

# EXAMINATION OF THE ROCHFORD ALLOCATIONS SUBMISSION DOCUMENT

## INSPECTOR'S INITIAL QUESTIONS TO THE COUNCIL

The following questions have arisen from my preliminary examination of the Rochford Allocations Submissions Document (RASD) 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 Document. 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 Document. 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 (NPPF) but also the principles for Local Plans set out in paragraph 157 and especially the fifth, sixth and seventh 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 response to each question which should be sent to the Programme Officer by **Friday 14 June 2013**.

1. Format of policies – Each Policy relating to specific sites contains sections on site context and capacity, a site map and a concept statement. However, nowhere is it confirmed that these are sites (as defined on the maps) allocated for development. This is one of the functions of Local Plans according to the NPPF. In the light of this, is the Council satisfied that the policies would be effective especially when considering future planning applications against section 38(6) of the Town and Country Planning Act 1900?
2. Detail of policies – The NPPF indicates that detail should be provided on form, scale, access and quantum of development where appropriate. Having regard to this:
  - a) Why is it said that requiring the use of Master Plans or site briefs for certain sites would be “unreasonable”?
  - b) Why is it necessary for many of the concept statements to repeat requirements which stem from policies in the Core Strategy – specifically affordable housing (Policy H4), Lifetime Homes (Policy H6), Sustainable Drainage Systems (Policy ENV4), on-site renewables, Code for Sustainable Homes and BREEAM (Policies ENV8, 9 and 10) and retail development (Policy RTC2)? Furthermore, the infrastructure required for the development of newly allocated housing sites is set out in

Appendix H1 and cross-referenced in Policy H1 so it necessary to repeat this or should the source of these requirements be clarified?

- c) What are Health Impact Assessments and is it necessary for these to be specified?
  - d) Many policies contain reference to archaeological interest and a 'standard' paragraph, such as that at 2.40, is used. However, this contains reference to an area shown hatched black on the approved drawing which does not seem relevant in this context.
3. Limits on housing – All of the SER policies contain limitations on the number of dwellings to be accommodated on those sites unless required to maintain a 5 year land supply but subject to a 5% 'cap'. Arising from this:
- a) How will it be decided that further dwellings are necessary in the interests of maintaining supply?
  - b) Is the 5% limitation reasonable given the time horizon of the Plan, the possibility of changing circumstances and the general aim of the NPPF to boost significantly the supply of housing?
4. Planning position – There are references to various sites being the subject of planning applications and permissions and of development having commenced. Please confirm the position in relation to all of the sites the subject of policies in the RASD where applications have been submitted recently and where any permissions are still extant. Details should be given of applications granted and those outstanding and undetermined and of any schemes that are progressing on site. As a result, is it necessary to revise any of the text relating to the individual sites as this is wholly silent in this respect? Moreover, does it render some of the details about certain sites superfluous?
5. Green Belt
- a) Are all allocated sites to be removed from the Green Belt?
  - b) There are many references to defensible Green Belt boundaries. What exactly should this term be taken to mean given that very special circumstances would need to exist to justify inappropriate development within the Green Belt? Does it, for instance, relate to achieving a soft, landscaped edge to development or to creating compact settlements thereby avoiding the possibility of future proposals for 'infilling'?
6. Core Strategy
- a) Did consideration of possible sites omit those not identified by the Core Strategy?
  - b) There is a commitment to an early review of the Core Strategy. Does this imply that sites identified as coming forward post 2021 may be revisited at that stage?
7. Sustainability Appraisal – Some further explanation of the methodology would be of assistance. In particular:

- a) Why are some of the 13 assessed elements given more than one score and some not?
  - b) How were the final scores for a site or an option derived? For example, if one element had both + and – did that count as 0?
  - c) Were all the elements given equal weighting?
  - d) Many of the selected sites and rejected options are in close proximity to one another and yet receive different scores. Using NEL3 and Option E19 (Great Wakering) as an example please explain the rationale behind the scores given for Balanced Communities and Landscape & Townscape.
8. Policy BFR2 – How does this policy relate to the Hockley Area Action Plan and does it serve any purpose bearing in mind Policy H1 (and Appendix H1) and Policy RTC6 of the Core Strategy?
9. Policy SER1 – Does the first sentence of paragraph 3.27 need to be clarified to confirm that at least one access point should be provided from both Rawreth Lane and London Road?
10. Policy SER3 – Paragraph 3.102 refers to the use of an existing access/egress from Folly Lane but this is not included within the boundary of the site map. Does this need to be adjusted?
11. Policy SER6
- a) Why is Malyons Lane the preferred access to the east as indicated in paragraph 3.192?
  - b) Paragraphs 3.195 and 3.196 indicate that issues of wastewater transmission and connection with the existing main will need to be determined in conjunction with Anglian Water and Essex and Suffolk Water. Is the Council satisfied, based on the views of those bodies, that these matters can be resolved?
12. Policy SER7 – Having regard to Q5 above how will the “green buffer” referred to in paragraph 3.211 be situated within the Green Belt when the entire site is shown to be allocated?
13. Policy SER8 – Other than housing land supply issues are there any overriding reasons or constraints that mean this site needs to be safeguarded until 2021?
14. Policy SER9
- a) These are, in effect, 2 distinct sites and could be developed independently. Should detail about the form, scale, access and quantum of development therefore be provided separately?
  - b) It is said in one representation (page 303 of the Consultation Document) that there is a large natural gas main across SER9a. Although noting the Initial Officer Comments is there any more information on this point from the relevant utility companies?
  - c) Paragraph 3.288 refers to the option of gaining access from SER9a onto Southend Road to the south. However, this would

appear to involve land outside of the allocation. Does the text or the Site Map need to be revised as a result?

15. Policy GT1 (see also Q17 below)
  - a) Is it feasible to develop this site for gypsies and travellers in isolation of Policy NEL2?
  - b) Will the Council use CPO powers if necessary to deliver this site prior to 2018 in line with Core Strategy Policy H7?
  - c) Were members of the gypsy and traveller community or their representatives consulted about the proposed site allocation?
  - d) What is the Council's position regarding the provision of sites for travelling showmen?
16. Policies NEL1 and NEL2 – It is indicated that site NEL1 is for light industry and offices and site NEL2 for heavier industry and waste transfer businesses. Although referred to in paragraphs 5.10 and 5.33 should these different functions be made more explicit?
17. Policies NEL2 and GT1 – Essex County Council does not support the allocation of this site for employment on highway grounds (comment 166 of Appendix 3 of the Consultation Statement and comment 143 relating to Policy GT1). The Initial Officer Comments indicate that discussions on access/egress issues are taking place but what is the current position?
18. Policy NEL3 – Paragraph 5.64 indicates that the allocations at Great Wakering should be comprehensively planned and there should be one access point onto Star Lane. Given that this site would be physically separated from those covered by Policies SER9b and NEL3 how is this to be achieved?

#### Minor Modifications

1. The Initial Officer Comments indicate that some amendments are proposed (for example in relation to paragraph 3.37 on page 208 of the Consultation Document). Have these changes all been incorporated in the Submission Document of April 2013?
2. If the Council intends to make minor modifications to the Document 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 Document that have no bearing on its soundness. Confirmation that this course of action will be adopted would be appreciated.

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INSPECTOR

17 May 2013 (updated 21 May 2013 –Q14 c) added)