

EE3

ROCHFORD CORE STRATEGY EXAMINATION

11th MAY 2010

Evidence of Martin D Hull, BA MA MRTPI

**On behalf of
BARRATT EASTERN COUNTIES**

KEMBER LOUDON WILLIAMS LTD
Planning • Urban Design • Environment

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CIVIC SUITE, HOCKLEY ROAD, RAYLEIGH

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References:

Respondent:	Barratt Eastern Counties
Respondent Number:	16915 to 16928
KLW:	KLW/07/145
Date:	14 ^h April 2010

INTRODUCTION

This evidence is submitted on behalf of Barratt Eastern Counties who are responding pursuant to representations made last year and identified as 16915 to 16928. My understanding is that this evidence supports the representations made last year and that these will be considered in conjunction with this evidence. I confirm that Barratt eastern Counties wish to attend on matters relating to :

1. Spatial Vision
2. Location and supply of new homes
3. Employment and economic development
4. Infrastructure requirements
5. Retailing and town centres
6. Flood risk

1. SPATIAL VISION

Does the CS present a clear spatial vision for the Borough?

1.1 Page 37 of the CS sets out the spatial vision and this is supported by the 4 corporate objectives. There is no link between the Vision statement at 3.1 and the 4 objectives. The CS does not explain what difference will be made in each of the objectives to achieve the Vision statement. 'Making a difference to our people' is not supported by any statements of how this will be achieved. Does it mean providing better leisure facilities, more affordable homes or better education to meet known deficits? Equally the other corporate objectives fail to translate the headline issues the Vision is seeking to achieve. Despite the information provided in Chapter 2, the spatial vision does not deliver a clear message to guide local people, developers and other interested stakeholders. This does not set the right framework for a document that will last in excess of 15 years.

1.2 In other representations I question the validity of looking forward only 15 years and at paragraph 2.32 of the SCS the Council identify their 15 year requirement. However, I place considerable weight on paragraph 53 of PPS3 and the need to look beyond approved RSS timescales and at the Review of RSS. The spatial vision needs to acknowledge that the Core Strategy will be looking forward beyond the next 15 years from adoption and reflect that in its core statement.

1.3 The spatial vision fails to acknowledge the severe affordable housing shortfall that is evidence by the previous annual monitoring reports. Policy H2 of the EEP 2008 has a target of 35% affordable housing coming forward through planning permissions. EEP notes the widening of the ratio of house prices to incomes (paragraph 5.7 of the EEP) and that studies reveal that some 11,000 new affordable homes are required in the region each year.

1.4 Policy H4 of the SCS seeks 35% affordable housing. The supporting text to the Policy explains that "the Thames Gateway South Essex Strategic Housing Market Assessment identified an acute need for affordable housing within Rochford District, equating to 131 net additional affordable dwellings per year" (paragraph 4.30 of the SCS). Paragraph 4.31 of the SCS then explains that the Council's own Housing Strategy 2009 identifies a "severity of the need for affordable housing in the District and one of its key priorities is to maximise the provision of affordable

housing through the planning system." RDC has an agreement with Rochford Housing (part of the Sanctuary RSL) for delivery of 50 dwellings per year. This has not been achieved.

1.5 I have looked at the Thames Gateway South Essex SHMA and note Figure 5 on page 51 demonstrates that Rochford District exceeded the Regional Average of homes not considered to be decent. Figure 9 on page 74 notes that Rochford has the second lowest public sector (social) housing provision at 9%. The Council's annual monitoring report (AMR 2009) notes on page 18 that only 1 affordable housing unit was provided in that time period. This is a severe underachievement of affordable housing provision and a backlog that continues to show no sign of stopping. The RDC Housing Strategy at paragraph 3.22 notes that Rochford has the highest house prices in the lowest house price bracket. Such high entry prices make the District the least affordable at the lower end of the market. New households cannot find suitable accommodation and are forced to live in temporary accommodation. As a consequence the spatial vision needs to identify affordable housing provision, and housing provision generally as a key issue on page 37 of the SCS.

Will it deliver sustainable development in accordance with national and Regional policy?

1.6 The CS spatial vision will not deliver sustainable development in accordance with Government policy. Whilst prioritising the use of previously developed land ("pdl") is supported in principle, the District Council is also promoting a strategy which seeks the redevelopment of existing employment locations to alternative uses and by consequence is identifying green field sites for new employment development elsewhere (Policy ED4 refers). This 'land swapping' is not considered consistent with PPS3, nor is it considered to be justified or effective in delivering the desired strategy. This is particularly the case as most of the existing employment sites are occupied and therefore unavailable for redevelopment. Paragraph 38 of PPS3 for example only supports re-use of vacant and derelict sites or commercial and industrial sites for mixed use town centre developments. The advice then refers readers to PPS6 which has now been replaced by PPS4 published in December 2009. This includes further advice on what should be allowed.

1.7 The Government's objectives are for sustainable economic growth (paragraph 9). The bullet points at paragraph 10 then explain that reducing the need to travel by car is a component of this objective. The policy encourages economic growth and redevelopment of town centres uses providing these are within existing centres. The advice of what constitutes an appropriate town centre use is given at paragraph 7 of this PPS. The current SCS envisages a significant amount of residential development as part of the regeneration initiatives for Eldon Way Industrial Estate adjacent to Hockley Town Centre, the publication of this PPS would require that strategy to be re-examined and hence changes to the spatial vision. The requirement is that a sound evidence base must be employed to plan positively (Policy EC1). The SCS for its employment sites needs to be considered again in the context of this new PPS and this assessment will ultimately have an impact on the amount of Green Belt land necessary for housing development and therefore the spatial vision.

1.8 Policy EC2 of PPS4 provides direct policy advice on planning for sustainable economic growth. Criterion a) seeks a positive approach through identifying priority areas where there is deprivation and where regeneration is urgently required. This is not the case with the Eldon Way Industrial area or some of the other estates.

Criterion b) seeks support for existing business sectors and planning for their expansion and contraction. Eldon Way Industrial area is well used with nearly all of the 50 plus units in occupation. A strategy for their removal would be at odds with PPS4. Criterion c) seeks to ensure Greenfield sites are not released unnecessarily, and this requires that the Examination test the merits of redeveloping a large number of employment sites in Rochford for residential purposes and the allocation of Green Belt land elsewhere for employment. Whilst I understand that a large employment area adjacent to Southend Airport has been granted permission recently, this does not mean that these issues should not be tested. Importantly, criterion f) places significance on sustainable transport and other infrastructure - although in the context of new development. In the case of Eldon Way Industrial area, the existing sustainable location next to the railway station makes it a highly sustainable site where retained employment uses should occur. Criterion i) only encourages alternative uses if it is on vacant or derelict buildings. This is not the case at the Eldon Way site, Rawreth Lane or part of the Star Lane estate at Great Wakering. Clearly RDC's reliance on redeveloping employment sites is not supported by most recent Government policy.

1.9 Policy EC3 sets out a series of policy statements about how centres should be planned. This policy is controlled by paragraph 7 of PPS4. In this context it is clear that significant introductions of residential uses into a town centre are not supported by Government. Indeed this town centre policy also applies to extensions to town centres (EC3.1(bii)), paragraph 7 also controls the type of uses that would form an extension to town centres. The Council's strategy for the Eldon Way Industrial Estate adjacent to Hockley Town Centre, and other employment sites is unsound and the spatial vision will need to have regard to this.

1.10 PPG13 remains relevant and integrating accessibility by alternative modes to the car with land uses is a key component (paragraph 19). Major generators of travel such as employment should be focuses in towns or urban areas (paragraph 20). In view of the supporting text to Policy T4 of the SCS, it is noted that the South Essex Rapid Transit policy, as elaborated upon at paragraph 10.16 notes that Rochford is not served but may be served in future phases. This uncertainty is contrary to the delivery principles of soundness and directly puts at issue the employment land supply strategy in the District which is founded on sustainable access to new sites. In relation to PPS12, the ability to deliver sustainable green field employment sites away from the top tier settlements of Hockley, Rochford and Rayleigh is clearly not the most sound approach.

Is the approach in the CS consistent with the requirement in Paragraph 4.5 of PPS12 that the CS should make clear spatial choices about where development should go in broad terms?

1.11 Generally there is an acceptance that Green Belt land should be developed and that this should take place in sustainable locations – namely the top tier settlements. The key diagram identifies the broad locations noted at H2 and H3 and in this context it is appropriate.

1.12 In view of the above comments I suggest the following amendments:

“To ensure that Rochford develops over the next 20 years as a place where there is sufficient and affordable homes of a decent quality, opportunities exist to work in locations which are readily accessible to where people live, and where there is a balance between new development and the requirement to protect the District’s environmental resources.

To support this, the Council will encourage

1. *sufficient new homes in sustainable locations adjacent to existing settlements to enable the community to grow and benefit from good quality living environments.*
2. *maintenance of the broad extent of the Green Belt, although exceptional release of some Green Belt land in urban fringe locations will be supported.*
3. *Protection of areas identified as having landscape and ecological importance and protection of the countryside generally from inappropriate development.*
4. *Maintenance and improvement of existing sustainably located employment sites, together with the creation of new employment opportunities.*
5. *Improvement of existing leisure and community facilities and infrastructure considered necessary to deliver the levels of growth identified in the Regional Spatial Strategy and this Core Strategy.”*

2. LOCATION AND SUPPLY OF NEW HOMES

Will the strategy deliver the number of new homes required to meet the RSS requirements?

2.1 The EEP 2008 reflects the Housing Green Paper, Homes for the Future: More Affordable, More Sustainable, July 2007. The key priorities in the Green Paper were to increase the levels of new provision to 240,000 additional homes per annum nationally by 2016 and increase the levels of socially rented and low cost ownership. The EEP 2008 notes at paragraph 5.2 that areas around London experience most pressure for housing. Affordability is also noted as being acute in coastal and rural areas. The Plan is premised on an annual average of at least 26,830 net additional dwellings a year from 2006 onwards. Paragraph 5.4 asks local authorities to plan for an upward trajectory of house completions for 2006 to 2021. As soon as possible the annualised requirement should be met and then any shortfalls should be added.

2.2 The Panel Report, which was published in June 2006, noted at paragraph 7.11 that an upper dwelling requirement figure was difficult to identify given the nature and influences on the regional housing market but accepted that a 'step change' in housing provision was necessary. The proposed 478,000 net additional dwellings in the Draft EEP published in 2004 was considered too low and that a figure in excess of 500,000 net additional dwellings or around 20% above previous plans was more appropriate. The EEP 2008 now sets a minimum of 508,000 net additional dwellings which when offset against those already built in the period 2001 to 2006 produces an annualised minimum requirement of 26,830 dwellings per annum. In relation to Rochford District, the Panel anticipated no change from the 2004 draft EEP and supported 4,600 net additional dwellings for the period and this minimum requirement appears in the EEP 2008. A strategy, as set out in Policy H2 and H3, which does not express the 'dwellings by ' as minimum is contrary to RSS and the document is unsound as a result.

2.3 The Council note that 6.3 of CS that the District is within the Thames Gateway Sub Region where Policy SS7 applies. Paragraph 3.32 of EEP 2008 explains that where Green Belt review is due to take place the objective should be to avoid further review before 2031 i.e., plan for housing growth up to 2031. This paragraph of the EEP 2008 goes on to explain that when development plan documents are reviewed the growth rates will be based the same rates for 2021 to 2031 should be the same as the average between 2001 and 2021. This paragraph together with PPG2(paragraph 2.6) which seeks long term planning where Green Belt review is necessary and PPS12 (paragraph 4.46) which seeks longer term planning beyond 15 years where circumstances favour that indicates to me that the housing strategy is too short term and should consider Green Belt release to 2031. Paragraph 3.33 of EEP goes on to encourage safeguarding of sites to deliver growth in the period 2021 to 2031. In this context, I submit that H2 should not identify dwelling numbers as targets but as minimums and that higher numbers of dwellings should be sought provided that any proposals create a new, defensible Green belt boundary, comply with local character, and has regard to amenity and environment.

H2 should be amended:

"The residential envelope of existing settlements will be extended in the areas set out below and indicated on the key diagram, to contribute to the 5, and 10 year housing land supply to 2021. The areas identified will be specifically identified in a site allocations DPD and the dwelling numbers will be determined by issues of character,

amenity, environment and achieving a defensible new Green Belt boundary. As a consequence and in order to achieve a step change in housing delivery each area should achieve at least a minimum of:

Area	Minimum dwellings by 2015	Minimum Dwellings 2015 -2021
North of London Rd, Rayleigh	450	550
Est Rochford	50	150
West Hockley South Hawkwell	175 up to 330*	
East Ashingdon	100	
South West Hulbridge		250
South Canewdon		60

- evidence is available that up to 330 dwellings can be achieved in this Area.

Development within the above areas will be required to be comprehensively planned and will include a range of uses and infrastructure to accord with the Core Strategy including Appendix H1 and Policy CLT1.

Land will be released only in order to ensure a constant 5 year supply."

2.4 The EEP 2008 is being reviewed (I have previously requested the review material be a Core Document) to extend the period to 2031 and this process was begun in the Autumn of 2009. Paragraph 53 of PPS3 requires this to be taken into account. This review is partly in response to the requirement that RSS should plan for at least 20 years, whereas the time left is now only 11 years. This review will be carried out by the East of England Regional Assembly (EERA) and will consider new population and housing trajectory data. The Sub Area Profiles published as part of the initial consultation in the Autumn of 2009 envisage testing housing growth by reference to 4 scenarios. These are:

- Scenario 1 - 26,060 new homes p/a – continuation of existing target and broadly based on the views of local councils in the region. It rolls forward the amount and distribution of growth in line with the current EEP 2008.
- Scenario 2 - 30,100 new homes p/a – promotes growth in areas identified by the Regional Scale Settlement Study published in January 2009. Chelmsford would grow to be a regional city, three medium-sized new settlements of up to 20,000 homes located in Central Bedfordshire, Huntingdonshire and either Uttlesford or Braintree – and smaller increases in Peterborough, Suffolk and the rest of Essex. Rochford would be maintained at 5,000 net additional dwellings between 2011 and 2031.
- Scenario 3 – 29,970 new homes p/a – promotes growth around successful business locations where new jobs are attracting workers. Additional growth is spread over many districts but with a particular focus on Hertfordshire, south Essex and Cambridgeshire. Rochford would be maintained at 5,000 net additional dwellings between 2011 and 2031.
- Scenario 4 – 33,650 new homes p/a – promotes growth where households are projected to grow. It is based on long-term past trends and includes data such as such people living longer and people moving into the region. It projects forward the Government's own household data and at paragraph 3.6 a 16% population increase is

envisaged. This scenario focuses the majority of additional growth in Hertfordshire, Essex, Norfolk and Suffolk. Rochford's requirement would be 8,000 net additional homes between 2011 and 2031.

2.5 Scenarios 2-4 will test the Government's view that more homes are needed in the region although EERA has already rejected the highest end of the range of new homes being proposed by the Government – about 39,000 new homes a year that was originally put to EERA. It is clear that even at the minimum rate Rochford will need 250 dwellings per annum to 2031. Scenario 4 envisages 8,000 net additional dwellings in Rochford, which is 400 dwellings per annum.

2.6 The evidence from the EEP Review is sufficient to be able to Plan effectively at least until 2031. It reinforces my view that specific target dwelling numbers should not be included under H2 or H3 of the SCS and that any numbers are expressed as minimums with higher numbers sought if they comply with matters of acknowledged interest. I conclude that 250 dwellings per annum should be carried forward to 2031 in the Core Strategy in order to comply with paragraph 53 of PPS3, paragraph 2.6 to 2.10 of PPG2 and PPS12..

Is the CS consistent with PPS3 particularly in respect of the following:

- i) the requirement to address housing delivery for at least 15 years from the date of adoption
- ii) bearing in mind that Green Belt releases may be necessary, does the CS provide the appropriate context and give adequate guidance for a subsequent site allocations DPD to readily identify the land needed without having to re-visit strategic considerations.
- iii) Is there sufficient flexibility.

2.7 PPS3 explains at paragraph 53 that there should be at least 15 years worth of deliverable net additional dwellings from the point of adoption. The CS and its evidence base is not consistent with PPS3.

2.8 Firstly the SHLAA, its pro-forma and hence CS is premised on gross dwellings. Sites that include existing housing that has to be demolished to make way for new housing must also be assessed as per PPS3. The pro-forma in the SHLAA refers only to '*estimated capacity for the area*' and '*estimated appropriate capacity for the area.*' This is an assessment based on a density methodology. This is not an assessment of future losses which is what needs to be assessed. I find the SHLAA to be unreliable and this further reinforces my view that dwelling numbers noted under Policy H2 and H3 should be minimum numbers with higher dwelling numbers encouraged where they comply with Green Belt, environmental and other considerations.

2.9 Secondly, the wording of policy H3 of the CS is that the sites after 2021 are only safeguarded. Safeguarded land is land set aside for periods well beyond the plan period. This being the case, H3 sites do not form part of the land supply and so H2 is where the land supply finishes – only 10 years on from Examination Year. This implies that the Plan period is only for 10 years since these sites are identified for 2021 onwards.

2.10 Thirdly the last sentence of paragraph 53 is very important as it requires LPA's to have regard to emerging RSS. I have explained the implications of the EEP Review in my evidence above. Not to have regard to this in the CS is contrary to PPS3 and so the CS is currently unsound. Again this reinforces my view that the amount of housing

from the sites at H2 and H3 of the CS are insufficient and significant rewording is required.

2.11 In view of the evidence from the EEP Review it would seem to me that Green Belt releases are necessary. The key issue therefore is whether the H2 and H3 sites can deliver the additional housing likely up to 2031. If they can then the CS can be made sound by rewording of the policy and supporting text. If more sites need to be found then the CS will fail and it will have to be reviewed and strategic considerations revisited. Barratt Eastern Counties have submitted an application and appeal for a site at South Hawkwell. It is for 330 dwellings which is the carrying capacity for the site area once Green Belt, amenity, environmental and character issues have been taken into account. I include some basic details at Appendix 2. If this particular area can achieve more than the minimum 175 identified in Policy H2 of the SCS then there may be no reason why other areas cannot achieve the same. As such I conclude that the identification of areas under Policy H2 of the CS should be sufficiently sound to enable a site allocations DPD to be formulated without needing to reconsider strategic issues or to include Stambridge Mills (I refer to this under the flood risk topic area).

2.12 As currently worded there is not sufficient flexibility in the CS as required by paragraph 4.46 of PPS12. By planning for only 10-15 years, the LPA is making a short term assessment of its Green Belt whereas Green Belt policy is that LPA's plan for the longer term (paragraph 2.6 of PPG2). In fact the wording of policy H3 of the CS is that the sites after 2021 are only safeguarded. Safeguarded land is land set aside for periods well beyond the plan period. This implies that the Plan period is only for 10 years since these sites are identified for 2021 onwards.

3. EMPLOYMENT AND ECONOMIC DEVELOPMENT

Will the Core Strategy ensure that sufficient land is available to meet the additional jobs required by the RSS in the most appropriate locations?

3.1 It is considered that to grow non aviation related employment at a location north of Southend Airport where sustainable access from the rest of Rochford District requires careful consideration. Most Airports are serviced by aviation related employment development and as such a location close to the airport is sensible and sustainable. However, for surface access reasons it would be inappropriate to encourage travel from Rochford's main settlements to what essentially would be a rural location for general employment uses. Whilst sustainable access would be improved by a railway station and better bus links, there is no evidence to suggest that a sustainable surface access strategy for non related employment development at the Airport can be achieved. Paragraph 11.22 explains the critical importance of a railway station to the delivery of the strategy yet the Transport Chapter and Implementation Chapter provide neither a policy nor an assessment of deliverability. It is also notable that the South Essex Rapid Transit Policy T4, as set out at paragraph 10.16, notes that Rochford is not proposed to be served but may be served in future phases. This uncertainty is no way to plan for a major employment land supply strategy in the District. The Southend Airport employment site has more to do with supporting Southend on Sea's employment needs than those of Rochford. In relation to PPS12, the ability to deliver sustainable green field employment sites away from the top tier settlements of Hockley/Hawkwell, Rochford and Rayleigh is unsound and inconsistent with the CS.

3.2 In part, the de-allocation strategy is not supported as it is considered unsound when set against sustainability criteria. In relation to the Eldon Way Industrial Estate it is considered critical to the ongoing sustainability of this settlement that employment uses are maintained at this location. It is close to the railway station, bus routes and local residential areas from which the opportunity exists for employees to walk or cycle to work. Its location adjacent to the Town Centre offers opportunity for some retail and leisure development to complement the centre and to maintain a supporting function. These sustainable benefits would not occur with the de-allocation of Eldon Way or the significant erosion of its employment floorspace. Whilst redevelopment of the employment site to achieve new employment is supported, the dominant land use should continue to be employment use. As a consequence, the 18ha of land required for employment in this policy is considered to be excessive and the policy should be reviewed to explain that redevelopment of existing employment sites for primarily new employment development will be encouraged.

3.3 Policy ED3 contradicts the statements in Policy H1 and elsewhere which seeks to develop on alternative uses at industrial estates such as Eldon Way.

3.4 This contradiction is evidence in the second paragraph of Policy ED3. In our representations on Policy H1 we have explained why it is not sound to diminish the employment stock at Eldon Way and the importance of maintaining a dominance of employment type uses at this estate. These arguments are not repeated here.

3.5 We note the sentiments of the third paragraph and in accordance with our representations elsewhere are of the view that this sentence should be revised to explain that Eldon Way will accommodate principally employment type uses. As noted elsewhere uses which are an alternative to employment would diminish this highly sustainable employment site and this is unsound when assessed against National Policy.

4. INFRASTRUCTURE REQUIREMENTS

Does the CS clearly identify critical infrastructure to support the development proposed, and does it articulate what, when and by whom it will be provided?

4.1 It is noted that the South Essex Rapid Transit policy, as elaborated upon at paragraph 10.16 of the CS notes that Rochford is not a hub and is not planned to be served but may be served in future phases. This uncertainty is contrary to the delivery principles of soundness and directly puts at issue the employment land supply strategy in the District which is founded on sustainable access to new sites. In relation to PPS12, the ability to deliver sustainable green field employment sites away from the top tier settlements of Hockley, Rochford and Rayleigh is unsound since there will be no quality public transport to move people around via modes which are alternatives to the car.

4.2 Any consideration of SERT should be based on evidence and included in the CS. Not to do so is contrary to the principles of soundness. Paragraph 4.9 of PPS12 expects evidence of costs, sources of funding and delivery timescales in order to plan for necessary infrastructure. The CS does not explain this and the monitoring and implementation section of the CS is silent on many issues raised at paragraph 4.9 of PPS12.

5. RETAILING AND TOWN CENTRES

5.1 In relation to Hockley Town Centre, the CS is not considered sound since it is silent on the quantum and type of uses considered acceptable in this area and is contrary to the Retail and Leisure Study evidence base. The current policy wording would mean that any AAP would be left with no adopted framework within which to work. I have reviewed the Retail and Leisure Study and note the following:

“10.26 Despite its low market share in convenience goods, Hockley is identified as having a need for between 220 sq m and 650 sq m convenience floor space in 2008, with a long term requirement of between 300sq m and 890 sq m in 2026. However the scale of need does not lend itself to a foodstore capable of retaining a significant proportion of main food shopping expenditure”

“Our assessment of comparison goods trading in Hockley indicates that the centre is significantly underperforming, achieving an average sales density of some £2,275 per sq m. There is no immediate capacity for additional floor space. While

capacity is identified in the future, this is likely to be overstated having regard to the apparent degree of undertrading.”

5.2 In relation to leisure, the study explains:

“10.37 We have reviewed the existing leisure provision within the District and have found a general level of satisfaction with the range and quality of facilities provided. Residents either undertake very little by way of leisure activities or prefer straightforward pursuits such as walking.

“10.38 In the light of this we do not feel there is justification for seeking to identify major commercial leisure facilities through the Council’s LDF, although there is a case for seeking to improve access to existing facilities, such as swimming pools.”

5.3 As a consequence I consider that the emphasis on retail and leisure development needs to be spelt out in Policy RTC6 in order to provide a framework for any AAP. The redevelopment of the Eldon Way Estate should also be reconsidered in order to focus on the commercial type of land uses rather than residential. The reasons for this are included in other evidence I have submitted and relate to the suitability, sustainability and benefits of retaining the site in employment use. I consider that the policy should set out a quantum of retail floorspace of around 900 sq. m for convenience retail and a very modest amount for comparison shopping, if any. I consider that leisure provision should also be modest. For the reasons I note elsewhere I consider that the residential component should also be modest I attach copies of my representations to the Hockley AAP as Appendix 3 of my proof. I would recommend that the Policy is altered to reflect a more modest:

“The Council will produce an Area Action Plan for Hockley Town Centre which delivers the following:

- A safe and high quality environment for residents
- Net additional retail development not exceeding 900 sq. m of convenience shopping
- Maintenance of and/or redevelopment of the majority of employment units at Eldon Way but to include a small amount of residential and leisure development in areas closest to the Town Centre
- An area of public open space
- Improved connectivity between the railway station and Town Centre
- Landscaping along Spa Road, Main Road and Southend Road.

6. FLOOD RISK AND STAMBRIDGE MILLS

6.1 *Stambridge Mills*: This site is said by RDC to be deliverable in the next 3 years. It is located within flood zone 2 and 3 of the River Roach and must be subject to sequential testing as per PPS25. It has been acquired by Inner London Group who specialise in local authority partnerships, healthcare, key worker and other homes provision. However, there are no proposals for the site via a planning application or a site allocation.

Suitability – The Environment Agency claim in their objection that the site is in a flood zone 3. PPS25 expects the sequential test to be carried out. The test is that it must be demonstrated that there are no reasonably available sites in areas of lower flood risk probability that would be appropriate to the type of development proposed. Clearly there are other preferable sites some which are within the areas noted in Policy H2 others within H3 locations. Until these sites have been developed, Stambridge Mills would not fulfil the sequential test.

6.2 The Environment Agency object that the site cannot fulfil the Exception Test. However, in view of the various sites under H2 and H3 it should **not** be necessary to move to the exception test since there are more acceptable sites elsewhere. If it were necessary to move to the exception test it would be only appropriate to accept development in Flood Zone 3 if there was a clear sustainability benefit taking into account the need to avoid social and economic blight. Stambridge Mills has a severe visual impact but that is not relevant. The aim of reducing the impact on the Green Belt is also irrelevant in the context of the PPS25 sequential approach. Stambridge Mills is separated from the built up area of Rochford by open agricultural fields designated as Green Belt. There are no sustainability reasons for encouraging the development of high density housing in this location. The site cannot integrate with the residential area and most journey's would be by car. Stambridge Mills is separated from the nearby main employment area to the south by the water course.

6.3 The EA maintain that the Core Strategy, and hence proposed allocation, does not benefit from a strategic flood risk assessment and so is unsound on this basis. A wider assessment of housing delivery is also made by the EA to explain why the housing policies of the plan are unsound. I do not disagree with this.

6.4 The EA rightly point out that Green Belt reasons should not override the sequential test as is noted in the Core Strategy. There is no policy basis for this. The EA rightly point out that PPS3 and the preference for brownfield land is not cart blanche for all brownfield sites to be brought forward irrespective of the environmental harm. The EA refers to the environmental considerations of identifying any housing site and this is noted at paragraph 38 and reinforced at paragraph 41 of PPS3.

6.5 PPG2 and PPS3 policy does not supersede sever flood constraints. The SHLAA has not yet considered other sites and their suitability vs the redevelopment of Stambridge Mills as indicated under the achievability assessment. I therefore find that the SHLAA evidence is erroneous. I am also not able to consider the cost of the flood defences or the dismantling of the building in the context of a viability assessment and so I find the achievability evidence of this site weak. There can be no reasonable prospect of delivery given the severe flood constraints and other uncertainties. The site should be struck from the CS.

6.6 I conclude that because there are more sequentially preferable sites (including areas within Policy H2 and H3, elsewhere the sequential test cannot be met for Stambridge Mill and so the site should not be included. All **250 dwellings** should be deleted.

Appendix 1 – Assessment of dwelling losses, SHLAA

SHLAA Ref	Site	History and expected Capacity	Comment and likely capacity	Reduction to Appendix D of the SHLAA
BF3	145-147 Ferry Road, Hullbridge	The SHLAA pro-forma notes that the site contains a shop and dwelling. Capacity is noted as 15 dwellings. Permission refused for 24 flats (07/00708/Ful and 08/0008/Ful) at appeal – mass height and bulk. Application 08/00114/Ful for 24 flats refused. Permission granted for conversion to 5 flats (08/00732/Ful). Extension permitted under 08/00836/Ful for 2 extra flats.	Under Building Control reference 09/00161/OTHFPD the 7 flat scheme was commenced in April 2009 year thus in addition to the net loss of 1 dwelling the scheme actually delivers only 6 units	9
BF7	289 Ferry Road, Hullbridge	The SHLAA identifies a single dwelling on the plot and a capacity of 17 as approved in application 08/00565/FUL	A net loss of 1 dwelling means that only 16 can be counted.	1
BF9	Bramlings, Canewdon	The SHLAA identifies the site as a single dwelling with a site capacity of 5. There is no planning history.	There is no planning history so there is a need to assume a net gain of 4 dwellings and a net loss of 1.	1
BF 14	The Chestnuts, 125 High Road	The SHLAA identifies it as a property with a lawful use for 4 dwellings used for disadvantaged homeless people. A capacity of 6 is identified although an application for 6 flats under 09/00298 was withdrawn.	The net loss is actually 4 dwellings.	4
BF15	Timber Grove, London Road	The SHLAA notes it has large buildings on site. Operated by Elizabeth Fitzroy	The proposal is to provide accommodation in the form of care assisted living for those with	0 on the basis that the evidence

		Homes. A capacity of 23 units is approved under application 07/00664.	learning disabilities. It demolishes previous care accommodation but the planning history does not reveal the net loss. N any event the owner has informed me that Swan Housing who were a partner in the scheme have withdrawn due to funding difficulties	is unclear.
BF16	8 and 10 Weir Gardens, Rayleigh	The site comprises two residential properties. The SHLAA identifies capacity for 12 units. An application for 14 flats under 08/00156 was refused.	Assuming no viability issues then at 12 units the net loss is 2 units.	2
BF 19	26 Stambridge Road, Rochford	The site includes 2 residential properties. An appropriate capacity is considered in the SHLAA to be 8. Permission refused for 9 units (09/0020/FUL) subject to an appeal. A similar earlier scheme for 9 units was also refused (08/00700/Ful).	Assuming no viability issues then the net loss is 2 dwellings.	2
TOTAL Reduction				18

Appendix 2 – Environmental Capacity of the area 'South Hawkwell' (Policy H2) up to 330 dwellings.

Main proposals of the application and appeal:

- A built development area of 7.5ha (total site 11.1ha);
- Up to 330 residential dwellings at a density range between 20 and 50 dwellings per hectare and between 8m and 16m in height depending on character area and the need for landmark buildings;
- 35% affordable housing
- Two points of access onto Rectory Road forming T junctions to serve up to 200 dwellings
- Upgrading of northern part of Thorpe Road to access a portion of the proposed housing – up to 115 dwellings
- Enhancements to the Main Road/Rectory Road mini roundabout junction
- Widening/enhancement of part of the Rectory Road footway on its northern side
- Private driveways onto Clements Hall Way for a limited number of proposed dwellings not exceeding 15 dwellings
- Principles for cycle and pedestrian access through the site subject to reserved matters layout
- Open space of 3.19ha of which 0.625 would be children's play areas
- Local amenities of up to 1000 sq. m for a shop and or pharmacy and health facilities in the form of a medical centre up to 500 sq. m in size.
- Relocation of Gas Main which crosses the site as part of the groundworks



KEY

	Boundary line
	Buildings
	Trees
	Hedges
	Open Space
	Gardens
	Main Road
	Footpaths
	Secondary Road
	Square
	Parking
	Pond

No.	Date	Amendment	Scale	No.	Date	Amendment	Scale
Client: Barrett Homes							
Project: Factory Road, Haverhill							
GRAFIK							
Drafting: Illustrative Block Layout Scale: 1:500 @ A4 Date: Feb 2019 Draw No: 00-170-01				Status: <input type="checkbox"/> New <input type="checkbox"/> Revised <input type="checkbox"/> Deleted <input type="checkbox"/> Amended <input type="checkbox"/> Cancelled <input type="checkbox"/> Archived <input type="checkbox"/> Deleted <input type="checkbox"/> Amended <input type="checkbox"/> Cancelled <input type="checkbox"/> Archived			
<small>© THIS DRAWING IS THE COPYRIGHT OF GRAFIK ARCHITECTURE. It shall not be in any way used or reproduced without their prior written consent. All dimensions are to be checked on site or in the workshop prior to commencing any work. There only to be signed dimensions. Any discrepancies are to be reported to the Architect.</small>							

Appendix 3 – Representations on the Hockley Area Action Plan

- The Eldon Way Industrial Estate is in a highly sustainable location and so any proposal to reduce the employment floorspace with residential development would be contrary to sustainable development principles as residents would need to travel further to jobs;
- The Eldon Way Industrial Estate performs an important economic function and helps underpin the viability of the Town Centre through employee spending. The reduction in employment floorspace considered by each option would not be in the best interests of the Town Centre;
- It is not considered that the existing use value makes wholesale redevelopment of the industrial estate a commercial proposition;
- In view of the importance of the industrial estate it is considered that a twin based strategy should be considered. This should focus on regeneration in the land areas noted as A1, A2 and A3 together with some parts of B and C;
- The role of the civic square should be reconsidered. It is not particularly large and dual use could be considered;
- Residential should be limited and not exceed 30 units in order to retain the important employment base of the area and to enable a larger civic square;
- The second part of the strategy for the majority of the Industrial Estate should be the subject of a positive policy framework to encourage renewal for more appropriate employment based uses;
- The other options are all considered to be of a scale that is not commensurate with the settlement of Hockley and in view of the comments above should be reconsidered;
- The AAP will need to outline how the compulsory purchase order process will affect delivery, including an explanation of the process, how long it will take, how it will be funded, whether the Council will pump prime the project and whether a development partner will be sought. It is likely that the Town Centre regeneration will need to be phased towards the end of the Plan period; and
- It is considered that compulsory purchase powers will potentially cost the authority a significant amount financially, a refined option 1.2 (possibly termed option 1.3) would therefore be more appropriate.

Paragraph 2.4.3

We strongly support the view that the Eldon Way Industrial Estate provides a customer base for existing town centre uses. Weekday spending within town centres is an important contributor to the viability of many retail and leisure businesses either through expenditure by employees during the lunchtime trade or expenditure by employers, on necessary goods and services. This relationship helps sustain the critical mass of a centre and provides a platform for new retail

and leisure growth. We are of the view that it is not just desirable to retain these uses but essential in order to underpin the long term vitality and viability of the Town Centre. Alternative uses such as residential would not provide the most beneficial use and it is doubtful whether residential use value would be sufficient to make the redevelopment viable given the brownfield character of the area and potential need for mitigation. Any option should therefore focus on maintaining much of the employment floor space character of the area and regeneration should focus on the area closest to the Town Centre for retail, leisure and some office use only.

We strongly agree with the statement that the Eldon Way Industrial Estate is strategically well placed. In a sense this statement underplays the true importance of this highly sustainable employment location. The employment area is adjacent to the railway and located a short distance from the main bus routes which run along Spa Road. The residential areas of the town are also within walking distance, providing a potential for sustainable travel by employees. The Eldon Way Industrial Estate is therefore right at the heart of the Town and provides an opportunity to meet sustainable transport objectives by reducing the need to travel by car. Consequently, this employment area should be highlighted as a premier employment site in sustainability terms, both in the context of PPG13, PPG4 and PPS6. To encourage alternative uses may put at issue the soundness of the planning principles on which the Area Action Plan is based.

Whilst it is acknowledged that some improvement to the Eldon Way Industrial Estate can and should take place, the extent to which the mix of employment uses should be altered in favour of alternative land uses requires careful consideration as the soundness of the Area Action Plan may be investigated at a later date. It is our view that a mix of employment land uses should continue to dominate for the reasons noted above. In addition, the switching of employment uses to favour offices only, as noted in this paragraph of the AAP, is not considered to be appropriate or sustainable. A mix of employment types between offices, light industry and other high technology industries should be encouraged as this will provide many locational advantages to the firms that agglomerate together. It can help develop and improve trade, improve the sustainability of businesses as a whole and make for a more flexible labour market as skill levels are varied. A single employment use such as offices or a different use altogether would undermine the long term sustainability of the area and Town Centre.

Paragraph 2.4.1-2.4.2 and Section 2.9

It is agreed that the town centre has a poor retail offer and a need for larger and more variety in the retail stock. If some of the units along Spa Road and a small part of the Eldon Way Industrial Estate were to be redeveloped a mixed use approach including retail, leisure and some limited office development would

need to be considered. The scale and quantum would need to relate to the town centre and settlement.

It is not considered that the whole of the Eldon Way Industrial Estate should be developed for alternative uses as summarised in Table 3 in the AAP for the reasons noted in our representations on paragraph 2.4.3 above and as set out below. In summary the harm to the area would outweigh any benefit.

Paragraph 3.2

The objectives are incomplete and as such there is a danger that the strategy that will be developed becomes flawed. The objectives provide no commentary on the important role of employment uses of the Eldon Way Industrial Estates within the town centre and wider area. The vision statement includes a comment about the town centre being a place to 'live and work' yet the objectives do not. This needs to be reconsidered in the future consultation draft of the Area Action Plan to ensure soundness.

We agree that there needs to be improved retail facilities and a new focal point in the town centre that is attractive and helps sustain the areas vitality and viability.

Paragraph 3.2.3

This paragraph as currently drafted highlights a limited understanding of the role of the Eldon Way Industrial Estate plays in underpinning the town centre and providing work for nearby residents in a sustainable location. The reference to 'more valuable and appropriate uses' is not well defined and open to wide interpretation. If implemented it could undermine the vitality and viability of the town centre. Whilst noisy and potentially polluting industrial uses may not be appropriate in this location, a mix of offices, light industrial, high technology, and studio based employment would be an appropriate alternative. These uses would be valuable and appropriate and help maintain the role of the industrial estate as significant employment area within the Town Centre. It would maintain the settlements sustainability credentials and reduce the need to travel for work. The potential would remain for some land to be devoted to new retail development, a civic square and leisure uses to meet the objectives noted in 3.2.1 providing that a higher density of employment is achieved elsewhere on the site.

3.3 Potential Opportunity Sites

Reference is made under paragraph 3.3.4 to compulsory purchase powers and again at paragraph 3.10. The Issues and Options for the Area Action Plan do not currently provide any insight into how delivery will occur and over what time period. Most of the options that are proposed would indicate that some degree of compulsory purchase is envisaged. This being the case there has to be a section within the document that explains the process, how funding will be

achieved and a delivery programme. Often it is necessary to achieve a planning permission prior to pursuing compulsory purchase powers and depending on the circumstances a regeneration scheme of this scale could require Environmental Impact Assessment. It may then be necessary to participate in an inquiry to review the compulsory purchase order and then find funding to purchase the site and begin. Much of the site is industrial and may require costly mitigation. This process and the nature of the problems could take several years and be very costly – possibly to the extent that it is not viable. The Area Action Plan therefore needs to fully review the processes and set out how delivery will be achieved. It may be necessary for the Council to explain how it will fund the regeneration, particularly any pump priming initiatives. It is our view that the complexity of this process will require that the proposals are phased toward the end of the Plan period and this needs to be reflected in the emerging Core Strategy.

Paragraph 3.3.2 to 3.3.6

For the purposes of this Issues and Options review, identifying the sites as A to H is a suitable way of identifying key land areas that could feature in one or more of the options under consideration. Sites A1, A2 and A3 would logically be suitable for primarily Town Centre uses including retail, leisure and the civic square. These sites are closest to the central town centre along a road identified as needing regeneration. Some office could be included at upper floor levels.

Sites B to G relates to the Eldon Way Industrial Estate and it is suggested in the Options and Issues document that more appropriate and valuable uses could replace the existing industrial uses. This section is drafted in such a way that the indication is that employment uses should be removed in favour of other uses such as residential. This is not considered to be an appropriate strategy for various sustainability and town centre viability reasons. The sites are in a highly sustainable location where the proximity of existing residential areas, bus routes and railway station contribute to sustainability objectives and the need to reduce the use of the private car, particularly for short trips such as commuting. The industrial area also helps sustain the town centre through the provision of a customer base and through business links. Irrespective of the employment land availability assessment of the wider district, the locational merits of the Eldon Way employment site would indicate to us that the majority of the site should continue to be maintained for employment type uses rather than wholesale redevelopment for residential and leisure purposes. Rather than removing employment uses altogether the objective should be to maintain an employment presence by encouraging a mix of appropriate employment uses such as offices, light industrial, high technology and studio based workshops.

3.4 Development Options

Whilst the 6 development options provide an insight into the various approaches that could be adopted, it is considered that the regeneration objectives for this

area can be best achieved by varying option 1.2. We set out below a twin strategy for this area (option 1.3).

Alternative to Option 1.2 (Option 1.3)

It is important that the redevelopment and regeneration of this area is based on sound planning principles that are deliverable and offer value for money. It should be noted that Hockley is not a large settlement and as such any strategy for regenerating the centre should be commensurate with the town as a whole including any likely growth anticipated in the Regional Spatial Strategy. In that context it is not considered necessary to promote an unduly large area for renewal, particularly where the net result is a potential loss of an important and strategically significant/sustainable employment site. We would suggest a twin approach – firstly focusing on a much smaller area for regeneration and secondly, introducing a positive policy framework for encouraging more appropriate employment development.

Option 1.2 is considered, subject to refinement, to be a strategy that could be made to deliver a sustainable approach to town centre regeneration.

Policy Strategy

The retention of the majority of the site for employment purposes is considered to be critical to the delivery of a sustainable town centre/settlement. This should be one of the principles of the Area Action Plan. A strong employment site would continue to underpin the vitality and viability of the town centre and help provide the opportunity for people to continue to live close to their workplace. The site is already a large employment area and the approach should be to encourage redevelopment of it for appropriate employment purposes so that it delivers a more acceptable employment mix. This can be achieved through a proactive planning policy framework that supports new office, workshop, and light industrial development. The AAP should explain this as its main approach.

Regeneration Strategy

The second underlining principle should be to secure regeneration through the development of sites A1, A2 and A3 together with some development of B and C. These sites are located in an area that would meet the town centre regeneration objectives of the authority. These land areas are closest to the core of the town centre and the Spa Road which is identified as needing improvement. However, it is not considered that these areas are suitable for significant residential development and at most 30 flats may be appropriate. This will enable the area to deliver retail, leisure, open civic space and some limited upper floor residential and office uses. It is considered that the civic square should be slightly larger to enhance the opportunity for outdoor use, particularly opportunities for specialist markets, community gatherings, small scale exhibitions and events, seating and the on street café culture.

This approach would enable the important benefits of the Eldon Way Industrial Estate to be retained and enhanced within the context of a new policy framework for the estate. By focusing on land areas A to C for the land assembly and compulsory purchase, the delivery of regeneration will be made simpler and at a scale commensurate with the settlement. It is considered that this approach will require some of the suggested land uses to be reviewed and the residential component to be reduced in order to ensure an appropriate quantum. This approach may be more viable and require less public authority funding.

The community development options and hub concept is supported.

Option 1.1

The additional residential units proposed under this option would inevitably lead to the loss of employment land. However, for the reasons noted elsewhere in these representations that would not be a sustainable approach. Residents would need to commute out of Hockley to access any replacement employment sites thus contributing to car journeys. The customer base, which the town centre relies on, would also be undermined.

Option 2.1 and 2.2

The redevelopment of most of Eldon Way Industrial Estate for alternative uses is considered to be at odds with the underlying principles of sustainable development. There are no other significant employment areas in Hockley. Both PPG4 and PPG13 note the importance of employment areas close to residential areas and the need to reduce travel by car, particularly over short journeys. The site is therefore highly sustainable. The employment area helps underpin the vitality and viability of the Town Centre and should be retained for that reason. The regeneration area the subject to compulsory purchase should be based on a scale and quantum that is necessary and that can be delivered. It is doubted that the residential uses proposed have a significantly greater use value than the employment site, particularly when the costs of redevelopment (and potential mitigation) is factored in.

Option 3.1 and 3.2

The redevelopment of most of Eldon Way Industrial Estate for alternative uses is considered to be at odds with the underlying principles of sustainable development. There are no other significant employment areas in Hockley. Both PPG4 and PPG13 note the importance of employment areas close to residential areas and the need to reduce travel by car, particularly over short journeys. The site is therefore highly sustainable. The employment area helps underpin the vitality and viability of the Town Centre and should be retained for that reason. The regeneration area the subject to compulsory purchase should be based on a scale and quantum that is necessary and that can be delivered. It is doubted that the residential uses proposed have a significantly greater use value than the employment site, particularly when the costs of redevelopment (and potential mitigation) is factored in.

3.8 Scale/Quantum of Development

The scale of residential development in all the tables indicates that there could be a net loss in employment floorspace. This would run counter to the principles of sustainable development when applied to this settlement and could undermine the vitality and viability of the town centre.

Notwithstanding, it is felt that the key issue is locational and the importance of retaining employment within the Eldon Way Industrial Estate as opposed to other uses. The Town Centre is encircled by residential areas and so there are no overriding reasons why more residential development should be injected into this area. There are, however, clear reasons why employment development should be retained and enhanced at Eldon Way.

3.9 Transport Options

If the Council is considering compulsory purchase powers then it should, if necessary, not exclude highways and adjoining land.

The proposed junctions will need to be assessed against potential future growth scenarios that take into account Regional Spatial Strategy growth rates.

Until more detailed modelling has taken place we are unable to comment on specific junction layouts.