

Firstplan

**ROCHFORD CORE STRATEGY
RESUMED EXAMINATION**

**STATEMENT
BY
STOLKIN & CLEMENTS (SOUTHEND)
LLP**

**STOLKIN AND CLEMENTS
(SOUTHEND) LLP [9891]
REPRESENTED BY FIRSTPLAN
[8501]**

REPRESENTATION 26377



STATEMENT

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SECTION 1: INTRODUCTION

- 1.1 Firstplan has been instructed by Stolkin & Clements (Southend) LLP (S&C) to provide a statement in relation to the matters and issues for the resumed examination, 1st -3rd February 2011.
- 1.2 Our clients own land known as Tithe Park, which is a site of 35 hectares, and which lies immediately to the north of the existing urban edge of the Borough of Southend-on-Sea, and is bounded to the north by Poynters Lane. The site is available, deliverable, and suitable for residential development. It is owned solely by our clients and can be brought forward for development at short notice. To our knowledge there are no major obstacles to development of the site, which is currently in agricultural use.
- 1.3 Firstplan represented S&C at the public examination in May 2010 and this statement should be read in conjunction with our previous statements on housing and employment, which were submitted in April 2010.
- 1.4 This statement clarifies S&C's position in relation to the schedule of proposed changes and why we believe the draft plan is unsound as it is currently drafted.



SECTION 2: HEARING MATTERS AND ISSUES TO BE DISCUSSED IN THE RESUMED EXAMINATION

2.1 As requested by the Inspector, we have specifically addressed the issues raised by her in her note dated 15th December 2010.

1) General

a) **Given that the East of England Plan remains in place as part of the development plan, in what ways and to what extent would the proposed changes result in the Core Strategy failing to meet the requirement to be in general conformity with the East of England Plan, and are there any local circumstances that would justify any lack of conformity?**

2.2 As the East of England Plan is still in place, the housing target of 250 dwellings is part of the development plan and must be reflected in the Core Strategy. This is required by PPS12 which sets out that Core Strategies must be in general conformity with the RSS in order to be legally compliant.

2.3 The proposal to provide the housing figure as a maximum is also in conflict with the East of England Plan which sets out minimum housing targets in Policy H1, confirming that targets should not be regarded as ceilings which should not be exceeded.

2.4 There are no local circumstances to justify lack of conformity. The information submitted by Rochford shows that there is a significant need for housing, particularly affordable housing, and therefore a reduced target should be found unsound.

b) **What weight should be given to the Secretary of State's intention to abolish Regional Spatial Strategies, and what are the implications for the Inspector's consideration of the proposed changes?**

2.5 The Localism Bill is at the first stage of the law making process and has only just begun its passage through Parliament. The Secretary of State's intention to abolish Regional Spatial Strategies should therefore be given limited weight.



2.6 The second Cala Homes High Court judgement has not yet been made, and we understand that this is anticipated at the end of January. However, it is noteworthy that the High Court has ordered a stay on the Secretary of State's letter, dated 10th November, until further notice.

2) Location and supply of new homes

a) Would the revised CS meet the requirements of PPS3, having particular regard to paragraph 33 and paragraphs 52 – 61?

2.7 Notwithstanding that we believe that the revised housing target is unsound, if the Inspector is minded to find the reduced housing target sound then numerically the Core Strategy will deliver a 15 year supply of housing.

2.8 However, Paragraph 33 of PPS3 requires that in determining housing provision, evidence of current and future levels of need and demand are taken into account. The Rochford Topic Paper 3 'Sustainable Housing Allocation for Rochford District' considers housing need, and paragraph 3.23 confirms that the SHMA and the DCLG projection on housing growth both demonstrated a much higher demand for additional dwellings than that set out within the RSS. Furthermore the SHMA (2010) found a need for 196 affordable dwellings per annum. Despite these high demand figures it is proposed to reduce the housing target. The revised Core Strategy therefore does not meet the requirements of PPS3.

2.9 Paragraph 54 of PPS3 requires that the five year supply of housing should be made up of sites which are available, suitable and achievable. The same areas are proposed in the revised Core Strategy and we consider that a number of these sites are unsuitable for housing, the revised Core Strategy therefore fails to meet the requirements of PPS3 on this basis.

b) Is there sufficient justification for using the Option 1 Figures from the EoE Plan 2031?

2.10 There is no justification for using the Option 1 figures because the RSS is still part of the statutory development plan, and, therefore, the housing target of 250 dwellings per annum should be used.



2.11 Furthermore, the Option 1 figure has not been through examination and the East of England Plan to 2031 has now been abandoned, so it should now be given very limited weight, if it is still considered to be a material consideration.

c) Would the revised CS comply with the requirement in PPG2 that Green Belt boundaries should be revised only in exceptional circumstances?

2.12 PPG2 states that:

“where existing local plans are being revised and updated, existing Green Belt boundaries should not be changed unless alterations to the structure plan have been approved, or other exceptional circumstances exist, which necessitate such revision.”

2.13 In this case there are exceptional circumstances owing to the housing and employment land need in the area, and the lack of available sites outside of the green belt. The exceptional circumstances are discussed in Rochford Topic Paper 4 ‘Revision to the Green Belt boundary’ and our clients support an appropriate green belt boundary review.

d) To the extent that the revised CS allows for the potential release of Green Belt land to meet housing needs, is there sufficient clarity on when and how such land would be released, for example what would trigger the need to review the Green Belt boundary?

2.14 The Green belt boundary should be reviewed as part of the Site Allocations DPD. This will ensure that the revisions are reviewed by a Planning Inspector and, if appropriate, they will be found sound.

e) Would the revised CS provide sufficient flexibility and a continuous supply of housing land?

2.15 The proposal to provide the housing figure as a maximum is not flexible. This is particularly the case because it is now proposed to reduce the figure to well below housing demand levels.



2.16 There is also no flexibility in a situation where sites do not come forward in the allocated locations resulting in the housing targets not being met. The phasing of allocations are also rigid and should be more flexible.

3) Sustainability

a) Would the proposed changes have a positive or negative impact on sustainability, and would the revised CS strike the right balance between meeting development needs and environmental considerations?

2.17 The Rochford Topic Paper 3 asserts that having regard to PPG2 and other sustainability issues, it is appropriate to minimise the amount of development taking place in the green belt.

2.18 Whilst land outside the green belt should be prioritised for development, the lack of available land outside of the green belt should not be a reason for reducing the overall housing target. There are social and economic considerations which must be given weight and it is important that the level and location of housing proposed meets the needs of the population.

4) Any other matters arising from the Proposed Changes

2.19 We note that in the Rochford Topic Paper 3, the role of Basildon and Southend are discussed at Section 5 and it is concluded that the majority of economic development opportunities and employment growth within the housing market area are projected to occur outside of Rochford District. It is therefore argued that housing growth should be redirected through active intervention by policy makers to other locations within Thames Gateway South Essex.

2.20 There is no discussion about the possibility of joint working between authorities and it is not explained who the 'policy makers' will be who reallocate these houses. This is particularly a concern given that the Government Office for the East of England has now been disbanded.

2.21 As our clients explained in their previous representations, the allocation of sites for housing as set out in the Core Strategy does not represent the most sustainable option, given the National planning policy objective of locating homes close to jobs and services. The option of developing an urban extension to Southend at Tithe



Firstplan Statement on behalf of Stolkin & Clements (Southend) LLP

Park is a more sustainable option but has not yet been considered in sufficient depth by the LPA. In our view, this renders the Core Strategy unsound, because the evidence base has not considered all reasonable alternatives.



SECTION 3: CONCLUSIONS

- 3.1 The schedule of proposed changes is unsound because the RSS has now been reinstated. The housing target of 250 dwellings is part of the development plan and must be reflected in the Core Strategy.
- 3.2 The proposal to provide the housing figure as a maximum is also in conflict with the East of England Plan which sets out minimum housing targets in Policy H1, confirming that targets should not be regarded as ceilings which should not be exceeded
- 3.3 Our clients continue to object to the proposed locations for housing. As currently drafted, Policies H1, H2 and H3 are neither justified nor consistent with national policy. A sustainable urban extension to Southend in the location of the Tithe Park site could be a preferred choice compared with the provision of large extensions to less well located existing villages and small towns elsewhere in Rochford District.

