



**ROCHFORD DISTRICT COUNCIL
ALLOCATIONS DOCUMENT EXAMINATION**

**HEARING STATEMENT IN RESPONSE TO ISSUE 2
(CANEWDON)**

Prepared by Strutt & Parker on behalf of Knight Developments

August 2013

- 1.1 This hearing statement has been prepared by Strutt & Parker on behalf of Knight Developments. Knight Developments fully support the Policy SER7 of the Rochford Allocations Submission Document. Strutt & Parker will be attending the Canewdon hearing session at the Inspector's invitation in order to provide information on the latest proposals for site SER7 and where possible assist the Inspector in determining the soundness of the plan. This hearing statement has accordingly been prepared to provide an initial response to the Inspector's questions. We would ask that the statement is read in conjunction with our submitted representations and we would point out that we may wish to raise or comment on other matters at the hearing session as may be appropriate in order assist the Inspector.

Issue 2

Are the allocated housing and employment sites listed below (both brownfield and settlement extensions) justified, deliverable within the plan period and consistent with national policy?

Questions (for all sites/locations):

i) Is the site selected justified when compared to other reasonable alternatives?

2.1 The Rochford District Adopted Core Strategy sets out the Council approach to new residential development within Policy H2 and the Key Diagram on page 173. The Core Strategy identifies that 60 homes will be provided in South Canewdon in the area shown on the Key Diagram.

2.2 We consider that in preparing the allocations document the Council has given proper consideration to all reasonable options that are consistent with the location and level of growth identified in the Adopted Core Strategy.

2.3 We consider that the allocation of site SER7 is fully justified and deliverable as explained in detail in our submitted representations.

2.4 Site SER7 is well related to existing built development. The site also provides an opportunity for a new area of open space extending north towards the church. This provides a defensible Green Belt boundary with the additional opportunity for the open space to be transferred to the Parish Council or other suitable body in order to provide certainty as to its future retention.

ii) Is the proposed development deliverable over the plan period having regard, amongst other things, to land ownership issues and infrastructure constraints?

3.1 The site at SER7 is fully deliverable. This is explained in full in our submitted representations.

- 3.2 A Highways Position Statement has been prepared by Ardent Consulting Engineers. This demonstrates that appropriate road access can be achieved along with opportunities for sustainable travel.
- 3.3 Ardent Consulting Engineers have carried out an assessment of Flood Risk and Drainage. This has included consultation with the Environment Agency who have confirmed that the site is situated within Flood Zone 1.
- 3.4 The drainage assessment carried out by Ardent has identified that surface water drainage can be managed through the use of appropriate on site Sustainable Drainage Systems (SUDS). With regards to Foul Water drainage discussions with Anglian Water have confirmed there is sufficient capacity within the local Sewage Treatment Works and that the existing pumping station is able to serve the proposed development scheme.
- 3.5 Utilities plans have been obtained to demonstrate how the site can be served by all relevant utilities.
- 3.6 A detailed Landscape and Visual Appraisal has been prepared by James Blake Associates to demonstrate how the site would have minimal impacts on the surrounding countryside and the setting of the listed church.
- 3.7 As detailed in our representations, discussions have been held between the landowners with regards to proposals for the site. The Council's proposed development brief or masterplan approach is fully supported as a method to bring forward a co-ordinated and comprehensive development on the site. In particular the proposed area of open space to the west of the lane can provide important open space for the site and wider community. On behalf of Knight Developments we have produced the attached indicative drawing demonstrating how development of an appropriate scale of development can be achieved on the site.

iii) Are the detailed site boundaries appropriate?

- 4.1 We support the site boundaries set out in Allocations submission document.

4.2 As set out in our representation we consider that a larger area of land extending further north could deliver housing up to the existing ridge line if so required to allow for lower densities, a greater amount of open space, or an increased number of units. We do, however, consider that the Allocations document is sound as currently submitted.

iv) Is the detail about the form, scale, access and quantum of development appropriate having regard to policies in the Core Strategy?

5.1 The wording of Policy SER7 is supported.

v) Are the requirements for public open space and play space justified for brownfield sites given the likely development costs?

6.1 Not applicable to this site.

vi) If any of the specific sites/locations are found to be unsound, then what are the alternative options?

7.1 We do not consider there are any other reasonable options that would provide a sound basis for a residential allocation in Canewdon.

Canewdon

i) Have the consultation procedures undertaken been adequate and in compliance with the Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012?

8.1 Whilst we consider that this is matter principally for the Council we are of the view that the significant amount of public consultation undertaken in the preparation of the Allocations Submission meets the requirements of the Council's Statement of Community Involvement and the Town and Country Planning (Local Planning) (England) Regulations 2012.

8.2 We also note that considerable public consultation was undertaken in the preparation of the Council's Adopted Core Strategy which set the principle for development in this area of Canewdon.

8.3 Knight Developments are committed to undertaking further site specific public consultation, discussions with the Parish Council and engagement with local community groups as part of the preparation of a planning application for the site. The development brief or masterplan approach proposed by the Council is also fully supported.

ii) Would development of Site SER7 conserve the heritage asset of St Nicholas Church in a manner appropriate to its significance? How could this be achieved by design?

9.1 Knight Developments and the Chelmsford Diocese recognise that this is an issue that must be considered by the Council and Inspector alongside other relevant material considerations when identifying sites for allocation. Accordingly Strutt & Parker have carried out a considerable amount of work, technical reports, correspondence and liaison with the relevant parties.

9.2 A meeting was held between English Heritage, Rochford District Council and Strutt & Parker on the 24th July 2013. A note of this meeting is attached as an appendix to this hearing statement. This note has been agreed by all parties.

- 9.3 As part of the evolution of the design of the site we have sought to take into account the issues raised at this meeting and revised illustrative drawings are attached as an appendix to this statement.
- 9.4 The Council is supportive of the allocation of this site as is the Senior Historic Buildings Adviser, Historic Buildings and Conservation, at Essex County Council as evidenced by meeting notes between Essex County Council and Rochford District Council.
- 9.5 Whilst we have amended the scheme to address the design and layout comments from English Heritage, we are concerned that some of the more general comments from English Heritage do not adequately recognise that an extension to the settlement boundary in this part of Canewdon has already been identified in the Council's Adopted Core Strategy.
- 9.6 We are particularly concerned regarding the extent to which these comments from English Heritage appear to relate to an objection to the principle of an extension to the settlement boundary at Canewdon. It was stated by English Heritage at the recent meeting that the Church currently has a rural setting that should be preserved. An extension to the settlement boundary in this area is, however, already shown indicatively on the Key Diagram within the adopted Core Strategy. This shows the broad area as being located in south west Canewdon.
- 9.7 English Heritage submitted comments on the Core Strategy Submission Document which are available view on the Rochford District Council consultation website. Whilst English Heritage supported and objected to various sections of the Core Strategy there was no objection raised with regards to Core Strategy Policy H2 despite it being indicated that development would need to take the form of an extension to the settlement boundary and the key diagram indicating that the broad area for development was in the south west of Canewdon.
- 9.8 Should English Heritage have a fundamental concern regarding development in this area then it is unclear why this was not raised at the Core Strategy stage. The Core Strategy is now adopted and this states that 60 dwellings will be provided in this

area. We would suggest that it is unreasonable to now suggest that development cannot proceed as a matter of principle.

- 9.9 The proposals for the site have been developed giving full consideration to the requirements of the NPPF as well as “The Setting of Heritage Assets” and “Seeing the History in the View” guidance documents produced by English Heritage. Whilst these documents have not yet been updated to take into account the publication of the NPPF we consider that they do still contain relevant guidance which we have taken into consideration.
- 9.10 The assessment methods set out in “The Setting of Heritage Assets” English Heritage document have been considered in the context of this site. We have given particular consideration to the degree to which the setting makes a contribution to the significance of the Church (assessment step 2) and the potential effects of the proposed development (assessment step 3).
- 9.11 When considering the degree to which the setting makes a contribution to the significance of the Church the guidance advises consideration of the asset’s physical surroundings and topography, the experience of the asset including views, and the asset’s associative attributes. The church is located on high ground. There are views towards the church from the surrounding area including from the sharp bends in Lark Hill Road to the west which afford particularly good views to the Church. There are also long distance views to the Church as identified in the Landscape and Visual Impact Appraisal prepared by James Blake Associates. The Church itself is located adjacent to existing housing and is not located in a rural location remote from residential development. The church forms part of the village of Canewdon and relates to the existing residential development adjacent to it. We consider that the setting of the church should be considered in this context.
- 9.12 When considering the potential effect of the proposed development the guidance advises consideration of the location and siting of development, form and appearance, other effects, and consequential effects.
- 9.13 With regards to the location and proximity to the asset, the proposed development is now restricted to the lower ground on the southern area of the site. Open space is

provided to the north of the site which provides opportunities to enhance the immediate setting of the church and provide additional opportunities for community enjoyment of the heritage asset.

- 9.14 In relation to key views we consider that the proposal would not impact on any of the key viewpoints of the Church. Views are considered in some detail in the Landscape and Visual Impact Appraisal prepared by James Blake Associates which demonstrates that there will be no impact from key viewpoints. We consider that this evidence should be given considerable weight.
- 9.15 Closer to the site the viewpoint from bends to the west of the site will be unaffected. From Lark Hill Road to the south west of the site views are already restricted by the existing development in this area and by existing roadside hedges. The illustrative drawings now show how development could be designed to provide an enhanced view up to the church. The proposed public open space would also provide new public view points from which the church can be viewed and appreciated. Notes from the meeting between Essex County Council Historic Buildings and Conservation team and Rochford District Council indicate that the Senior Historic Buildings Adviser was of the view that “the wider view of the Church is not significantly affected and that much of the view of the Church along this stretch of Lark Hill Road and Anchor Road is already obscured by high hedgerows and existing dwellings”.
- 9.16 In relation to form and appearance, the development on the western part of the site has been designed at lower density, is no more than two storey, and is restricted to the southern part of the site. Appropriate landscaping is also proposed. This would not lead to competition with the asset of the Church.
- 9.17 A key longer term benefit of the development is that it would allow for the provision of open space in the area to the south west of the church. This area could potentially be transferred to the Parish Council or other suitable body in order to secure its long term retention. The proposal would also enhance community enjoyment of the church by providing open space in which the asset can be enjoyed.
- 9.18 Paragraph 137 of the NPPF states that:

Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.

- 9.19 Opportunities to help the community to appreciate an asset are also supported in “The Setting of Heritage Assets” English Heritage guidance. This states that it may be appropriate to consider the implications for people’s and communities’ ability to appreciate an asset and its setting when considering a development proposal and to seek to enhance that ability or minimise adverse impacts on it. We consider that the proposal would have potential to enhance the ability of the community to appreciate the asset of the church through the enhancement of its immediate setting by the provision of a new area of community open space.
- 9.20 The NPPF states at paragraph 134 that:
Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 9.21 The provision of new homes in Canewdon will have very significant public benefits in meeting local housing needs as identified in the Adopted Core Strategy. Site SER7 in particular will also minimise the impact on the Green Belt, provide a defensible Green Belt boundary for the future, and also provide an area of open space to enhance the immediate area close to the church and preserve its longer term setting. It is important that these considerations are weighed against any perceived negative impacts.
- 9.22 We are fully supportive of a masterplan or development brief process in which the proposals for the site could be further refined. In further developing proposals for the site there would be the opportunity for further engagement with Rochford District Council, English Heritage and the Historic Buildings and Conservation officers at Essex County Council.

iii) Is the allocation contrary to the Policy H2 of the Core Strategy which refers to “South Canewdon” whereas at least part of the site lies to the west?

10.1 The allocation is fully consistent with Policy H2 of the Core Strategy which states that the residential envelope of existing settlements will be extended in the areas specified in the policy and indicated on the Key Diagram. The key diagram on page 173 of the adopted Core Strategy provides broad locations for the growth identified in Policy H2. The Core Strategy Key Diagram clearly shows a triangle symbol representing an extension to the residential envelope in this area of south west Canewdon. The location shown by the triangle includes land to the west of Scotts Hall Lane and land to the North of Lark Hill Road.

10.2 The broad area of interest shown on page 39 of the Rochford District Council Allocations DPD discussion and consultation document reflects and is fully consistent with the indicative location shown in the Core Strategy.

10.3 It is therefore not correct to suggest that the allocation is contrary to policy H2 of the Core Strategy.

iv) If Site SER7 is found unsound, would Option SC1 (Representation 28760) be sound?

11.1 The Council have carried out independent assessment of all of the reasonable options including consideration of the results of public consultation and relevant technical evidence base reports. The identified sites in the Council's submission document have been considered by elected members at Local Development Framework Committee and Full Council meetings. We support the current document and consider that change to the plan is not required.

11.2 When considering alternative sites we would raise the general concern that although alternative discounted options were considered at earlier stages of the Allocations document preparation process, alternative sites such as Option SC1 were not included in the Allocations Submission document, and there has therefore not been the same opportunity for the public and other consultees to comment on these alternative sites as with the Council's preferred site at site SER7.

- 11.3 The site at Option SC1, as shown in the Rochford District Council Allocations DPD Discussion and Consultation Document extends across the entire frontage of the south of Anchor Lane up to the boundary at Scotts Hall Road. This site would therefore have significant impact on views towards Canewdon from the south.
- 11.4 We consider that the site would result in significant harm when considered against the purposes of the Green Belt. In particular there is no clearly defined defensible boundary at the southern extent of the site.
- 11.5 The preferred site (SER7) to the north of Lark Hill Road can provide the significant benefit of the provision of an area of public open space near to the church. It is proposed that this could be retained as public open space in perpetuity to be secured as part of a planning application on the site. Knight Developments and the Chelmsford Diocese would also be willing to explore options for transfer of the open space area to community ownership, to the Parish Council or other appropriate body. This would provide a defensible Green Belt boundary. There is no similar mechanism by which a defensible Green Belt boundary could be secured at Option SC1.
- 11.6 In order to be 'effective' the NPPF requires that the plan must be deliverable. We would also question the deliverability of alternative site SC1 as it is currently unclear as to the extent of supporting technical work that has been carried out to demonstrate that development here is a deliverable and sustainable option.
- 11.7 We therefore do not consider that the allocation of the site at option SC1 would represent a justified or effective strategy for Canewdon.

- Appendix A – Illustrative proposals**
- Appendix B – Copy of meeting notes between Rochford District Council and Essex County Council**
- Appendix C – Agreed note of meeting between English Heritage, Rochford District Council and Strutt & Parker LLP**