

Appendix 5

Redeposit Responses **Housing**

Redeposit Responses
Housing

Policy/ Par 9.12a	Respondent Reference 0174 / Mr A Lanni
Representation 00394R	Agent Reference 0044 / Sewell & Hawkins Architects
Representation The granting of planning permission does not equate to new dwellings becoming available. Housing gain from permissions should be reduced by the percentage take-up shown from the previous 10-15 years.	
Officer Response The number of dwellings that have been given planning permission is only used as an indicator of those that will come forward over the coming months and years, as this provides more certainty than estimating those that will be provided on development sites. As shown in Table 3a, the number of housing completions has already exceeded the housing allocation given by the Structure Plan. No further allocations will be made until the East of England Plan has been approved. In the meantime, the number of units completed per financial year will continue to be monitored, as required by the Planning & Compulsory Purchase Act 2004.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0134 / M Gregory & 0135 ? Mr & Mrs T Gregory
Representation 00177R & 00178R	Agent Reference 0026 / Alan Wipperman & Co
Representation RSS should be given weight as emerging policy now and interim allocations should be made, or the Alterations should be abandoned in favour of work on the LDF process. Provision should be made for pro-rata housing allocations e.g. approx 5,000 dwellings which is not an arbitrary figure (see Officer Response to First Deposit comments)	
Officer Response It has been made clear throughout the Alterations process that housing land allocations will not be made until after the East of England Plan (EEP) has been adopted, now expected to be at the beginning of 2007. Following this the Council will begin work on the Local Development Framework to take into account the requirements of the EEP. This will include a green belt boundary review and land allocations. This approach is supported by GO East. The requirement in this objection for an allocation of approximately 5,000 dwellings to be provided on a pro-rata basis is inappropriate, as this will not allow a properly planned, sequential and sustainable approach to be taken with regard to new development that is required by the EEP, and it is not yet known how location-specific that plan will be.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP1	Respondent Reference 0085 / D Crolla & J Kox
Representation 00371R	Agent Reference 0012 / Matthews & Goodman
Representation Objection to Policy CP1, but this matter is more appropriately dealt with under Policy H1A as further land allocations for housing are suggested.	
Officer Response See 00177R above	

Officer Recommendation No change
Member Decision

Policy/ Par H1A	Respondent Reference 0161 / Schweir Farms Ltd
Representation 00429R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at Moreton suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0162 / Robert Padfield Ltd
Representation 00430R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at Weald Bridge suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0166 / Mrs A Mingay
Representation 00428R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at New House Farm, Harlow suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.13a	Respondent Reference 0315 / Martin Grant Homes/ Persimmon Homes/ George Wimpey
Representation 00426R	Agent Reference 0047 / Pegasus Planning Group
Representation It will not be possible to accommodate the level of growth anticipated by the East of England Plan without requiring the development of greenfield sites at the edge of the existing urban area of Harlow. In the circumstances it will not be possible to "protect" the green belt as the accommodation of necessary development will plainly arise on land presently located within the extent of the green belt.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0094 / Loughton Residents Association
Representation 00039R	Agent Reference --
Representation As the amount of development on previously developed land has historically been between 80-90% in this district we consider that the Council should immediately adopt a target of 80% in H2A, rather than waiting for a review when RPG14 comes into force.	
Officer Response It will not be possible to sustain such a high target as is proposed. It is more appropriate to set a slightly lower target which allows for some flexibility where necessary. The review that will follow the final publication of the East of England Plan is more likely to reduce the target, particularly taking into account the draft recommendations in the Plan (e.g. development of greenfield land at North Weald and to the south and west of Harlow).	
Officer Recommendation No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0141 / The Fairfield Partnership
Representation 00164R	Agent Reference 0028 / David Lock Associates
Representation	
Potential for damaged land such as redundant glasshouses in sustainable locations adjacent to urban areas to be included in the definition of previously developed land, with such locations being promoted ahead of undeveloped land as suitable for redevelopment. Previously developed land is a finite resource and therefore it should be expected that planning permission granted using this type of land will decline in future. 70% target may prove too ambitious. The Council should revert back to the 60% national target as per PPG3.	
Officer Response	
It has been made clear in the revised employment chapter in relation to glasshouses, that non-agricultural uses will not be considered appropriate on derelict or underused glasshouse sites, at least until a future review of the Plan. In accordance with current guidance, horticultural glasshouses are agricultural and are therefore not considered as previously developed land (PPG3, Annex C). It is accepted that over time the amount of previously developed land available will not be sufficient to meet the housing requirements of the emerging RSS. However, para 9.17a states that this target will be reviewed (as part of the LDF process) following the publication of the final version of the East of England Plan. At present, as no significant land allocations are being made there is no reason why residential development should not be primarily provided on previously developed sites.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0246 / Epping Forest PCT
Representation 00351R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
Support for approach taken to the re-use of previously developed land for housing purposes. It should be noted that through the Plan period as part of modernisation programmes, surplus institutional land and assets are likely to come forward for redevelopment within the existing built up areas, where redevelopment for housing is likely to be a suitable re-use of the land.	
Officer Response	
Support for policy - no further comment.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 9.19a	Respondent Reference 0094 / Loughton Residents Association
Representation 00040R	Agent Reference --
Representation	
All new large developments where residents may have small children should include some safe areas suitable for (supervised) play near to homes, where such amenities are lacking within walking distance of the development.	
Officer Response	
Repeat representation from First Deposit. The requirements from developments in the form of S.106 agreements are set out in policy I1A. It is not necessary to be prescriptive when dealing with the need for play space as such needs will vary between areas of the district. Play areas and public open space are addressed by policies RST8 and DBE7 of the Adopted Local Plan.	
Officer Recommendation	
No change	

Member Decision

Policy/ Par H3A	Respondent Reference 0168 / Environment Agency
Representation 00016R	Agent Reference --
Representation The Agency recommends the inclusion of the following: (vii) Demonstrate integration of renewable resources	
Officer Response It has been demonstrated by developments such as BedZED and BowZED that the density of a development does not need to be lessened to allow the incorporation of renewable energy technology. Officers do not consider that this suggestion will aid arguments for either higher density development or the inclusion of renewable energy sources. The issue is addressed in the Core Policies chapter.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0094 / Loughton Residents Association
Representation 00047R	Agent Reference --
Representation Parking levels that are sufficient for residential development - would like to see higher parking standards in the district as it is common for people to own a car and to be visited by callers in a car/van. Public transport in the district does not provide a network allowing easy travel throughout the district, this is significantly different to cities such as London. The impact of overspill parking on neighbouring dwellings/roads and the wider settlement needs to be acknowledged and managed.	
Officer Response Repeat representation from First Deposit. Previous response still stands "Maximum parking standards have been adopted as SPG since 2001 (Essex Planning Officers Association) and are applied consistently throughout the district. This approach is also advocated in PPG3, which aims to encourage people to use other forms of transport than the private car. It would be contrary to government and local policy to adopt a different approach, as well as being at odds with the principles of sustainable development." Para 17.31a also advises 'The standards also allow a degree of flexibility depending on the location of the new development - eg a town centre location with good access to public transport and other services is likely to have less need for parking than more rural or isolated locations where cars may be the only realistic means of transport.'	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0100 / GO East
Representation 00095R	Agent Reference --
Representation Policy does not indicate that higher densities will be permitted where appropriate. Change "at least 30-50" to " in the range of 30-50".	
Officer Response The proposed change will not encourage higher densities to be provided. It will only encourage development within this density, not any higher densities. The wording as in the Redeposit sets the lowest density range that is considered appropriate, and the inclusion of "at least" informs developers that higher densities are acceptable. Para 9.20a further supports this.	

Officer Recommendation No change
Member Decision

Policy/ Par H3A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00244R	Agent Reference --
Representation Support for policy, particularly part (i)	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0316 / Mr J Whitehouse
Representation 00353R	Agent Reference --
Representation Support for policy on minimum housing density	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0100 / GO East
Representation 00090R	Agent Reference --
Representation No indication is given in the policy or the supporting text as to what general mix will be sought nor what constitutes a smaller dwelling - number of bedrooms, number of habitable rooms, floor space etc? It is not clear that the Housing Needs Survey includes sufficient information to able to determine what impact a particular development will have on the mix of housing relative to existing housing stock in the local area.	
Officer Response Para 9.22a sets out that the range of dwellings required on a site will be derived from the Housing Needs Survey in place at the time. Page 52 of the 2003 Housing Needs Survey shows there is a greater requirement for two and three bedroomed properties. However, this is a figure that may alter, and therefore it is more appropriate to leave this level of information only in the supporting document and not in the text or policy of the Local Plan. The need for a particular type or size of dwelling will be determined on a site-by-site basis, taking into account the requirements of the Housing Needs Survey and the Housing Waiting List (when considering the need for affordable housing).	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0128 / Fairview New Homes
Representation 00181R	Agent Reference 0023 / RPS Planning
Representation Plan should allow sufficient flexibility for the composition of residential development to be determined by developers at the time. Such requirements increase the complexity of development which may make it unviable, especially on smaller sites. Policy should recognise the variety in housing types and location of sites that come forward on different development sites and the potential for the combination of these sites to meet the housing needs of the local area.	
Officer Response H4A allows for flexibility, although makes the point that there is a recognised need for smaller dwellings. The policy states "The Council will require that provision is made for a range of dwellings, including an appropriate proportion of smaller dwellings, to meet identified need on a site-by-site basis." If it is therefore not appropriate to provide a number of smaller dwellings (e.g. one or two bedroomed properties) because there is no need for them, or the character of the existing area makes this unsuitable, then other options will be examined.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0089 / Cllr Janet Whitehouse
Representation 00331R	Agent Reference --
Representation Support for policy. When land allocations are made for housing would like consideration to be given to the "Residential Village for Older People" concept.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0316 / Jon Whitehouse
Representation 00418R	Agent Reference --
Representation Strongly support H4A proposal.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.32a - 9.35a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00074R	Agent Reference 0038 / Level Ltd
Representation Utilising housing waiting list information is not a robust indicator of housing need, nor will it capture all households in need as there will be certain households unable to access the housing market who will not register as there may be a belief that they would not qualify. It is well known that assessing housing waiting lists provides a very inaccurate picture of need for intermediate tenures. Similarly there will also be households who register as an insurance policy. Also have concerns that the Housing Needs Assessment does not complete a picture of whole housing need as it only assesses affordable needs and pays scant regard to the needs of the general housing market, notwithstanding that the needs assessment itself may be flawed. Housing Needs Survey should be re-analysed together with the signs of a decreasing housing waiting list suggests the housing need is not as great as is suggested.	
Officer Response It is accepted that Housing Waiting List information is not a particularly robust indicator of housing need, for the reasons expressed by the respondent. It is for this reason that the main data source used is the latest Housing Needs Survey. However Housing Waiting List information is another legitimate factor used to inform housing need within the District. The Housing Needs Survey has been produced by recognised consultants in this field, in accordance with ODPM guidelines on undertaking such assessments. Questionnaires were used to ascertain the number of people in need for all forms of tenure, in all income groups, across the district, not just affordable housing. It is therefore not considered that the Assessment is flawed, or that it has failed to take account of some sectors of people in need. The latest Housing Needs Survey shows a marked increase in the need for affordable housing, compared to the previous Housing Needs Survey. Therefore, the housing need of people in lower income groups in need of affordable housing is increasing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Affordable housing policies	Respondent Reference 0049 / Furlong Homes
Representation 00035R	Agent Reference 0049 / Fibbens Fox Associates
Representation Previous comments given in relation to affordable housing policies still stand	
Officer Response Refer to First Deposit comments and responses.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Affordable housing policies	Respondent Reference 0333 / Siraj Karbhari
Representation 00519R	Agent Reference --
Representation Support for EFDCs approach to environmentally friendly affordable housing policy.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	

Member Decision**Policy/ Par H5A****Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd****Representation 00075R****Agent Reference 0038 / Lewvel Ltd****Representation**

In determining the "suitability" of a site for affordable housing the full range of factors listed in para 10 of circ 06/98 should be taken into account. It is not believed that these factors are adequately covered in other parts of the text and should properly form part of the policy itself. Two further criteria should be included in policy H5A. (vii) whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site; (viii) the need to achieve a successful housing development.

Officer Response

It is not necessary to repeat national guidance held in Circ. 06/98. The text within policy H5A sets out the matters that will be considered in addition to the elements set out in Circ 06/98. The proposed new criteria are not necessary and could result in developments that are not sustainable or appropriate to the area. Proposed (vii) is not necessary, as this is matter for individual negotiations. Proposed (viii) is too vague, and no indication is given on what comprises a successful development.

Officer Recommendation

No change

Member Decision**Policy/ Par H5A****Respondent Reference 0100 / GO East****Representation 00096R****Agent Reference --****Representation**

Policy effectively covers in less detail those matters set out in policies H6A & H7A and is therefore unnecessary. Delete H5A and if the term "suitable" needs to be defined this should be included in the text supporting H7A.

Officer Response

Policy H5A is included to show the intention of EFDC to seek affordable housing on suitable sites, as required by Circular 06/98. The policy is necessary as it defines what is considered suitable within the District.

Officer Recommendation

No change

Member Decision

Policy/ Par 9.42a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00078R	Agent Reference 0038 / Levvel Ltd
<p>Representation Council is proposing a reduction in threshold for the provision of affordable housing on the basis of substantial housing need and limited housing supply derived from windfall sites. However, the para states that the housing supply figures will be amended following the adoption of the East of England Plan. It is suggested that this will trigger a further review of the Local Plan or its successor in re-assessing site thresholds. Proposing a site threshold reduction now is considered premature. Retain thresholds as per 06/98.</p>	
<p>Officer Response The Development Plan currently comprises RPG9, the Essex & Southend-on-Sea Replacement Structure Plan (RSP) (adopted 2001) and the Epping Forest District Local Plan (adopted 1998). The RSP will remain in place until 2011, or the East of England Plan (EEP) is adopted, whichever is sooner. It is expected the EEP will be finally approved at the beginning of 2007, and this will trigger a review of local planning policy and a move into the Local Development Framework system. This is clearly set out on page 8 of the Redeposit. At present the housing allocations set out in the RSP have been met and exceeded. As no further land allocations can properly be made at present, and given the level of need for affordable housing demonstrated by both the Housing Needs Survey and the Housing Waiting List, it is appropriate to lower the thresholds at which affordable housing is sought in order to address housing need in the District. In any event, the amount of housing proposed in the Draft EEP (550 p/a) will not be sufficient to meet the identified housing need (642 p/a) even if 100% were given over to affordable housing.</p>	
<p>Officer Recommendation No change</p>	
<p>Member Decision</p>	

Policy/ Par 9.44a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00079R	Agent Reference 0038 / Levvel Ltd
<p>Representation The council needs to demonstrate that, by adding the phrase "including conversions and changes of use", the policy is economically sustainable in development viability terms, as conversions will incur additional costs. The council has not demonstrated that any of its affordable housing policies have been subjected to any testing of the policy position in terms of development viability, this should not be delegated to the applicant at application stage which would place an additional burden on applicants and council officers in determining planning applications.</p>	
<p>Officer Response "Including conversions and changes of use" is not an addition from the First Deposit, but has simply been moved within the sentence for additional clarity. On the basis of land values and the cost of construction it is considered in all but exceptional circumstances these requirements will be feasible. It is therefore the responsibility of the applicant to provide information which demonstrates that these requirements will make a development unviable. Where unviability can be proven, negotiations will be entered into, in order to reach a satisfactory compromise. However, this will require a more "open book" approach by developers.</p>	
<p>Officer Recommendation No change</p>	
<p>Member Decision</p>	

Policy/ Par 9.44a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00080R	Agent Reference 0038 / Levvel Ltd
Representation In addition, in terms of conversions the policy should be clarified so that it will only apply where there is a net increase in the number of units.	
Officer Response This addition would provide extra clarity to the paragraph.	
Officer Recommendation Add the following to para: (including conversions and changes of use, <u>where there is a net increase in the number of units</u>)	
Member Decision	

Policy/ Par H6A & H7A	Respondent Reference 0100 / GO East
Representation 00091R	Agent Reference -
Representation Both policies seek a different contribution level to affordable housing depending on whether the site is greenfield or brownfield. While generally speaking brownfield land may be more expensive to develop than greenfield land, the approach is considered overly simplistic as it does not make similar concessions to other factors affecting the economic feasibility of developing a particular site and hence the affordable element sought. It is preferable that a uniform affordable housing element is set, and in negotiation, a developer would have the opportunity to demonstrate that the cost of developing a particular site warrants a reduction in the amount of affordable housing sought.	
Officer Response Circ 06/98 states that when considering policies for affordable housing, the economics of provision is one of the factors that must be taken into account. In general terms PDL costs more to develop than greenfield land, and therefore in taking the economics of provision into account the distinction as drafted in the policy is considered appropriate. However, a developer is still able to seek to negotiate a reduction in the amount of affordable housing, if warranted due to particular site costs.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H6A & H7A	Respondent Reference 0100 / GO East
Representation 00092R	Agent Reference -
Representation	
The policies indicate affordable housing will be sought from developments comprising two or three dwellings or more. This is a significant reduction from the thresholds in Circ. 06/98 and "Planning for Mixed Communities". Whilst the consultation paper indicates this may be a suitable approach, no justification is given in the policies or supporting text. Policies only indicate a dwelling threshold, whilst the Circ indicates that both a dwelling and site size threshold should be used.	
Officer Response	
Para 5.4.5. of "Our Countryside: The Future - A Fair Deal for Rural England" (DETR November 2000) (The Rural White Paper) states "Local authorities should negotiate an appropriate element of affordable housing and there is no reason why, in small villages if there is evidence of need and subject to financial viability, they should not seek to match every new market house with an affordable home." It is not considered that this is a financially viable approach to take for all sites that might become available for development, and therefore the approach in the Redeposit is put forward. The justification for this approach is given in para 9.44a, which shows there is a large unmet need for affordable housing in rural areas. The policies will be amended to incorporate a site size threshold as well as a dwelling threshold.	
Officer Recommendation	
The following additions will be made to H6A: (ii) (a) ...greenfield site, <i>and the site is 0.1ha or larger.</i> (ii) (b) ...previously developed site, <i>and the site is 0.2ha or larger.</i>	
Member Decision	

Policy/ Par H6A	Respondent Reference 0128 / Fairview New Homes
Representation 00182R	Agent Reference 0023 / RPS Planning
Representation	
Strongly object to reduction in thresholds, contrary to Circ 06/98. Proposed changes to PPG3 in various consultation documents have not yet been adopted.	
Officer Response	
The change to thresholds follows as a direct consequence of the recommendations of the Housing Needs Survey (2003) and increasing need for affordable housing. Local circumstances (e.g. the position of the emerging RSS and the location of the district in the Green Belt) dictate that smaller sites come forward more frequently than large sites. Circ 06/98 allows for thresholds to be lowered where exceptional local constraints are demonstrated. It is considered that the above constitutes such a need. Emerging government guidance set out in "Planning for Mixed Communities" further supports lower thresholds where appropriate.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H6A	Respondent Reference 0149 / Sworders
Representation 00347R	Agent Reference 0039 / Sworders
Representation New para (ii) is unacceptable if it is deemed to apply to rural residential conversions, refer to rep concerning para 5.49a. Should clarify that this policy does not apply to the conversion of rural buildings.	
Officer Response Residential conversions will only be permitted in accordance with policy GB9A where they fall within the Green Belt. If an existing building is converted for residential use, and in accordance with the change made following rep 00080R above, affordable housing will be sought as per policy H6A. Where new residential units result from the conversion of rural buildings, and it is considered suitable for the provision of affordable units under H5A, affordable housing will be negotiated as part of the development.	
Officer Recommendation No change (but see addition following rep 00080R above in relation to para 9.44a)	
Member Decision	

Policy/ Par H6A	Respondent Reference 0095 / North Weald Bassett District Council
Representation 00435R	Agent Reference -
Representation The Council reiterates previous comments for more realistic targets.	
Officer Response The previous response to the Parish Council still applies. There is significant housing need in the district, and prior to the final approval of the East of England Plan no major land releases will be made. Housing development is therefore currently coming forward from windfall sites, which are generally small sites that cannot accommodate large numbers of dwellings. It is thus appropriate that the threshold at which affordable housing is sought is also reduced. If no action is taken, the number of affordable dwellings gained will continue to be very low, and the level of need will continue to rise.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.46a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00084R	Agent Reference 0038 / Levvel Ltd
Representation Council has not demonstrated that it has considered the needs of households requiring intermediate housing (including key workers) of a variety or tenures which are not exclusively shared ownership. The Housing Needs Survey underestimates the needs of this group and, as a whole, over estimates need for affordable housing.	
Officer Response Recent research by ODPM has demonstrated that the need for intermediate rents and shared ownership schemes for key workers is low, when compared to the take up of the Homebuy loan scheme. A recent redevelopment scheme (Abbey Heights, Waltham Abbey) completed within the district specifically for key workers, using the Government's definition comprised some shared ownership properties along with some intermediate rented housing. The shared ownership and intermediate rented properties proved very difficult to sell/rent. Homebuy has the advantage with the assistance of a loan, of allowing key workers to purchase the property of their choice, rather than renting part or all of their home. There is no evidence to show that there is significant need within this district for key worker housing, whilst the need for affordable housing for rent continues to rise significantly.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00081R	Agent Reference 0038 / Levvel Ltd
Representation Intent of the policy to "seek the provision of at least 40%" is not clear and provides no certainty for any developer in undertaking appraisals for development opportunities in the borough. Wording conflicts with para 9.49a which states that, where Housing Corporation grant is not forthcoming, a lower percentage of affordable housing will be sought. Percentage sought is predicated on needs alone and is taken directly from the recommendations of the housing needs consultant, without giving consideration to the local factors of development.	
Officer Response First point about the "intent of the policy" is not accepted. It is clear that the Council will seek at least 40% of all new dwellings as affordable housing. The reason for this is that the Housing Needs Survey identified extremely high levels of housing need and the main opportunity to help meet this need is through the provision of affordable housing on large sites. Where appropriate, a higher figure may be sought (perhaps in light of an updated Housing Needs Survey), but only in exceptional circumstances will a lesser amount be accepted. H7A and para 9.49a should not be read in isolation, and para 9.49a provides the flexibility required by Circ 06/98 (i.e. that economics of provision should be taken into account). Where Housing Corporation grant is not forthcoming, a lesser percentage of affordable housing may be accepted - as is explained in para 9.49a. This is a matter for detailed negotiation at the application stage. The Council's position from the outset is made clear from the policy and supporting paragraph. The recommendations of the Housing Needs Survey forms the main part of the reason for increasing the percentage of affordable housing, however it is not the only consideration. The East of England Plan (EEP) will not be finally approved until the beginning of 2007, and therefore land allocations will not be made until after this time. In the meantime, housing need continues to rise, and the supply of available housing land is constrained. This is in addition to the Green Belt nature of the district which precludes large scale development. It is therefore considered that the approach taken is justified both in terms of need and local factors.	

Officer Recommendation No change
Member Decision

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00082R	Agent Reference 0038 / Levvel Ltd
Representation The policy for settlements of less than 3,000, when considering previously developed sites should be clarified so that affordable housing will be sought only where there is a net gain of dwellings. Policy will not encourage redevelopment or rejuvenation of village housing to meet the needs of the community. Policy provision of having stepped thresholds will, for developments of three and four dwellings, have the same outcome for the developer of two units for sale. This will not promote the most efficient use of land and will encourage 3 dwellings on land that could accommodate 4. Council has not demonstrated that any account has been taken of economic & development viability of these small sites, particularly on previously developed sites.	
Officer Response See 00080R above in relation to para 9.44a. There is an unmet need for affordable housing in rural areas, as evidenced in para 9.44a of the Redeposit. There is a huge difference between the amount of affordable housing needed and provided in rural areas in this district, and therefore a significant change is required in order to meet the identified need. Where a site is considered to be under developed policies on density (H3A) and the requirements of PPG3 will be considered. The final paragraph of both policies H6A and H7A indicates that the reason for the different thresholds being given is to take account of differing construction costs. It is therefore not accepted that the Council has not demonstrated account has been taken of economic & development viability.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00083R	Agent Reference 0038 / Levvel Ltd
Representation The use of an upper percentage requirement of 50% in both parts of the small settlement policy has no basis in either planning policy justification, housing needs based justification or development viability considerations. Delete "50%" from (ii) a & b. Replace 33% with a lower percentage.	
Officer Response The Rural White Paper gives the justification for this policy approach (see 00092R above). Housing need in rural areas has been demonstrated in para 9.44a of the Redeposit and can be further justified when local constraints are taken into account (e.g. the position of the emerging RSS and the location of the district in the Green Belt). The viability of development is the main driver for setting two different thresholds for the provision of affordable housing in rural areas. It has been recognised that development on previously developed land is often more expensive than on greenfield land, and different thresholds have been set accordingly.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0128 / Fairview New Homes
Representation 00183R	Agent Reference 0023 / RPS Planning
Representation	
40% is unjustified. Circ. 06/98 sets out "an element" of affordable housing should be sought on suitable sites. This element should be sought through negotiation & policies for affordable housing should set "indicative" targets for specific sites. As such, the expected minimum target provision should not be included within the local plan policy other than as an indicative target.	
Officer Response	
The appropriate element of affordable housing to be sought is considered to be 40% of the total number of units. There is an increasing level of need in the district evidenced from the Housing Needs Survey (2003), which is coupled with a Green Belt location and the uncertainty of the emerging East of England Plan. Where it is proven that this level of affordable housing will make a development unviable, negotiations will be entered into, and a lesser percentage may be accepted in accordance with para 9.49a. Including the percentage in the policy gives applicants a clear indication of what will be sought on suitable sites, which therefore provides certainty for developers.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0246 / Epping Forest PCT
Representation 00350R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
Object to the proposed deletions in H7A & para 9.46a. Significant difficulties in providing suitable housing for a number of the Trust's key worker employees has been experienced. Reinstatement of previously drafted H7A could help ease current and likely future housing issues within the district.	
Officer Response	
Recent research by ODPM has demonstrated that the need for intermediate rents and shared ownership schemes for key workers is low, when compared to the take up of the Homebuy loan scheme. A recent redevelopment scheme (Abbey Heights, Waltham Abbey) completed within the district specifically for key workers, using the Government's definition comprised some shared ownership properties along with some intermediate rented housing. The shared ownership and intermediate rented properties proved very difficult to sell/rent. Homebuy has the advantage with the assistance of a loan, of allowing key workers to purchase the property of their choice, rather than renting part or all of their home. There is no evidence to show that there is significant need within this district for key worker housing, whilst the need for affordable housing for rent continues to rise significantly.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0095 / North Weald Bassett District Council
Representation 00434R	Agent Reference -
Representation Council wishes to see the wording altered by removing the words "at least" and reinstatement of the word "expect" in order to strengthen the commitment to this policy.	
Officer Response This change was made in response to an objection by GO East. It was considered that "The Council will expect..." was a statement of intent and should therefore be changed to "seek" in accordance with guidance in Circ 06/98. The use of the words "at least" provide a stronger policy which will not preclude the Council from seeking a higher amount of affordable housing should it become appropriate to do so.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A & 9.49a	Respondent Reference 0312 / Cllr Pat Brooks
Representation 00387R	Agent Reference -
Representation This is not strong enough to secure the level of affordable housing needed. If it is stated that we may "accept a lower proportion of affordable housing" developers will always find a reason why it is not possible. Para 9.49a should be re-written to make it stronger.	
Officer Response Circ 06/98 states that when considering policies for affordable housing, the economics of provision is one of the factors that must be taken into account. Whilst at least 40% will always be sought at the outset it is important to recognise that this might not always be possible, and therefore it must be shown that alternative arrangements may be negotiated.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.49a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00076R	Agent Reference 0038 / Levvel Ltd
Representation Council needs to clarify that the maximum subsidy a developer can make is to reduce the land value of affordable housing to nil, as recognised in para 9.48a.	
Officer Response It is not the case that the maximum subsidy a developer can make is to reduce land value to nil. Applications for grant funding are competitive, and therefore grant is more likely to be provided if the Housing Corporation consider the development will give good value for money. In order, therefore, to gain funding a developer may agree to provide a higher rate of subsidy to attract funding, for the affordable housing, which in itself would bring in more external funding which may make the development overall, and the affordable housing in particular, more viable. This has happened on a number of developments within the District in the past. However, the wording does not place any compulsion on the developer.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.49a, 9.50a & 9.51a	Respondent Reference 0100 / GO East
Representation 00097R	Agent Reference -
Representation	
It is not clear what the justification is for seeking a level of developer subsidy equivalent to 40% where it has been demonstrated that, relative to a site's viability, 40% affordable housing provision will not be sought. A more flexible approach needs to be adopted in order to ensure that when pursuing the 40% developer subsidy (equivalent to the provision of 40% affordable housing) and when this renders a site unviable, that the 40% may be reduced.	
Officer Response	
Considering the extensive housing need in this district, the maximum number of affordable units must be gained from all suitable sites. Where it has been proven that a development will not be viable if 40% of the total number of units are affordable, a developer will still be required to provide the same level of subsidy for a lesser number of units. However, this will result in less land being given over to affordable housing therefore allowing a larger profit to be made as more open market dwellings can be provided.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 9.49a	Respondent Reference 0119 / Leach Homes
Representation 00205R	Agent Reference 0019 / Jeremy Peter Associates
Representation	
It is not clear what the council intend by the amendment made. Further clarification is required as to what form this subsidy entails given that in normal circumstances, it is the land, which is provided for free as the requisite subsidy. If the intention is for developers to make up shortfalls in grant funding by providing more than the land, then this could place a costly burden, which could threaten the overall viability of the development.	
Officer Response	
See 00097R above	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H8A	Respondent Reference 0316 / Jon Whitehouse
Representation 00419R	Agent Reference -
Representation	
Support objectives of policy but wording of para (ii) "beyond the first occupier" implies that it is open to second and subsequent occupiers to sell at market prices notwithstanding the title of the policy and explanatory text. Replace "beyond the first occupier" with "in the future".	
Officer Response	
Point not accepted. This policy very clearly sets out that affordable housing will be secured by a legal or other agreement, to ensure that the benefit of the affordable property is passed on to all those households including and after the first occupier.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00032R	Agent Reference 0035 / The Planning Bureau Ltd
Representation Would like assurance that developers of specialised housing for the elderly will not have to comply with policy H9A. Provision of category II sheltered housing is a specific needs based form of housing, and delivers an alternative choice to "Lifetime Homes".	
Officer Response A common sense approach will be taken. Where a particular type of needs based accommodation is being provided, it will not be necessary to impose further conditions. A minor addition to the supporting text will allow this level of flexibility.	
Officer Recommendation Addition to end of 9.58a: <u>"Where specific needs based dwellings are being provided e.g. sheltered housing or for those with special needs, this requirement may be relaxed as other suitable alternative standards may apply."</u>	
Member Decision	

Policy/ Par H9A & 9.57a to 9.60a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00077R	Agent Reference 0038 / Levvel Ltd
Representation Flexibility in the text is desirable but it needs to be clarified that this is not just for economic reasons. Certain of the Lifetime Homes standards can be very challenging to achieve if rigidly applied and can lead to inappropriate housing design that may not best meet housing needs. Policy should be deleted, and supporting text should remain as an aspiration. There is no justification on housing needs basis to require that all housing meets this standard. Part M of Building Regulations adequately covers the need for all housing to be designed and constructed to an appropriate standard.	
Officer Response Para 9.58a is being amended in response to 00032R above, to indicate flexibility. PPS1 (para 13(v)) states "Development plans should also contain clear, comprehensive and inclusive access policies – in terms of both location and external physical access. Such policies should consider people's diverse needs and aim to break down unnecessary barriers and exclusions in a manner that benefits the entire community." The implementation of the Lifetime Homes standard will benefit the entire community as it will enable more people to stay in their homes should their physical needs change. Spatial planning is intended to "go further than traditional land use planning" (PPS1 para 30) and it is therefore appropriate that issues such as the accessibility of dwellings for those with a disability is considered at the design stage. The Housing Needs Survey shows there is a need for more dwellings that can meet the requirements of those with a disability, as 5,326 households have someone with a mobility problem and 78% of wheelchair users do not live in an adapted dwelling.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0100 / GO East
Representation 00093R	Agent Reference -
Representation	
Principles are acknowledged, but to require all new housing to meet this standard is overly onerous. Meeting Lifetime Homes standards are beyond the scope of planning, and would be considered under Building Regulations. Para 30 of PPS1 indicates that planning policies should not replicate or cut across within the scope of other legislative requirements.	
Officer Response	
Para 9.58a is being amended in response to 00032R above, to indicate flexibility. Para 30 of PPS1(part (v)) also states that development plans should contain clear, comprehensive and inclusive access policies. Whilst it is accepted that planning policy should not cut across the scope of other legislative requirements, it is considered in order to meet the government's spatial planning agenda that such detail should be considered at the design stage in order that any external implications of these requirements are fully assessed.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0136 / House Builders Federation
Representation 00167R	Agent Reference -
Representation	
Object that all homes should be built to Lifetime Homes standards. There is no justification in planning terms for this requirement. The Standards have no legislative backing. Planning requirements should not cut across other legislative requirements. This is a matter already dealt with by Part M of the Building Regulations. While it may be appropriate for planning authorities to seek to negotiate for a proportion of dwellings to meet this standard, it is considered excessive & unwarranted to require a specific percentage to be built to such standards. Attention drawn to appeal decision, and recent Nottingham City Council Local Plan Inquiry Inspector's Report.	
Officer Response	
Under the government's requirement for a move into spatial planning, it is appropriate that the accessibility of new dwellings is considered at the design stage. PPS1 (para30) supports this approach. Whilst some of the requirements of the Lifetime Homes Standard are replicated in Part M of the Building Regulations, they also include further requirements which allow the government's accessibility agenda to be met. Only in very exceptional circumstances will these standards be relaxed in new dwellings. The standard has been adopted by the Housing Corporation Scheme Design Standards, and it is the government's view that there should not be a marked difference between affordable and open market housing. The Nottingham Inspector's Report is not fully quoted and also states "Part M of the Building Regulations provides a minimum requirement, but there is nothing to say that the Council cannot insist on houses to LHS." This policy has been adopted in other Plans (e.g. The London Plan, policy 3A.4), and other recent Inspector's reports (e.g. Braintree District Local Plan December 2004) support this approach. Therefore in the interest of providing accessible housing the policy will remain.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0128 / Fairview New Homes
Representation 00184R	Agent Reference 0023 / RPS Planning
Representation Council should seek only a proportion of new homes to conform with these standards. Policy should state only 10% of new homes should conform with this standard.	
Officer Response This standard should be met in all but the most exceptional cases. Only where it can be proven that the requirements will make a development physically or economically unviable will the Council consider relaxing the requirements.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0074 / Barratt Eastern Counties
Representation 00200R	Agent Reference 0010 / Carpenter Planning Consultants (& Bidwells)
Representation Policy is unnecessary as it duplicates and goes beyond statutory provisions of Part M of the Building Regulations. Housing Corporation Scheme Development Standards also include specific requirements in relation to accessibility of affordable homes. Requirement will place an additional & unnecessary burden on developers of both private market and affordable dwellings. Proposed policy should be deleted.	
Officer Response See 00167R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0100 / GO East
Representation 00101R	Agent Reference -
Representation Circ 01/94 sets out wherever locations should be identified for gypsy sites they should be included in the Plan, where this is not possible an authority may include a criteria based policy. Emerging guidance in Planning for Gypsy & Traveller Sites (Consultation Paper 2004) indicates where there is an assessment of unmet need then suitable locations should be identified and criteria based policies should be used to supplement those locations. No explicit information is given, but the text implies there is an unmet need. It is understood an Essex-wide assessment of need is being undertaken. It is not clear how any future assessment of need will be taken forward by the authority in line with the emerging guidance. Text should be expanded to indicate when an assessment will be undertaken, and how any identified need will be addressed in the future.	
Officer Response This policy does not form part of the Alterations and changes will not be made to the policy itself. Para 9.69a sets out the most up-to-date information on the status of any needs assessment that may be undertaken. It is also shown in the approved LDS that Gypsy / Traveller site issues will be dealt with in a future DPD when the outcome of the East of England Plan is known.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0028 / Nazeing Parish Council
Representation 00459R	Agent Reference -
Representation Policy relegates the business activities by gypsies by a comment in para 9.68a. The matter is effectively deferred to another place. This ignores reality and is not strong enough. Add new criterion.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0028 / Nazeing Parish Council
Representation 00460R	Agent Reference -
Representation Policy is behind the times. There should be mention that conditions will be made stipulating that (i) no "bricking in" of mobile homes will be allowed - they must remain mobile; (ii) no sheds or storage; (iii) no commercial vehicles; (iv) no trade.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00489R	Agent Reference -
Representation Matters in relation to GB5, H10A & H11A should be dealt with together.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00490R	Agent Reference -
Representation Minutiae such as para 9.72a should be removed from policy statements and placed elsewhere in the document so the policy stands alone and can be clearly understood.	
Officer Response Officers disagree strongly that the contents of this para are 'minutiae'. In the context of considering the issue of travelling showpeople, it is important to acknowledge what provision is being made in the district. The para does not, in any way, interfere with the understanding of the policy.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00491R	Agent Reference -
Representation Traditional view of gypsies is they live in caravans travelling to various sites for work nearby. Sites can now contain many different elements, all within the Green Belt. EFDC policies and enforcement record do not measure up to the realities of the "real world".	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00492R	Agent Reference -
Representation Thurs 25th Aug 2005, half a "mobile home" was being unloaded at Tylers Cross Nursery, Epping Road. Traffic flow was interrupted for a considerable time. Nowhere in EFDC policies is the reality of gypsy/mobile home policy addressed.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00493R	Agent Reference -
Representation Appendix I from "Notes on Nazeing" shows the gypsy/mobile home sites in the Nazeing/ Roydon area. The list should be published as an appendix to the policy for all sites across the district. Once the redeposit work advances full details of such sites will be requested from EFDC under the Freedom of Information Act.	
Officer Response Para 9.69a of the Redeposit indicates that an assessment of gypsy/traveller needs will be undertaken, but that this should reflect a more regional approach, given the area which many gypsies operate in. The information supplied by the objector will be a useful contribution to this assessment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00494R	Agent Reference -
Representation It is believed EFDCs record on gypsy issues is poor. EFDC should be striving for a positive effective record in dealing with gypsy and mobile home issues locally.	
Officer Response Officers believe this comment is particularly unfair. The council's record on gypsy issues is good. The problem lies with the time it takes to deal with all the legal complications arising from the serving of injunctions and dealing with Human Rights legislation. It is acknowledged that time is a problem, particularly for residents who have been disturbed, or felt threatened, by some of the larger encampments which have established themselves recently, but the council has eventually been successful in achieving their removal.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H13	Respondent Reference 0094 / Loughton Residents Association/
Representation 00041R	Agent Reference -
Representation Concerned that H13 has been deleted. It would continue to be valid and useful and should be retained with a possible exception added in relation to mixed-use sites and Town Centres, which are covered elsewhere.	
Officer Response Representation repeated from First Deposit. Officer response still stands. "It is not necessary to retain this policy, as paragraph 11.43a now recognises the importance of housing in town centres, but also seeks to control this to ensure it is not to the detriment of town centres."	
Officer Recommendation No change	
Member Decision	