delivery rate and as such the existence of a five year supply of land for housing at any point in time will not be a justification for refusing or delaying the delivery of sites that are identified in the Local Plan.</li> <li>- Stepping the trajectory is an approach that gives the impression of meeting housing need when that need is not being met in full. The reasons given in the HIS for Epping Forest to require a stepped approach (para.14-16) are not considered to be justified.</li> <li>- We are unclear why identifying additional new deliverable</li> </ul>	<p>Projected delivery timescale to be brought forward. Taking into account the written representation received and the general assumption on delivery rate, the Council expects the site to be delivered between 2022/23 and 2023/24.</p> <p>The Council will make it clear that (to reflect NPPF and the NPPG) this is only a projection of future delivery and that is different from an intentionally phased delivery programme.</p> <p>The discussion paper has clearly demonstrated that a stepped trajectory is required in order to make the plan 'sound'. The paper has also explained why identifying a significant number of new</p>

		<p>sites would require new evidence. Significant concerns about the accuracy of parts of the evidence base have been raised with EFDC. It is entirely conceivable that the reconsideration of existing evidence will identify a sufficient number of deliverable sites to meet the short-term need.</p> <ul style="list-style-type: none"> <li>- Scott Properties consider that the land adjacent to the CHIG.R5 allocation, which is previously developed, was unfairly eliminated during the site selection process.</li> <li>-</li> </ul>	<p>deliverable sites will require new evidence.</p>
A local landowner	A Crolla	<ul style="list-style-type: none"> <li>- 10% non-implementation rate is realistic and justified</li> <li>- a stepped housing trajectory is justified</li> <li>- EFDC should allow the Phasing of the whole of North Weald Bassett etc, so that each part of the whole suggested Allocation can come forward in a ‘separate’ by still ‘joined up’ way. This will therefore enable the Housing Delivery Timescales as outlined in Appendix 2 to be fulfilled.</li> <li>- the draft stepped trajectory has been set at the right levels and is it justified by the evidence</li> </ul>	<p>The current projected delivery rates for North Weald Bassett allocation have already account for the possibility that smaller allocation, and part of the larger allocations could come forward earlier and within the next five years.</p>
David Lock Associate on behalf of the Fairfield Partnership – EPP.R2	Gaby Medforth	<ul style="list-style-type: none"> <li>- we regard this as a worst-case scenario and an expediated planning process will accelerate matters.</li> </ul>	<p>The Council considers the current project delivery rate for LPSV allocations to be reasonable and realistic.</p>
Sworders on behalf of Mr	Rachel Bryan	<ul style="list-style-type: none"> <li>- The phasing of my clients site (NWB.R1) is reasonable and realistic.</li> </ul>	<p>The Council considers the current project delivery rate</p>

## Housing Implementation Strategy – Update 2019

martin Eldred – site NWBR.1 and NWB.T1			for LPSV allocations to be reasonable and realistic.
Sworders on behalf of Eales-White, Johnson, Kerr, Kerr, and McKinney– site ONG.R1	Rachel Bryan	- The phasing of my clients site (NWB.R1) is reasonable and realistic.	The Council considers the current project delivery rate for LPSV allocations to be reasonable and realistic.
Sworders on behalf of Marian Wills, Sheila Hodge and Christine Watt– site LSH.R1	Rachel Bryan	- The phasing of my clients site (NWB.R1) is reasonable and realistic.	The Council considers the current project delivery rate for LPSV allocations to be reasonable and realistic.
Pegasus Group – West Katherines	Gabrielle Rowan	- Water Lane allocation to commence delivery in 2022/3 with a maximum delivery of 50 units per outlet per annum; we consider that these assumptions are realistic in relation to the West Katherines site which forms part of the Water Lane allocation and it is likely that these build rates can be achieved.	The Council considers the current project delivery rate for LPSV allocations to be reasonable and realistic.
EHDC	Claire Sime	- East Herts Council addressed a very similar position through the examination of its District Plan. Although a stepped trajectory as such was not considered, the Inspector did agree that meeting the Council’s shortfall within the first five years would have been difficult given the nature of the sites coming forward and the significant number of homes needed. The now adopted District Plan therefore addresses the Council’s shortfall over the ten-year period 2017-2027.	The Council considers the current project delivery rate for LPSV allocations to be reasonable and realistic.

HDC	Paul MacBride	<ul style="list-style-type: none"> <li>- no substantive comments to make on the EFDC Housing Implementation Strategy</li> </ul>	No comment
ECC	Rich Cook	<ul style="list-style-type: none"> <li>- a lower non-implementation rate may be justified given strong housing market locally</li> <li>- the factors outlined can be considered to support a case for a stepped homes delivery trajectory. In doing so, it will need to be made clear that (to reflect NPPF and the NPPG) this is only a projection of future delivery and that is different from an intentionally phased delivery programme (in the latter case that might be due to other factors likely to delay delivery, such as infrastructure delivery constraints). Thus the projection in the trajectory is not intended to serve to delay delivery of sites if future conditions allow for that (unless there are specific, identified reasons in any site specific case)</li> <li>- short term ways of boosting supply (but not immediate delivery) could include progressing determination of planning applications to a resolution to grant permission</li> <li>- the suggested treatment of previous LP period years is unnecessarily complicated and not helpful. Setting a (historical) homes delivery target for this period is basically irrelevant and it can only be treated as a given – and the shortfall against overall OAHN then needs to shape future delivery targets. Put another way, the whole approach needs to take that previous delivery as a given and then factor its effect into future delivery and accordingly, the actions needed and aimed at achieving that level of delivery</li> </ul>	<p>The Council acknowledges that non-implementation rate could be lower but still considers that the current 10% rate in the LPSV is reasonable and proportionate.</p> <p>The Council will make it clear that (to reflect NPPF and the NPPG) this is only a projection of future delivery and that is different from an intentionally phased delivery programme.</p> <p>The Council acknowledges ECC’s position over how stepped trajectory and treatment of previous Local Plan period. However, the Council remain confident that the approach proposed in the discussion paper is reasonable and proportionate.</p>

<p>Stewart Rowe on behalf of Sherrygreen Homes Ltd- site THOR.R1</p>	<p>Stewart Rowe</p>	<ul style="list-style-type: none"> <li>- general assumptions 3 and 4, made in relation to the delivery</li> <li>- of small and medium sized sites, appear to be reasonable and robust</li> <li>- herrygreen Homes Ltd intends to commence delivery housing as soon as reasonably possible and is already embarking upon a pre-application consultation process with the LPA, to include design review and development forums, with the intention to secure planning permission in 2019 and to commence construction work on site early in 2020. Whilst a three year construction period is reasonable for the delivery of circa 124 units at Thor.R1, I anticipate delivery starting in the third or fourth quarter of 2020. Accordingly the table at Appendix 2 can be revised to show delivery commencing in years 2020/2021 and completing in years 2022/2023.</li> </ul>	<p>Current projected delivery of CHIG.R2 is considered to be reasonable given led-in time and build out rate</p>
<p>Boyer Planning on Hallam Land and CEG - site SP 1</p>	<p>Mike Newton</p>	<ul style="list-style-type: none"> <li>- It would be helpful for the Council to make publicly available it's local analysis of lead in times.</li> <li>- for general assumptions on lead-in times and delivery rates, it is advised that the Council utilises local data first with input from developers, and then uses the content of these reports as a sensitivity test for its local data.</li> <li>- it should not be assumed that all strategic sites will make only a limited contribution to completions in the early years of the Plan, and to the Council's five year housing land supply.</li> <li>- Agrees that the projected delivery rate site trajectory as set out in the discussion paper is realistic. A revised projected delivery rates for Latton Priory has also been suggested based</li> </ul>	<p>In terms of lead-in time the Council considers that the approach proposed in the HIS update discussion paper sufficiently robust, bearing in mind this District has not seen this level of growth for at least two decades.</p> <p>Strategic sites could potential contribute more to the Council FYHLS, however, the Council is taking a more cautious approach and considers the current projected delivery for</p>

		<p>on a capacity of 1,500 dwellings which is a realistic assessment based on work carried out by Hallam Land Management and CEG for the strategic masterplanning process initiated by the Council. For the pu</p> <ul style="list-style-type: none"> <li>- The concept of the Council applying a non-implementation rate is justified, However the Council has not made publicly available its justification of a specific 10% non-implementation rate.</li> <li>- It is not made clear within the Discussion Paper whether the Council is intending on addressing its housing shortfall through either the ‘Sedgefield’ or ‘Liverpool’ method. The Council should make this clear.</li> <li>- The housing requirement for the previous years (2011-2017) has been set correctly at actual delivery rates. However, the Council has not provided sufficient evidence for why the housing target for 2018/19 – 2022/23 has been set at 425 homes per annum, nor has it robustly demonstrated why the housing target for 2023/24 – 2032/33 has been set at 742 homes per annum.</li> </ul>	<p>strategic site to be reasonable.</p> <p>The housing target for 2018/19 is based on considerations set out under paragraph 5.1 of this paper</p>
--	--	--	--



**Appendix 5 – Projected delivery rate for commitments (attached separately)**

**Appendix 6 – Projected delivery rate for LPSV allocations (attached separately)**

## Housing Implementation Strategy – Update 2019

## Appendix 7 – EFDC Progress of Major Development Schemes

Planning application number	LPSV allocation	Net dwellings permitted	Time between Validated and Decided	Time between Decided and Commenced	Time between Commenced and Completed	Total time between Validated planning application and <u>final</u> completion on site
EPF/0055/17	LOU.R17	12	12 weeks, 6 days			
EPF/0329/17	CHIG.R1	12	34 weeks			
EPF/2636/17	CHIG.R3	11	11 weeks, 6 days			
EPF/3034/16	RUR.R2	30	37 weeks, 2 days	Unknown	N/A	N/A
EPF/3264/17	CHIG.R9	14	16 weeks, 1 day			
EPF/2163/13	N/A	64	23 weeks, 4 days	1 year, 11 months, 1 week, 4 days	1 year, 5 months, 1 week, 3 days	3 years, 10 months, 4 days
EPF/0864/15	N/A	14	24 weeks, 3 days	Unknown	Unknown	2 years, 3 months, 3 weeks, 3 days
EPF/0853/14	N/A	60	38 weeks	Unknown	Unknown	4 years, 2 months, 3 weeks, 3 days
EPF/1862/15	N/A	43	52 weeks, 5 days	Unknown	Unknown	3 years, 2 months
EPF/1007/15	N/A	51	15 weeks, 3 days	1 year, 6 months, 2 weeks, 3 days	N/A	N/A
EPF/2523/16	N/A	19	57 weeks, 4 days	Unknown	N/A	N/A
EPF/1162/15	N/A	78	47 weeks, 6 days	Unknown	N/A	N/A
EPF/2163/15	N/A	18	23 weeks, 1 day	10 months, 5 days	1 year, 3 weeks, 1 day	3 years, 5 days
EPF/0259/16	N/A	17	54 weeks, 1 day	N/A	N/A	N/A
EPF/2535/14	N/A	23	31 weeks, 6 days	11 months, 1 day	1 year, 9 months, 1 week, 1 day	3 years, 3 months, 3 weeks
EPF/1269/15	N/A	28	49 weeks, 1 day	1 year, 3 weeks, 1 day	1 year, 2 months, 2 weeks, 3 days	3 years, 2 months, 2 weeks, 3 days
EPF/2473/16	CHIG.R2	23	29 weeks, 4 days	Unknown	N/A	N/A
EPF/1103/15	N/A	38	25 weeks, 5 days	1 year, 2 months, 3 days	Unknown	Unknown
EPF/3006/14	N/A	105	38 weeks	2 years, 2 months, 3 days	N/A	N/A

**Appendix 8 – Correspondence with LPAs within the HMA**EFDC letter sent on 19 December 2018

Dear [recipient]

**Duty to Cooperate: Addressing the undersupply of housing in the emerging Epping Forest District Local Plan (2011-2018) and a case for a stepped housing trajectory**

The Council has experienced an undersupply in the delivery of housing in the early years of the Plan period (2011-2018) as a result of the significant increase in the housing requirement with the West Essex and East Herts Housing Market Area brought about by the introduction of the National Planning Policy Framework, and the delay in adopting the emerging Local Plan (2011-2033). Until the Local Plan is adopted and allocations confirmed, the Council is unable to provide the necessary boost in housing supply, not least due to the extensive Green Belt coverage and other constraints within the District which necessitate a plan-led approach to meeting development requirements.

National planning policy requires the Council to seek to address the shortfall arising from the early years of the Plan period within the five-year period immediately following adoption. However, due to the extent of the shortfall and local circumstances, this will not be possible. As a result, we are required by national planning policy to explore all possible other avenues for addressing this shortfall, including seeking cooperation from other neighbouring local planning authorities to assist in meeting the identified shortfall.

As you will be aware, in September 2018 the Council submitted its Local Plan to the Secretary of State for independent examination. The Local Plan was at that time accompanied by a Housing Implementation Strategy. The Council is currently working to provide the appointed Inspector with the most up-to-date housing delivery information within an updated Housing Implementation Strategy taking into account latest monitoring data, and a proposed new 'stepped' housing trajectory in which the annual housing requirement increases at fixed points over the plan period. The stepped trajectory is required in order to ensure that the Local Plan can be both realistic and deliverable, and ensure that a five-year land supply will be in place on adoption of the Plan.

The case for the introduction of a stepped housing trajectory and assumptions on phasing arrangements are summarised in the Discussion Paper attached to this email. You will also recall that I recently provided an overview of the work being undertaken at the Cooperation for Sustainable Development Officer Group meeting on 28th November 2018.

Epping Forest District Council wrote to [name of the Council] formally in November 2017 to ask whether your Council would be in a position to make any contribution towards addressing the identified undersupply within the next five years of the EFDC Local Plan. I reattach the letter for your reference.

The attached reply was gratefully received on [date]. In your reply you have confirmed that you are not able to contribute towards EFDC's undersupply in the early years of the Plan

## Housing Implementation Strategy – Update 2019

period, not least because it is already challenging for your Local Plan to address your own undersupply.

In order to assist us in finalising our updated Housing Implementation Strategy, and supporting the position in relation to the requirement for a stepped trajectory, please could I request:

- Confirmation that your position remains unchanged, and that Uttlesford District Council will be unable to contribute towards the identified undersupply within the EFDC Local Plan in the early years of the Plan period; and
- Any comments you may have in relation to the attached discussion paper which sets out the proposed approach towards the introduction of the stepped housing trajectory and production of the updated Housing Implementation Strategy.

I would appreciate receipt of your response by no later than Friday 11th January. Please do not hesitate to contact me should you have any concerns or queries in the meantime.

I hope that you and your team have a wonderful Christmas and well deserved break.

Yours sincerely,

*Email received from Uttlesford District Council on 4 January 2019*

Thank you for your email.

I am replying to confirm that our position remains unchanged, that being Uttlesford District Council is not able to contribute towards the identified undersupply within the EFDC Local Plan in the early years of the Plan period.

On the second question, I have no comments on the proposed approach towards the introduction of the stepped housing trajectory, other than to note that Uttlesford District Council is proposing a similar approach in its submission draft Local Plan.

Kind regards

Philip Bylo  
Planning Policy Manager

Letter received from Harlow District Council on 11 January 2019



**Planning Services**

Harlow Council  
Civic Centre  
The Water Gardens  
Harlow  
Essex CM20 1WG  
[www.harlow.gov.uk](http://www.harlow.gov.uk)

CLr John Phillip  
Cabinet Member for Planning and Governance  
Epping Forest District Council  
Civic Offices  
323 High Street  
Epping  
Essex  
CM20 1WG

Date: 4 January 2018

Duty to Cooperate: Addressing undersupply of housing in Epping Forest District

Dear John

Thank you for your letter of the 21 November 2017 that seeks assistance, from neighbouring authorities within the HMA, to address the shortfall in supply within Epping Forest District, during the early years of the plan period. In particular, that arising from an accumulated shortfall in supply from the start of the plan period in 2011.

As you will appreciate, from the ongoing positive work being achieved through the Co-operation for Sustainable Development Board, we would wish to endeavour to support adjoining authorities to deliver the housing need identified in the joint SHMA. However, over that same period Harlow also has an accumulated shortfall of around 1,000 homes, arising from a range of factors that have affected the ability of developers to bring forward sites with planning permission and the completion of houses in an expeditious manner.

Consequently, and compounded by Harlow's tight administrative boundaries and potential short term delivery issues relating to highway capacity on some sites, we would not be in a position to make any contribution to address the undersupply within EFDC in this instance.

Yours Sincerely

Cllr Danny Purton  
Portfolio Holder for Environment

*Letter received from East Hertfordshire District Council on 11 January 2019*

## Policy and Implementation

01279 655261

[www.eastherts.gov.uk](http://www.eastherts.gov.uk)

East Herts Council, Wallfields, Pegs Lane, Hertford, SG13 8EQ

EastHertsDC

EastHerts

easthertscouncil



Tai Tsui  
Planning Policy Projects Officer  
Epping Forest District Council  
Civic Offices, 323 High Street  
Epping, CM16 4BZ

Our Reference :  
Please ask for : Claire Sime  
Extension : 1626

Friday, 11 January 2019

Dear Tai

### **Duty to Cooperate: EHDC Housing Implementation Strategy**

Thank you for your email dated 19 December 2018, together with various attachments including the EHDC Housing Implementation Strategy Update discussion paper.

East Herts Council notes the circumstances that have led to EFDC updating its Housing Implementation Strategy and supports the case for either addressing the Council's shortfall over the plan-period or, as suggested, through a *Stepped Housing Trajectory*.

You will be aware that East Herts Council addressed a very similar position through the examination of its District Plan. Although a *stepped trajectory* as such was not considered, the Inspector did agree that meeting the Council's shortfall within the first five years would have been difficult given the nature of the sites coming forward and the significant number of homes needed. The now adopted District Plan therefore addresses the Council's shortfall over the ten-year period 2017-2027.

Given the above and whilst East Herts Council fully appreciates the difficulties in meeting a five-year housing land supply, unfortunately the Council is not in a position to make any contribution towards addressing EFDC's identified undersupply within the next five years (this position remains unchanged from that set out Clir Haysey's email to your Council dated 5 December 2018).

The Council does, however, wish you and your colleagues all the very best for your forthcoming hearing sessions.

Yours sincerely

*Claire Sime*

Claire Sime  
Service Manager (Policy and implementation Team)