

**LOCAL DEVELOPMENT FRAMEWORK PANEL - 4<sup>TH</sup> AUGUST 2010**  
**Summary of Representations Received on the Core Strategy**  
**Submission Draft**

Agenda Item 6

<b>Portfolio Area:</b>	Cllr Harley Cabinet Member for Enterprise and Culture
<b>Report Presented by:</b>	Eleanor Dash Planning Policy Manager
<b>Background Papers:</b>	Core Strategy Submission Draft published May 2010 Representations on Core Strategy Submission Draft (available in full on website via Planning Policy Consultation Portal)
<b>Corporate Implications:</b>	Please refer to table at end of report.
<b>Options:</b>	To note the summary. (There will be a report on the representations at the next LDF Panel Meeting.)
<b>Risks:</b>	That the Core Strategy could be found unsound.

**Executive Summary**

The Council has received 1,129 representations on the Core Strategy Submission Draft. The issue with the largest number of objections was the proposed Forest Road growth location.

**Decision**

To note the summary of the representations on the growth locations and regeneration areas and the procedure for making changes to the Core Strategy.

**1. Background**

1.1 The Core Strategy Submission Draft was published on 10<sup>th</sup> May 2010. The original period for submission of representations was until 24<sup>th</sup> June. Following the announcement of the proposed abolition of Regional Spatial Strategies, the Council invited comments, from all persons on the LDF mailing list, on the implications of the abolition on the Core Strategy. The period for representations was extended until 8<sup>th</sup> July to allow time for these comments to be submitted.

1.2 The Council has received 1,129 representations on the Core Strategy from 345 people. A large number of these are objections to the proposed growth location off Forest Road. The representations also include comments upon the spatial strategy, the other growth locations, regeneration sites, the settlement hierarchy, core policies and infrastructure issues. This report sets out a brief summary of the representations relating to the four growth locations

and the proposed regeneration sites at Sible Hedingham and Silver End. All the representations will be considered at the Panel meeting on the 22<sup>nd</sup> September.

## **2. Representations concerning the Forest Road Growth Location (CS1 and Map 4)**

242 individual comments were made against this part of the Core Strategy. This included letters which were submitted to the Council in February. The responses are from Rivenhall Parish Council, Witham Town Council, local residents of both Rivenhall and Witham and the developers of the site and made the following points:

- The RSS housing figures could still be met elsewhere and the Core Strategy should not aim to overshoot the target.
- The Core Strategy is premature until new policies are more clearly set out including the impact of local planning.
- The decision to include this site does not respect the wishes of the local population who opposed the allocation in the draft plan and the decisions made by Rivenhall Parish Council, Witham Town Council, Witham Local Committee and the LDF Panel.
- Proposal not in line with National Policy PPS1 because it does not protect the countryside, or existing communities or provide sustainable development.
- Does not take into account the Rivenhall Parish Plan and Village Design Statement and the Witham Town Plan.
- Proposal fails to comply with the Core Strategy policy CS5 by not restricting new development in the countryside.
- Will lead to coalescence with Rivenhall and Witham, which will have an adverse impact on the character of both local communities.
- Is in Rivenhall Parish not Witham and is likely to double the population of this rural parish.
- Harm to countryside views, impact on local wildlife and adverse impact on the John Ray Walk.
- Traffic impacts on Forest Road, Rectory Lane, Rickstones Road and the Rivenhall End A12 junction.
- Proposal is reliant on the Motts Road foot/cycle bridge, the timing and funding of which is confused.
- Public transport and in particular train services are already full.
- Commuter car parking is already a problem in Forest Road.
- Witham in general lacks facilities to deal with increase in population such as shops, leisure, jobs and youth services.
- There is no GP Surgery to extend on the eastern side of Witham, or in Rivenhall and health services are already extremely stretched.
- Impacts of the closure of Forest Road community centre.
- Already problems with sewage and land drainage, which could lead to flooding.
- There are no insets for the Proposals Map and the growth location is not marked.

- The Conrad Road site is better because it is closer to schools, closer to town centre and railway station, has more defensible boundaries, is within Witham Town and is a more natural extension.
- The Council and developer don't agree on the phasing of development.
- More than 300 dwellings will be built on the site.
- The Maltings Lane development has already expanded Witham considerably and is not yet completed and has not delivered the promised infrastructure.
- The Statement of Consultation is missing evidence and the Environmental Report underscores Conrad Road.
- The developers state that they are supportive of the inclusion of the growth location, which has been approved on 3 separate occasions by full Council at BDC. However they wish the site to be phased to come forward from 2014 and not 2021 as currently stated in the trajectory.

### **3. Representations concerning the Lodge Farm Growth Location (CS1 and Map 3)**

12 individual comments were made against this part of the Core Strategy. The responses are mainly from residents in the vicinity of Lodge Farm and the site developers and covered the following issues:

- Lodge Farm is not shown on the proposals map and is therefore not legally compliant.
- Development of Lodge Farm would lead to a loss of farmland between existing Witham Lodge development and the A12.
- Concern about coalescence with Hatfield Peverel. The Witham Town Plan argues that the green wedge between Hatfield Peverel and Witham should be protected and maintained
- Lodge Farm is too far from the High Street. This will result in a substantial increase in motor traffic along Hatfield Road and put further pressure on the limited car parking facilities in town centre.
- Local residents near to Lodge Farm were unaware of previous consultation which has taken place.
- Concern about the lack of amenities in Witham; there is a need for a GP surgery. No new schools have been built.
- The Core Strategy should be withdrawn pending further government guidance.
- Concern regarding traffic implications particularly on Hatfield Road and on the junctions with the A12.
- The proposal is not consistent with PPS 1, because by allocating the proposed Lodge Farm development the Core Strategy fails to protect the countryside.
- Dwellings sandwiched between the A12 and the main railway line to London does not seem a sensible option, or a healthy environment for families.
- There are more sustainable alternatives to Lodge Farm.
- Woodend Farm adjacent to Lodge Farm should be identified in the Core Strategy.

- The Lodge Farm development will make provision for 3.77 ha of employment generating space. This development could make a significant contribution to job generation for Witham.
- SHLAA has demonstrated site is developable during timeframe of Core Strategy.
- Lodge Farm is located in close proximity to key services and facilities within the town.
- Lodge Farm will provide a third of identified housing land supply for town as well as employment generating uses and required community facilities including a primary school, new healthcare facilities, public open space, allotments, public transport improvements, highways improvements and neighbourhood centre.
- The plan overestimates the amount of housing that will be delivered on sites within Braintree and Witham.
- Development of the site would not extend the settlement beyond the established western boundary of the town nor result in any actual or perceived coalescence of Witham with Hatfield Peverel.
- The developer, without prejudice to their support for the Lodge Farm proposal, objects to the phasing identified in CS1.

#### **4. Representations concerning the Panfield Lane Growth Location (CS1 and Map 2)**

14 individual comments were made against this part of the Core Strategy.

- The Panfield Lane Growth Location should be replaced with The Flitchway, which is in a more sustainable location.
- 1500 homes at Flitchway would provide more Council tax than 500 homes at Panfield Lane
- Alternative growth locations have not been fully considered.
- Braintree should have more than one growth location and land at Broad Road should be considered.
- Urban extensions are less sustainable in transport terms than new settlements.
- Should concentrate on improving rather than expanding Braintree
- Support Panfield Lane as a growth location, however object to exclusion of Towerlands.
- Objection as it is not previously developed land.
- The site is not suitable as it is high value agricultural land.
- Transport to and from the site would have to be from Panfield Lane, there is no obvious or easy route that will allow access to the A120.
- Would lead to higher congestion in the area.
- The housing delivery figure for Panfield Lane should be referred to as a minimum.
- Maps are not labelled as proposals map insets.
- Insufficient level of detail has been provided to warrant a strategic allocation and should be allocated through the Allocations DPD.
- Early delivery of Panfield Lane would bring benefits including a new link road, expansion of Tabor, Braintree FC club, community facilities.

- Need for early delivery of employment land, to facilitate the growth of employment alongside the provision of new homes.
- Phasing restrictions should be removed as there is no rationale for delaying the delivery of the site.

## **5. Representations concerning the Great Notley Employment Growth Location (Map 5 and CS4)**

5 comments were made about the Great Notley growth location throughout the Core Strategy.

- The need for a new business park now that “demand generated from Airport expansion” will not happen as the previously proposed Stansted expansion has been stopped
- Evidence exists to justify B8 use on this site and this use should not be excluded,
- A SPD for the site might delay its development whereas a Master Plan agreed with the Council would be a more appropriate way to proceed
- Further Water Cycle study work should be completed as it is unclear if water and waste water provision is sufficient to enable the development to take place,
- There is sufficient water/sewage provision to allow some development to take place prior to water study

## **6. Representations concerning the Sible Hedingham Regeneration Area (6.14, CS4 and Appendix 4)**

Four comments were made in respect of the Premdor/Rockways regeneration area:

- The sites at Premdor and Silver End should be referred to as Employment sites rather than Factory Sites.
- Specific reference to employment use should be deleted there is no evidence that indicates that it can be achieved as part of the regeneration proposals.
- Delete reference to neighbourhood centre as no demand has been identified for other retail or commercial uses on the site.
- Delete reference to Sible Hedingham regeneration site as this should be dealt with through the Allocation Development Plan Document.

## **7. Representations concerning the Silver End Regeneration Area**

The majority of comments relating to the Silver End regeneration area are from the landowner, developer, English Heritage and the Primary Care Trust. These are summarised below:

- A more conventional planning reference to ‘**employment sites**’ rather than ‘factory sites’ would be better.

- There is support for the hierarchy of places which identifies Silver End as a key service village.
- Silver End is somewhat removed from the A12 Transport Corridor, other villages in the District such as Earls Colne and Coggeshall are better served by 'A' class roads and main railway line services.
- The regeneration of redundant factory sites that are not fit for purpose including those at Sible Hedingham and Silver End is founded on a robust evidence base and complies with Government Guidance to support the use of previously developed land.
- Landowner objects to statement *'uses to include employment, housing, the re use of historic buildings, including the reuse of the powerhouse as a museum'*. This is overly prescriptive.
- Landowner objects to *'include employment'* as the Employment Land Review 2007 states Crittall Site is not a suitable employment site.
- Support that a master plan is to be approved by the Council as a Supplementary Planning Document.
- Developer raises concern relating to Table 2 (Infrastructure) and specific reference to Silver End and the requirements for early years provision, education, GP surgery, allotments and contribution for a neighbourhood centre as there appears to be no reference to the financial viability of a proposed development.
- Developer objects to the Silver End regeneration area predicted to come forward in 2020 to 2021 as they argue the Crittall site is available for development now.
- Primary Care Trust have stated that the wording in Table 2 (infrastructure) is not appropriate to describe the key infrastructure and facilities required to support development, as it omits any reference to Mid Essex Primary Care Trust as the delivery body in relation to the Silver End regeneration area.
- English Heritage has commented that Silver End can be considered as a historic 'factory village' in context of paragraph 8.14 of Core Strategy.

## **8. Procedure for Making Changes to the Core Strategy**

8.1 There will be a report on the representations to the next LDF Panel on 22<sup>nd</sup> September, when Members will be requested to approve any changes they wish to make to the Core Strategy. The Council will then be requested to approve the amended Core Strategy on 27<sup>th</sup> September.

8.2 The procedure for making changes to the Core Strategy depends upon whether these are focused changes, extensive changes or minor post-publication changes (editing).

8.3 The Planning Advisory Services advises that the 2008 Regulations enable the Council to undertake mitigating action, if faced with issues of soundness raised during representations.

## **Focused Changes**

8.4 These are changes that affect either a specific part of the Core Strategy, such as a chapter or topic like affordable housing, or a limited area such as an urban extension.

If the Council wishes to make a focused change it would need to ;

- Prepare an addendum to the published plan setting out the proposed change
- Review the sustainability appraisal and implications of the proposed changes
- Consult people and organisations on the addendum and publish the changes to allow representation to be made on the amended draft plan.

8.5 At the close of this consultation the local authority would submit the original development plan document, the first representations, the addendum and the responses to the addendum to the Secretary of State.

## **Extensive Changes**

8.6 An extensive change is where the local authority proposes changes that run right through the development plan document's content and/or the plan area.

In this situation, the changes to the development plan document are very significant as the nature and scale of the issues go to the heart of the plan. It is therefore difficult to see how these issues could be addressed by changing limited parts of it. In this case it would be advisable to withdraw this version of the plan and undertake further work and evidence gathering as required. Although the plan is not required to go through another Regulation 25 consultation, it would be necessary to consult the specific consultation bodies previously notified. However, targeted consultation with other relevant stakeholders may be necessary to ensure their input as well as their buy-in. The new material contained within the plan would be subject to a sustainability appraisal and this would form part of the submission material. Once the local authority is satisfied with the altered development plan document (incorporating the changes) it would then resolve to publish (and submit) the altered plan under new Regulation 27 for formal representations.

8.7 At the time that the local authority publishes the new development plan document, it would explain to those who have already made representations what the changes are (the differences between the first version and the second version). In light of these changes, the local authority would ask people to either:

- confirm their representation still stands
- indicate any changes
- withdraw their representation.

8.8 They would not need to re-submit their original representations in order for them to be considered by the inspector.

8.9 The development plan document would then be submitted together with the original representations and any later representations as well as the sustainability appraisal which encompasses the changes made, along with any other material originally submitted.

### Minor post-publication changes (editing)

8.10 In some cases, development plan documents may require minor changes. For example, to improve legibility or ensure it is up to date. These are the kind of changes which could be made to a development plan document without consultation. It is envisaged that these minor changes could simply be listed as an attached schedule to accompany the development plan document when it is submitted to the Secretary of State.

<b>Corporate Implications</b>				
<b>Financial:</b>	n/a			
<b>Legal:</b>	n/a			
<b>Equalities &amp; Diversity:</b>	As set out in Core Strategy			
<b>Customer Impact:</b>	As set out in Core Strategy			
<b>Environment &amp; Climate Change:</b>	As set out in Core Strategy			
<b>Consultation/Community Engagement:</b>	Submission Core Strategy has been published for consultation		Partners	✓
	Public	✓	Staff	
<b>Key Decision:</b>	No			
<b>Public/Private Report:</b>	Public			
<b>Officer Contact:</b>	Eleanor Dash (Report written by Planning Policy Team)			
<b>Designation:</b>	Planning Policy Manager			
<b>Ext No:</b>	2563			
<b>Email:</b>	eleanor.dash@braintree.gov.uk			