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Rochford Core Strategy

Matters and Issues for the Resumed Examination, February 2011

Response on Behalf of Mr G Marshall

The following responds to the specific matters and issues raised by the Inspector in response to the changing planning position as a result of the court cases relating to the CALA Homes legal challenges. Our position on this was made clear in our response to the Proposed Changes to the CSS (Revised CS) in November 2010, and the following will add to this response in light of the Inspector's specific questions.

Our specific responses are as follows, under each of the Inspector's questions.

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?**

Our response in full to the Proposed Changes set out our position that the consultation on the CS Proposed Changes is premature, and indeed discords with the RSS. The East of England Plan remains as a document that at present

the Core Strategy needs to accord with in line with PPS12 para 4.50. The Proposed Changes would therefore discord with the RSS and make the CSS unsound.

As a consequence, the Council should withdraw the Proposed Changes, and revert to the Core Strategy Submission document, amended to include the land at Peggle Meadow. If not, then the Inspector must therefore find that the Revised CSS is both unsound, as it is not consistent with the clear advice of PPS12 and PPS3, has a flawed evidence base, and it is not legally compliant with the 2004 Act.

The Council's suggested environmental constraints are no different to any other south Essex district and do not justify underplanning the growing housing needs in the District.

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?

Whilst statements of emerging Government policy can be considered to be material, in this case the Secretary State's letter is simply a statement of intent, and the draft Localism Bill does not provide sufficient detail to properly assess the replacement policy framework. Indeed, the Bill has a long way to go, and will not be enacted before the Inspector's report. Given this, the Inspector must work within the present planning framework which includes the RSS.

The RSS is a strong material consideration that RDC have erroneously disregarded.

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?

We have made comment on the deficiencies in the Council's evidence base for formulating housing projections, and explained how the Council's approach is neither flexible nor responsive in our comments on the Proposed

Changes. Indeed, it does not take account of the extremely poor delivery of housing and particularly affordable housing over the last 10 years.

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

The reduction in numbers is not justified by the use of option 1 figures, which the Council misquote as this is intended by DCLG to relate to the original RSS, and the reduction will both fail to meet the current shortfall, and accentuate this during the CS Plan period. The consequence is that urgent housing needs in the district will not be met, in particular affordable housing needs, as set out in our response to the Proposed Changes.

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

In our view, the urgent need for new housing combined with the acceptance that this need cannot be met from urban intensification alone, justifies exceptional circumstances as set out in paragraph 2.6 PPG2.

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?

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

In answer to both questions, the approach of the Council in underplanning for housing needs, and ignoring current deficits, means that insufficient land is being released from the Green Belt, particularly land that can be developed early such as the land at Peggle Meadow, which could involve a premature review of Green Belt boundaries contrary to the PPG2 aim of ensuring that boundaries endure.

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?**

The Council are seeking to over-state this consideration in order to justify a political decision to avoid growth. Indeed, in attempting to claim that they are 'balancing' growth and environmental considerations, means in effect a tacit admission that needs are not being fully met. The Council fail to deal with the harm caused by this failure, or identify how or where such needs will be met.

4) Any other matters arising from the Proposed Changes

The Inspector is urged to revert to the CS Submission draft, amended to include further growth locations including the land at Peggle Meadow.

We would be grateful if the Inspector could give weight to the responses above, and look forward to attending the resumed Examination and explaining our concerns in more detail.