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Rochford District Council Local Development Framework

Rochford Core Strategy Examination in Public

**Written Statement in response to Matters and Issues for the resumed Examination,
February 2011**

Prepared by WGDP Ltd

On behalf of: Mr & Mrs Poole

17th January 2011



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1.0 Introduction

- 1.1 This evidence is submitted on behalf of Mr & Mrs Poole, who own the freehold of the land and buildings at Lime House Nursery Industrial Park and the Rayleigh Garden Centre, which is situated off the Eastwood Road, on the south-eastern edge of Rayleigh.
- 1.2 The entire site is included in the Green Belt, and the underlying basis of all of the representations is that this should be reviewed; the site is capable of development without reducing the openness of the Green Belt in this location, and offers an alternative strategic and highly sustainable housing option for the District in the Plan period.
- 1.3 This written statement addresses the questions raised by the Inspector in the Matters and Issues for the resumed Examination to be held from 1st to 3rd February 2011.
- 1.4 Our client has already submitted objections to the Core Strategy as proposed to be amended by the Council's Schedule of Proposed Changes in November 2010. However, this short statement seeks to add to these comments.

2.0 Matter 1 - General

- 2.1 *Question 1a: 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 The East of England Plan remains in force, and therefore Local Development Documents are required to conform to it. The proposed changes to the Core Strategy are not in general conformity with RSS, and fail to refer to the Approved version which forms part of the Development Plan.
- 2.3 The District housing requirement contained in the Approved East of England should be reinstated within the Core Strategy in Policy H1. We have previously expressed our reservations that the reduced housing provision proposed by the Council is unjustified, and does not reflect the true District-wide need. The Council has not produced any evidence of local circumstances to support the lack of conformity.
- 2.4 *Question 1b: 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 As such, until the outcome of the hearing into the second legal claim made by CALA Homes is announced, it is clear that decision makers should have full regard to Regional Strategies as part of the statutory development plan. In addition to this, until the Localism Bill becomes an Act of Parliament, it will not give effect to the Government's intentions to abolish RSS. Therefore, the Government's stated intention to revoke Regional Strategies is not a material consideration for the purposes of making planning decisions.

2.6 We have already expressed our reservations concerning the soundness of the submission version of the Core Strategy, and unfortunately, with the current uncertainty, the consideration of the proposed changes should be delayed by the Inspector until the outcome of the second legal claim. We would like to reserve our right to comment further on this matter.

3.0 Matter 2 – Location and Supply of New Homes

3.1 *Question 2a: Would the revised CS meet the requirements of PPS3, having particular regard to paragraph 33 and paragraphs 52-61?*

3.2 Whilst the Council's Schedule of Proposed Changes does not appear to directly address the requirements of paragraph 33 of PPS3, the evidence base it refers to is drawn upon, albeit we do question the justification for this in our response to Question 2b.

3.3 Paragraphs 52-61 provide guidance on the delivery of a flexible supply of land for housing. We have already identified the deficiencies in the Council's preferred approach to the choice of broad locations for housing in our earlier representations. We still maintain that the choice of sites is not based on a credible or robust evidence base, and that the revised Core Strategy is unjustified.

3.4 *Question 2b: Is there sufficient justification for using Option 1 Figures from the EoE Plan, 2031?*

3.5 Whilst the Council have provided their justification for the use of the Option 1 Figures from the EoE Plan and they are entitled to use this evidence base, there is insufficient justification for the using draft figures that have not been tested through a Public Examination or via public consultation.

3.6 *Question 2c: Would the revised CS comply with the requirement in PPG2 that Green Belt boundaries should be revised only in exceptional circumstances?*

3.7 The Council have confirmed in their Topic Paper that there are exceptional circumstances to merit a revision to the Green Belt boundary, and this follows the approach in PPG2. However, paragraph 2.6 of PPG2 does confirm that detailed boundaries should not be altered or development allowed merely because the land has become derelict. The revised Core Strategy, in particular, the broad locations for housing development, fail to follow this approach, for example, Stanbridge Mills.

3.8 *Question 2d: 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?*

3.9 Revised Policy H2 does explain the circumstances in which the release of Green Belt land will be brought forward for development specified in the period 2021 - 2026. These broad locations will only be brought forward earlier in order to a) maintain a 5 year housing land supply, and b) the net total of dwellings developed 2011-2026 within each of the general locations set out in the table accompanying Policy H2 is not exceeded. However, the proposed approach appears overly restrictive, and is not sufficiently flexible to accommodate a change in circumstances in each of the general locations.

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- 3.10 *Question 3e: Would the revised CS provide sufficient flexibility and a continuous supply of housing land?*
- 3.11 PPS12 places considerable emphasis on contingencies and flexibility. Paragraph 4.46 emphasises that "plans should be able to show how they handle contingencies", and continues that the Core Strategy should show what alternative strategies have been prepared to handle this uncertainty and what would trigger their use. The revised Core Strategy contains no contingencies and flexibility other than by saying that the detailed location and quantum of development will articulated within the Allocations DPD. There are no reasonable alternative strategies that have been identified.
- 3.12 It would appear that the Council's overriding objective has been to minimise the release of Green Belt land and, therefore, it sets out the components of land supply and a plan period to achieve this.
- 3.13 The division of the housing land supply into two periods embeds a further degree of inflexibility in the plan. Since the delivery of development sites is inherently unpredictable, a single policy should cover the Plan period to allow sites to be brought forward if earlier sites fail to deliver. We remain concerned that the revised Core Strategy will be unable to provide a continuous supply of housing land for the reasons expressed previously and above.
- 3.14 *Question 3a – No comment.*