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My Ref: SH-CS29072011  
Your Ref:

Date: 29 July 2011

Dear Miss Graham,

**Re: Rochford District Core Strategy: Request for suspension of examination**

The Council have been considering its position in relation to the Core Strategy in light of the current situation; namely the attempts by Government to change national planning policy, the statements issued, and the subsequent decision that such actions were unlawful. This has, as you will be only too aware, caused considerable delays to the Core Strategy process and placed the Council in a difficult position in relation to its planning framework for the District. The Council has endeavoured to overcome such difficulties and to proceed with ensuring the Core Strategy is in place in a timely manner. We appreciate your efforts in responding to these changing and challenging circumstances throughout the examination, and are most grateful for your advice throughout the process.

Notwithstanding the Council's desire to progress its Core Strategy to adoption, there are two key issues facing the Council in this respect, as clarified within your recent correspondence and in light of recent Court Rulings, namely:

1. The Secretary of State's revocation of Regional Spatial Strategies - which led to the Council making amendments to its Core Strategy – has been ruled unlawful by the Courts. In particular, we note the recent Court of Appeal decision on 27 May 2011 in which it was found that the Secretary of State's intention to revoke Regional Spatial Strategies could not be a material consideration in the plan-making process. As such, we recognise that at this current time you are not in a position to be able to support the proposed amendments to the Rochford District's Core Strategy that resulted from the attempt by Government to revoke Regional Spatial Strategies.
2. As a result of the situation described in point 1 above, the Core Strategy examination has been subject to such significant delays as to now require amendments in respect of

timeframes contained within the plan.

In light of the above, further amendments to the Core Strategy are clearly required. The Council identified two options of how to proceed, which were considered by Council on 21 July 2011 (copies of reports and minutes enclosed).

One option was to amend the Core Strategy such that it unequivocally conforms to the East of England Plan (2008), i.e. amend the current policy of providing 190 dwellings per annum to 250.

However, such an approach would require significant amendments to the Core Strategy, resulting in a change in policy which would have to be formally agreed by Council, and subjected to appraisal and consultation. Furthermore, the approach of providing 250 dwellings per annum in Rochford District is not considered to be appropriate, as identified at the regional level in the review of the East of England Plan (RSS31).

Amendments to the Core Strategy to be in absolute conformity with the Regional Spatial Strategy would not only result in an inappropriate housing figure for Rochford District – a figure at odds with that which was identified at the regional level as a sustainable number for Rochford District to accommodate – but would also necessitate significant delays to the Core Strategy process, and as such would be contrary to the Government's desire to see Local Planning Authorities press ahead with preparing up-to-date development plans for their areas.

Furthermore, we note that the Localism Bill is expected to achieve Royal Assent in November 2011, and that one of the key elements of the Bill is the abolition of Regional Spatial Strategies. As such, the requirement to conform to the East of England Plan (2008) – and to pursue the outdated housing provision figure for Rochford District set within it – is likely to be short-lived, particularly in the context of plan period stretching beyond 15 years.

The alternative option is to retain the existing approach within the Core Strategy of providing 190 dwellings, but to suspend the examination until December and reconsider the Core Strategy accounting for the outcome of the Localism Bill.

Such an approach would necessitate relatively minor changes to the Core Strategy so as to ensure a likely adoption date within 2012 is accounted for. Such changes could be implemented prior to Royal Assent of the Localism Bill.

This approach would allow the issue of housing provision in the Core Strategy to be considered in light of the most up-to-date data, information, and Government policy. In addition, this approach would also ensure we are able to proceed with the preparation of the Core Strategy in the timeliest manner available to the Council, as opposed to the option of making more significant changes to the Core Strategy, and would therefore accord with Government advice in this regard.

We note recent precedent for suspension of Core Strategy examinations in light of national planning policy uncertainty, including at Luton and Bedfordshire, Surrey Heath, and South Wiltshire.

Having regard to all of the above, the need to take a swift route to achieving the aims of the plan-making system, and the advice contained within the Planning Inspectorate's *Examining DPD's: Procedure Guidance (2009)*, Rochford District Council respectfully requests suspension of the Core Strategy examination until December 2011.

Yours sincerely,

**Samuel Hollingworth**  
**Planning Policy Team Leader**