

## **EXAMINATION OF THE HOCKLEY AREA ACTION PLAN**

### **INSPECTOR'S INITIAL QUESTIONS TO THE COUNCIL**

The following questions have arisen from my preliminary examination of the Area Action Plan (AAP) and the supporting material, including the evidence base. In the first instance I am seeking clarification about certain matters from the Council as authors of the Plan. They should not be taken as an indication of the relative importance of these points compared to others or whether they are critical to the soundness and legal compliance of the Plan. These will be set out in the issues and questions to be debated at the hearings sessions. A list of these will be prepared in due course and may include matters not referred to here which have been raised in representations.

In framing these questions I have had regard not only to the definition of soundness at paragraph 182 of the National Planning Policy Framework but also the principles for Local Plans set out in paragraph 157 and especially the fifth and sixth bullet points.

If the full answer to any question can be readily given by directing me to section(s) of the supporting evidence, then I am content for it to be dealt with in that way. Otherwise I would like a relatively brief but complete answer to each question which should be sent to the Programme Officer by **Friday 14 June 2013**.

1. Duration of the Plan – In Section 1.1 the Plan period is said to be until 2026 but that of the Core Strategy is until 2025 (para 1.1). What is the reason for the discrepancy?
2. Plans – It would be helpful if some of the plans and diagrams were larger (at least A3 size) to assist with comprehension. Is it possible to provide these for Figures 1, 12, 13, 14 and 17?
3. Draft DM Policies – On page 41 there is a reference to Draft Policy DM28 and other DM policies are mentioned elsewhere. It is assumed these relate to the emerging Development Management Document. Is it wise to retain or rely on these references given that such policies are subject to change?
4. Land ownership context – Section 2.6 states that the Hockley Trading Estate is largely controlled by a single land owner but representors question the accuracy of this statement. Are they right?
5. Property market overview – Section 2.7 refers to certain findings of a “comprehensive review of Hockley’s property market”. However, this does not appear to be part of the evidence base. If that is correct, how are these findings justified?

6. Figure 13 and Figure 14 – What is the inter-relationship between Figures 13 and 14? Should either of them be referred to in relevant policies in order to provide spatial guidance to new development?
7. Eldon Way/Foundry Industrial Estate – What is the relationship between the policies in the AAP and Policy BFR2 of the Allocations Submission Document?
8. Policy 3 – Are improvements to car parking wholly dependent on the development of the Eldon Way Opportunity Site?
9. Policy 4
  - a) Does 50% of the area relate to the entire Opportunity Site defined in Figure 14 or in Figure 13 (see Q6 above)?
  - b) Can housing satisfactorily co-exist with adjoining employment uses to be retained and existing/planned leisure uses?
  - c) On page 44 there is mention of opportunities for housing on other sites “within and adjoining” the AAP area to the north of the railway line and opposite Plumberow Avenue and Mount Crescent. However, these locations would appear to be outside the boundaries of the AAP defined in Figure 1. If that is the case, is it appropriate to raise these possibilities as part of the AAP?
  - d) It is envisaged that approximately 100 new dwellings could be delivered on site. Should this be more clearly stated as part of the policy in order to provide appropriate detail on the quantum of development?
  - e) A capacity study has been carried out (Document 81.EB32 of the Evidence Base). However, it was based on the provision of 146 units of residential accommodation which is acknowledged to be more than that referred to in the AAP. Does it therefore form a realistic basis for the assessment of development potential?
10. Policy 6
  - a) The policy allows for a food store of up to 3,000 sq m (gross). However, as recorded on page 48 of the AAP the Retail & Leisure Study of 2008 referred to capacity for up to 890 sq m (net) to 2026. Bearing in mind the other findings at paras 10.25-10.32 of the 2008 study, including the capacity given for the entire District and the recommendation that focus be maintained on developing Hockley’s existing strengths rather than retail expansion, what is the justification for that amount of floorspace now? Furthermore, some representors indicate that the convenience shopping offer in Hockley has increased since 2008.
  - b) On a related point the Initial Officer Comments in the Consultation Statement state "research carried out by AMUP showed that there was a significant market demand in Hockley for an additional large food store" (p36). It is understood that this

amounts to the Viability Note produced by consultants (Document 82.EB33 of the Evidence Base). Whilst issues of confidentiality may have affected the level of detail of that Note how does it substantiate the observation made in the Consultation Statement?

11. Policy 7
  - a) What is the current proportion of Class A1 uses compared to non-retail uses in the primary and secondary frontages?
  - b) What is the meaning of the word "appropriate" in this context?
  - c) What is envisaged as having a "detrimental impact" in criterion a) and should reference be made to the guideline percentages in the text to ensure that the predominance of A1 uses is not undermined?
  - d) How will criterion b) be judged and what is likely to create a "cluster"?
  - e) Is it reasonable to require new uses to contribute positively and are there particular uses that should be restricted?
12. Community infrastructure – Table 1 gives details of major environmental improvements and highways schemes. Is Policy CLT1 of the Core Strategy sufficient to ensure that contributions towards them are made as part of new development within the AAP area?

#### Minor Modifications

If the Council intends to make minor modifications to the Plan then a table should be prepared, referencing all such changes and containing the wording of the proposed modification. This table should be posted on the Examination website and kept up-to-date throughout the examination process. Minor modifications are alterations to the Plan that have no bearing on its soundness. Confirmation that this course of action will be adopted would be appreciated.

*David Smith*

INSPECTOR

17 May 2013