

Our Ref: JRF/SPP/10.1380

Your Ref: 16161 & 16163.

8 July 2011

**Mr S Hollingworth**  
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Dear Mr Hollingworth

**Response on behalf of West Rochford Action Group  
Consultation on Sustainability Appraisal Addendum (SAA)  
Consultation Period Expiring 11 July 2011**

[REDACTED]. Their original validly made objections were given the references 16161 & 16163. [REDACTED] has been represented consistently both through attendance at relevant Examination sessions and in writing by response to various associated consultation processes. Written submissions were produced in advance of the Examination, and we subsequently made the following representations: response to the Council's Audit Trail of activity, 28 June 2010; response to the proposed changes to Core Strategy Submission Document, 26 November 2010; response to Inspector's matters and Issues for resumed examination, 18 January 2011. This current response should be read in conjunction with all the responses made to date and with which these comments are consistent.

The scope of the SAA falls well short of the range of matters we say are not properly evidenced in the original Sustainability Appraisal. The SAA is not paragraph numbered hence we will refer to page numbers and then the paragraph number on that page counting from the top. Paragraph 3 on Page 4 states that the key changes to policies relate only to '*temporal aspects*' rather than '*spatial aspect*'. Consequently, the LPA has not revisited any of the matters raised in our earlier submissions which should have been put in place to inform the choice of proposed broad locations for housing.

Some of the following comments are in common with Councillor John Mason in his letter dated 27 June 2011 on behalf of 'Rochford District Residents'.

The SAA does not respond adequately to issues raised in the key case Save Historic Newmarket v Forest Heath District Council.

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The Judge referred to Article 5 of the SEA Directive and associated Regulations. Where an environmental assessment is required, then an environmental report shall be prepared in which the likely significant effects on the environment of implementing the plan or programme and *reasonable alternatives* taking into account the objectives and the geographical scope of the plan or programme, are identified, described and evaluated.

We have previously pointed out that the LPA has not undertaken any form of realistic comparative assessment. The LPA had an opportunity in the Inspector's request for an audit trail to show unequivocally where this had been done. The LPA singularly failed to make any such demonstration because quite frankly, the work has not been done. The SAA was a final opportunity, as informed by the Forest Heath Court Decision, to remedy the absence of a credible evidence base, but instead it looks only at 'temporal issues' and ignores spatial issues altogether.

The LPA has previously been cautioned about the importance of the SA and its fundamental role in the integrity of the Core Strategy. On 11 May 2011, Core Strategy Inspector Laura Graham, advised the LPA in writing that:

**'If you decide to carry out further work on the SA, you must bear in mind that it is an integral part of the plan making process which should be transparent and open to public participation. It must not be undertaken to justify a predetermined strategy'**

It should be remembered where this requirement comes from. PPS12 states that:

**'The SA should perform a key role in providing a sound evidence base for the plan and form an integrated part of the plan preparation process. Sustainability Assessment should *inform the evaluation of alternatives*. Sustainability Assessment should provide a powerful means of proving to decision makers, and the public, that the plan is the most appropriate given reasonable alternatives.**

In the absence of any spatial considerations in the SAA, and bearing in mind the acknowledged lack of evidence to date, then the LPA has missed this opportunity to remedy the omissions in the evidence base. Hence the case for the proposed broad locations for housing in the Core Strategy remains unproven.

Notwithstanding that the only scope of the SAA is in relation to temporal issues. We comment as follows on specific entries in the SAA.

Page 8, Table Heading 7. Cultural Heritage. The absence of any spatial considerations means that the LPA has failed in its evidence base to consider the conservation and associated townscape merits of the land at west Rochford and to compare this (along with other sustainability indicators) with other competitor sites.

Page 8, Table Heading 8. Landscape and Townscape. In common with Cultural Heritage, the spatial aspects of land at west Rochford has not been properly assessed under this heading and the LPA has therefore no basis upon which to prove that this site is any more favourable as a broad location over and above any other. This table hides the significant losses to landscape and townscape character that will occur by simply making unsubstantiated proposals for locating housing without going through due process and robust SA in the first instance. Note the cross reference in the fifth column of the table to Policy G1 relating to impact on Green Belt. [REDACTED]

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well documented criticisms of the Core Strategy highlight that the LPA has similarly not undertaken a robust analysis of the sensitivity of the Green Belt boundary at any of the proposed broad locations. West Rochford is analogous to a 'walled town' in key character analysis and yet this sensitivity is not 'identified', 'described' or 'evaluated' anywhere in the SA or SAA. This is contrary to the requirements of the SEA Directive and its associated Regulations.

Page 8, Table Heading 9, Climate Change and Energy. The LPA has failed to make any correlation between the issues of climate change, energy and the importance of food production in relation to the productive qualities of land. This is related to Table Heading 11 – Land and Soil. Put shortly, climate change will limit the ability of less productive soils to produce sufficient yields over a wide range of crops. The energy (and nutrient) input to poorer quality land to make it sufficiently productive will be disproportionate to the yield when compared to the best and most versatile land quality.

Page 9, Heading 11. Land and Soil. The LPA's approach to this is logically untenable and we have set this out in earlier representations. Once the broad locations are identified then a Site Allocations DPD can do nothing to avoid development of allocated Best and Most Versatile Land, the die is already cast. The SEA Directive says, 'identify', 'describe' 'evaluate' NOT 'identify', 'describe' 'allocate' 'evaluate'. If the latter were to be permissible, then the community is being presented with a fait accompli which it is impossible to protest against. This is contrary to basic tenets of Development Plan formation which includes inclusivity and accountability. The LPA has confirmed to WRAG that it has not sought independent competent advice on this matter as required by paras. 28 & 29 of PPS7. On this point alone, the Core Strategy fails because the evidence base for the conclusions does not exist.

Page 10, Heading 12. Air Quality. This is a secondary point to [REDACTED] original submissions relating to infrastructure and highway matters. The failure to adequately address these issues will result in an immediately proportionate adverse impact on air quality in Hall Road and land west of Rochford generally arising through traffic congestion. The provision of housing in this area imminently, following the adoption of the Core Strategy (bearing in mind that relevant planning applications have already been put in the public domain) and before significant infrastructure absences have been remedied (e.g. inadequate width at rail bridge), will produce an unacceptably high degradation of air quality in the vicinity of Hall Road, to the detriment of the ambience and amenity that residents and those visiting this historically significant area should reasonably expect to endure. As the SAA deals with temporal issues then it should at least phase the provision of infrastructure improvements in advance of strategic housing provision to ensure that reduction in air quality is not imposed through otherwise avoidable traffic congestion.

We conclude as we have done previously by stating that we have demonstrated that the LPA's Sustainability Appraisal of broad locations for housing is flawed in a number of areas and the SAA has done nothing to alleviate this position. [REDACTED] has further demonstrated that the LPA's decision to defer the consideration of detailed information and studies at a specific site level invalidates the choice of broad locations. If the base line assessments of broad locations have not been undertaken satisfactorily, then the adoption of these in a Core Strategy will not lead to the choice of the most sustainable pattern of housing when specific sites are chosen.

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The SAA was an opportunity to learn from the lessons of others in Save Historic Newmarket v Forest Heath District Council. That lesson has not been learned and the LPA seems determined to carry on its predetermined but unfortunately unevidenced strategy. On this basis we ask the Inspector to declare the Core Strategy unsound so that a proper sustainability analysis of all reasonable alternatives can be undertaken and in doing so allow the community of Rochford District to regain some faith in the integrity of the process of Local Development Framework formulation.

