

**Representations on behalf of Persimmon Homes (Essex) Limited in respect of
Land at Weir Farm Road, Rayleigh
Rochford LDF: Core Strategy Examination**

**Response to the Draft National Planning Policy Framework (NPPF)
and the implications for the Core Strategy**

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1.0 Introduction

- 1.1 The Draft National Planning Policy Framework (NPPF) was published for a period of consultation on 25th July 2011. It gives a clear indication of the Government's emerging planning policy guidance, and is a key part of the Government's reforms to make the planning system less complex, more accessible and to promote sustainable growth. The NPPF will replace the various National Planning Policy Guidance and Statements.
- 1.2 The draft NPPF is explicit that planning permission should be granted 'where the plan is absent, silent, indeterminate, or where relevant policies are out of date'. It therefore follows that the Plan must conform to the NPPF in order to avoid a situation whereby the policies were immediately out of date as a result of their conflict with the NPPF once it is adopted. The draft policies should therefore be given substantial weight in preparing Development Plan Documents.
- 1.3 In recognition of the significance of these policy changes, the Inspector has invited participants to comment as to the implications of this policy document for the Rochford Core Strategy Examination.
- 1.4 Our client Persimmon Homes control the land at Weir Farm Road, Rayleigh, otherwise referred to as Great Wheatley, on the south-western edge of Rayleigh. The landowner - Mrs E Graham - previously submitted representations to emerging Core Strategy Policy H2 - Extensions to Residential Envelopes and Phasing and the Call for Sites Exercise. Persimmon has subsequently commented on the Pro-Growth Budget Measures, and the Sustainability Appraisal Addendum of the Core Strategy.
- 1.5 This statement provides our client's view on the soundness of the Rochford Core Strategy specifically in light of the Government's proposed changes to planning policy as set out in the draft NPPF. Our comments are principally confined to the matters of 'Plan-making' and 'Housing'.

2.0 Implications for the Rochford Core Strategy

- 2.1 *Planning Positively for Sustainable Development:* Paragraph 14 of the draft NPPF states that at the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Paragraph 20 identifies that development plans must aim to achieve the objective of sustainable development. To this end, they should be consistent with the objectives, principles and policies set out in this Framework, including the presumption in favour of sustainable development.
- 2.2 The draft NPPF sets out that the default answer to development proposals should be 'yes', except where this would compromise the key sustainable development principles set out in the Framework.
- 2.3 Throughout the course of the preparation of the emerging Rochford Core Strategy, our client has maintained that the identification of the broad locations for new housing has not followed the settlement hierarchy. The proposed distribution of new housing within the Core Strategy is mismatched, and directs a disproportionate amount of new dwellings to lower tier settlements such as Hullbridge and Great Wakering which are poorly related to existing facilities and community services that would lead to an increase in car-borne travel.
- 2.4 In addition, the identification of employment sites for residential development will lead to the resultant loss of local businesses and employment, and would undoubtedly compromise the key sustainable development principles set out in national planning policy, and fail to support economic development in Rochford.
- 2.5 We have raised our concerns on numerous occasions through the course of the Examination, that there are alternative sites within the District within the higher tier settlements, specifically
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in Rayleigh, which are better suited to accommodating the majority of the housing growth. In support of this, The Plan notes the pre-eminent role of Rayleigh as having:

- The largest population;
- The most people on the housing waiting list;
- The best access to services;
- The largest retail centre on the District; and
- The most comprehensive range of facilities.

- 2.6 The Council's proposed Spatial Strategy runs counter to the presumption in favour of sustainable development. A sustainable land use strategy would seek to more closely allocate new housing with jobs, public transport, service and facilities, and would be expected to focus a greater proportion of the Policy H2 and H3 new housing in the largest settlement in the District, namely Rayleigh.
- 2.7 The presumption in favour of sustainable development supports the identification of our client's site at Weir Farm Road, Rayleigh which is on the south-western edge of Rayleigh. This site offers an excellent alternative and highly sustainable housing option that no longer fulfils Green Belt functions.
- 2.8 In summary, the presumption in favour of sustainable development will only be achieved in Rochford District if new dwellings are directed to the largest and most sustainable settlement of Rayleigh. The Council's existing approach is not supported by the evidence base, or the principles of the draft NPPF.
- 2.9 *Significantly increasing the supply of housing:* Paragraph 109 sets out a range of measures that local planning authorities should take to boost the supply of housing. These include identifying and maintaining a rolling supply of specific deliverable sites sufficient to provide 5 years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20% to ensure choice and competition in the market for land. They should also illustrate the expected rate of housing delivery through a housing trajectory for the plan period, and for market housing, set out a housing implementation strategy describing how they will maintain the delivery of a 5 year supply of housing land to meet their housing target.
- 2.10 In order to provide the necessary flexibility, the Council needs to respond positively by assessing its current housing position and supply which already falls well below the 5 year requirement. This has to be approached alongside our earlier comments and objections to the distribution of housing growth across the District. The proposed phasing also has to be re-examined as this embeds a further degree of inflexibility in the plan. Currently, there is also no housing implementation strategy for market housing delivery.
- 2.11 The Core Strategy as currently drafted contains no contingencies or flexibility, other than saying that the detailed location and quantum of development will be articulated within the Allocations DPD.
- 2.12 Our client's site at Weir Farm Road is deliverable during the Plan period in accordance with PPS3, in that it is available, suitable and achievable. There are a number of positive benefits to development at this location, in particular its proximity to Rayleigh train station and the town centre, including local schools, employment areas and other services and facilities, so promoting sustainable development. Crucially, its development would stimulate economic growth through the delivery of housing.
- 2.13 The site is capable of development without reducing the openness of the Green Belt in this location, and it would not harm any local or national policy objectives. The development can be integrated into the landscape, and will have a number of community benefits. The default answer to this development proposal should be 'yes' in accordance with the draft NPPF, as it would not compromise they key sustainable development principles.
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- 2.14 The Core Strategy as drafted is not sufficiently flexible to enable contingency sites to come forward if other sites fail, or if there are rapid shifts in demand or other economic changes and is therefore contrary to draft NPPF. We know already that criticism has been levied at the deliverability of a number of sites that the Council support and identify in their preferred strategy. The restrictive approach proposed by the Core Strategy is contrary to the Government's stated objectives of realising economic growth, is an unnecessary burden on development and will not address the housing need. The 'at least' 20% set out in the draft NPPF should be embraced by the Council now as a counter to potential shortfalls.
- 2.15 *Review of the Green Belt:* The draft NPPF seeks to carry forward a condensed version of Green Belt policy from PPG2 into the draft NPPF. The purposes for including land in a Green Belt remain, as do other key policy points, but some implications arise from their subtle re-emphasis. The section on Green Belt in the draft NPPF provides some important pointers to how the Core Strategy will come to be examined.
- 2.16 The NPPF reaffirms that 'Green Belt boundaries should endure beyond the plan period', so that, where this requirement dictates it, 'areas of safeguarded land between the urban area and the Green Belt should be identified in the plan in order to meet longer-term development needs stretching well beyond the plan period'.
- 2.17 The Draft NPPF says that 'when reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development.'
- 2.18 The Core Strategy has to review the Green Belt. This is a specific policy requirement of the extant RSS in any case, and it is clear that the development levels to be met in Rochford provide the exceptional circumstances for a review of the Green Belt and for a change to have to be made.
- 2.19 A review of the Green Belt boundaries is long overdue. The Council did undertake an Inner Green Belt Study in order to prepare the Rochford District Replacement Local Plan in 2001. This involved appraising the boundaries, and Green Belt land which may have been needed to be released to meet longer term housing need or reallocated as an Area of Special Restraint. However, this report was never released for public consumption or progressed.
- 2.20 It is clear that in the unavoidable review of the Green Belt, the Core Strategy must make land available in sustainable locations such as on the edge of Rayleigh to meet local needs and to promote sustainable patterns of development. The Core Strategy also has to release enough land from the Green Belt to meet longer-term development needs stretching well beyond the plan period and so avoid this requirement arising at the end of the plan period. This is not a requirement of the Regional Strategy that the Council wishes to see disappear when Regional Strategies are abolished, but of national planning policy which is being reinforced.

3.0 Recommendations

- 3.1 We have highlighted the chief areas where we consider that the Core Strategy is inconsistent with the emerging provisions of the draft NPPF, principally in relation to the overall plan-making process and housing.
- 3.2 The Council's proposal to revert back to the Submission version of the Core Strategy (January 2010) with minor changes, alongside a commitment to undertake an early review of the Plan to ensure it covers a 15 year period and complies with emerging policy, is wholly unsatisfactory.
- 3.3 The proposed Spatial Strategy as drafted does not reflect the vision and aspiration of the local community, and this is demonstrated by the huge volume of objections that have been submitted to the broad locations identified for housing. Furthermore, the identification of alternative sites, offering more sustainable options, has been largely ignored throughout the process. The public have not been presented with an accurate picture of what reasonable alternatives have existed to the proposed choice/policies and our client feels that the merits of their site have been largely overlooked. The latest appraisal of their site in the Sustainability
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- Appraisal Addendum provides no justification for not including Location 9 in the preferred broad locations in the Core Strategy.
- 3.4 To proceed with the adoption of this Core Strategy which is inconsistent with the draft NPPF, and ahead of the Localism Bill, would be poor decision-making by the Council. At present, it is unjustified, not effective, and is inconsistent with national policy.
- 3.5 Consequently, there is a requirement for changes to the Core Strategy following the publication of the draft NPPF. It does affect the soundness of the document.
- 3.6 If the Examination of the plan in its current form continues, and the Inspector's Report follows the enactment of the Localism Bill and the adoption of the NPPF in broadly its consultation form, the plan will fail according to these two and by reference to such as the promotion of sustainable development, the duty to cooperate, and the requirement to address what all of the evidence says about economic growth and housing requirements.
- 3.7 The consequences of failing to deliver sustainable development in the area, and for the local authority of failing in its duty as a plan making authority are dramatically ratcheted upwards by the draft NPPF. The message that the Council should get from the draft NPPF therefore is that it needs to substantially revise its Core Strategy in line with NPPF if it wants to have an adopted Core Strategy.
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