

Core Strategy and Development Control Policies DPD



Independent Examination

# Conformity with the Regional Spatial Strategy

Published 23 August 2007

**HD/CFD/SRS5**

# Subject Response Statement 5

## Conformity with the Regional Spatial Strategy (RSS14)

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### 1. **Introduction**

- 1.1 This subject response statement has been prepared as part of a series of statements to provide additional information on a range of themes that have been raised by objectors in their Amplified Statements, specifically in relation to Week 1 of the Examination in Public. They serve to provide additional information on a specific topic area and are cross-referred to within the Council's individual responses to amplified statements.

### 2. **Main Issues**

- 2.1 A number of Hearing Statements adduce that the Core Strategy fails to meet Soundness Test 4C, that it is not in general conformity with the Regional Spatial Strategy. The reasons being cited for this non-conformity include:

- that the Core Strategy does not take account of the Secretary of State's Proposed Changes to the Draft East of England Plan (which were published on 19 December 2006),
- that it does not take account of the Report of the Panel (published in June 2006) that followed the Examination in Public (EiP) into the Draft East of England Plan,
- that it fails to give adequate consideration to various emerging regional policies, for example minimum housing targets.

- 2.2 The Borough Council refutes these challenges, and submits that, at each key stage in the preparation of the Core Strategy, including now at the time of this Examination, the document is in general conformity with the Regional Spatial Strategy.

- 2.3 Paragraphs 2.4 – 2.6 of Background Topic Paper 1 – The Borough-wide Spatial Strategy (Ref: BD/CFD/089) provides the Council's introductory response on this issue. This statement elaborates that response.

### 3. **Achieving Conformity with the Regional Spatial Strategy (RSS14)**

- 3.1 From the outset of the preparation of the Core Strategy, the Borough Council has sought to ensure that it is fully consistent and compliant with the emerging Regional Spatial Strategy (RSS14) for the East of England, for example in meeting the growth targets for the Borough contained in RSS14.
- 3.2 At the Issues and Options (Reg 25) consultation stage this is evidenced by the references in the Council's documents, for example at pages 3 and 11 of the Borough Council's Pre-Submission Stakeholder and Consultee Consultation (Issues and Options) document (Ref: CD/CFD/017). This is further evidenced within the Council's Self Assessment of Soundness document (Ref: CD/CFD/034). The East of England Regional Assembly's (EERA) formal response at the Issues and Options stage is contained within document ref: BD/CFD/041.
- 3.3 The Borough Council adopted the same approach at the Preferred Options (Reg 26) stage in the knowledge that its Issues and Options work was compatible with both the existing RSS and the emerging RSS. Again, the Council's documents at the formal consultation stage

highlight the need to conform with the emerging RSS, for example at pages 4, 28 and 30 of the Preferred Options Consultation document (Ref: CD/CFD/014).

- 3.4 At the Preferred Options (Reg 26) consultation stage, EERA provided a detailed response which is set out at pages 39 – 41 of document ref: BD/CFD/043. A number of key comments are relevant to this Statement, and are set out below:

“Key Guiding Principles

Welcome the vision, the link with the community plan and the broad consistency with the draft East of England Plan.

Our Strategic Approach

Broadly welcome the tone of your Core Strategy with regards to Green Belt which is consistent with the draft RSS and PPG2. the strategy should continue to discount any major release of land within the Green Belt up to 2021.

Spatial Options

Approach is consistent with Policies SS1, SS2, SS3, SS7, SS9 and H1 of the Draft RSS for the East of England. Agree with the delivery of new housing consistent with the draft RSS. Support the approach to concentrate within the urban areas of Chelmsford and South Woodham Ferrers and within larger defined settlements up to 2011 and then urban extension for the remaining 4,000 dwellings.

It is also very important to ensure that any proposed new neighbourhoods are integrated with other parts of Chelmsford.

Either Option 1 or Option 2 could form the basis for the Preferred Strategy. In deciding between the merits of Option 1 and Option 2, we would particularly draw the Council’s attention to Policy SS3 in the draft RSS, which requires significant urban extensions to be large enough to provide a sustainable form of development – which includes provision of appropriate education and other infrastructure.”

- 3.5 Finally, at the Submission (Reg. 28) stage, the Borough Council took into account not only the consistency and conformity already achieved with the draft RSS, but also the recommendations then recently published in the Report of the Panel following the Examination in Public of the Draft East of England Plan.
- 3.6 At the Submission stage EERA considered a report at its Regional Planning Panel Sub-Committee held on 4 December 2006 on the Core Strategy document, the Chelmsford Town Centre Area Action Plan and three draft Supplementary Planning Documents.
- 3.7 The Sub-Committee’s report and appendix is attached to EERA’s consultation response (refs. LDF0003535/498-528). Key extracts from the report and appendix are as follows:-

Recommendations (which were approved by the Sub-Committee)

- “a) consider the comments in Appendix A as a basis for a response to the Chelmsford Core Strategy and Development Control Policies Submission document;

- b) confirm that the Chelmsford Town Centre Area Action Plan, by conforming to the Chelmsford Core Strategy document, thereby also conforms to the draft EoE Plan, and that no specific regional response is required on its aims and aspirations.”

These recommendations are drawn from Section 4 of the report, entitled Comments, which is as follows:-

- “4.1 The Submission document responds well to the draft East of England Plan, and seeks to take forward the regional and sub-regional policies as they apply to Chelmsford Borough. It is considered that the spatial strategy as set out in the Vision and Core Policies conforms to the draft EoE Plan.
- 4.2 The Submission document also contains Generic Development Control Policies. These amplify the strategic and thematic policies, and are also considered consistent with the policies of the draft EoE Plan. There are several policies where it is suggested a response be made to strengthen their implementation, although not raising conformity issues in themselves.
- 4.3 The AAP carries forward and adds detail to the policies in the Core Strategy. It reinforces the delivery of the regional aspiration for Chelmsford as a regional transport interchange centre and major regional retail centre, which confirms to the draft EoE Plan. As it considers matters of local implementation and conforms to the Core Strategy policies there are no regional issues arising that warrant a specific response.
- 4.4 The three Supplementary Planning Documents do not contain new policies but provide detailed guidance to support policies in either the Core Strategy or the AAP. They do not raise any specific regional issues.”

Appendix A comprises a series of comments on specific sections of the Core Strategy. Crucially, with regard to the Vision, Key Guiding Principles, Themes, Spatial Strategy and Core Policies, EERA comment that without exception, they conform to the Draft East of England Plan.

#### 4. **Commentary**

- 4.1 Chelmsford Borough Council has consistently striven to ensure that its emerging Local Development Framework documents are in general conformity with the emerging Regional Spatial Strategy. That remains the case now, and for the future.
- 4.2. It is the Borough Council’s case that the body best placed, and indeed statutorily responsible, to judge whether the Core Strategy document is in general conformity with the Regional Spatial Strategy at each stage in its preparation is the Regional Planning Body themselves, in this case the East of England Regional Assembly. As described above, this has been duly confirmed by EERA at Issues and Options stage, Preferred Options stage, and most recently at Submission stage. Objectors are not in a position to refute this fact.
- 4.3 Notwithstanding EERA’s confirmation that the Core Strategy document is in general conformity with the Regional Spatial Strategy, it should be noted that the Government Office for the East of England (GO-East) has also consistently raised no issues of strategic concern with either Government or Regional policy. Likewise, Essex County Council as

the sub-regional planning body, has raised no strategic concerns affecting conformity at the sub-regional level.

- 4.4 The Borough Council has therefore sought to take fully into account the changes that are made to the Regional Spatial Strategy at each key stage in the preparation of that document. The Submission Core Strategy (at paragraphs 2.64 – 2.68) therefore acknowledges the recommendations contained in that Report of the Panel following the Examination in Public of the Draft East of England Plan that was published in June 2006. The Panel Report recommends an increase in the housing allocation for the Borough from 14,000 to 16,000 new dwellings.
- 4.5 The Borough Council raises no objections to this recommended increase, and as noted at paragraph 2.66 of the Submission Core Strategy, believes that the increased growth requirements could be met entirely within the parameters of the Spatial Strategy as set out in the Submission document, without necessitating the consideration of any further spatial options for growth. This remains the case and indeed further work undertaken since the date of Submission (7 November 2006) by the update of the Urban Capacity Study, the updated Housing Trajectory and underlying housing land availability data, and detailed land capacity studies for sites within the North Chelmsford AAP area serves to ratify and confirm that position, in fact with much higher levels of certainty than expressed in the Core Strategy. Indeed, the Issues and Options (Reg 25) document for the North Chelmsford Area Action Plan, which is published for consultation on 28 August 2007 is putting forward 'greenfield' options potentially providing for up to 5,000 homes by 2021 in recognition of the higher target.
- 4.6 The Secretary of State for Communities published her Proposed Changes to the Draft East of England Plan on 19 December 2006 – the precise date on which the Borough Council's statutory six week consultation on the Submission Core Strategy closed. The consultation on those Proposed Changes closed on 9 March 2007, and it is presently understood that the final version of the RSS will not now be published until Autumn 2007 'at the earliest' – source [www.eera.gov.uk](http://www.eera.gov.uk).
- 4.7 The Borough Council's formal response to the Secretary of State's Proposed Changes is contained at Appendix A to this Statement. It will be noted that:-
- the Borough Council does not raise any objections to the proposed increase in the housing allocation from 14,000 to 16,000 new dwellings, and states that this increased requirement will be addressed in the First Review of the Core Strategy document to be undertaken in 2008
  - the proposed new Policy CHI – "Chelmsford as a Key Centre for Development and Change" is welcomed
  - in the consideration of Issues and Options for the Core Strategy, the Borough Council examined and consulted on a number of spatial options to meet its 'greenfield' needs, including the potential release of Green Belt land. When assessed against a range of sustainability criteria, the identification of locations to the North of the urban area of Chelmsford has been identified as the most sustainable option.
- 4.8 It is therefore the Borough Council's case that its stated position on the emerging Proposed Changes to the Draft East of England Plan, as set out at paragraphs 2.64 – 2.68 of the Core Strategy, and subsequently in a formal response on 7 March 2007 to the Government Office for the East of England is entirely correct, and most importantly in conformity with the emerging Regional Spatial Strategy. It is therefore iniquitous of objectors to suggest that the Borough Council has failed to take account of the Secretary of State's Proposed

Changes, which were not published until the final day of the Submission consultation period, and which are not yet confirmed.

- 4.9 Finally, the Borough Council is taking forward the growth agenda that is contained in the Regional Spatial Strategy through its corporate 'Chelmsford Tomorrow' initiative, its request to be considered for inclusion within the LSCP growth area (of Topic Paper 1 and accompanying Subject Response Statement 4) and the consideration with adjoining districts of promoting a Mid-Essex City Region.

## 5. **Conclusion**

- 5.1 The Borough Council's position is that the Submission Core Strategy is in general conformity with the Regional Spatial Strategy, and that Soundness Test 4C is satisfied.

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Dear Mr Hargreaves

**THE SECRETARY OF STATE'S PROPOSED CHANGES TO THE DRAFT REVISION TO THE REGIONAL SPATIAL STRATEGY FOR THE EAST OF ENGLAND PLAN**

Thank you for the opportunity to comment on the Secretary of State's proposed changes to the East of England Plan. The changes were considered by the Council's Development Policy Committee on 26 February 2007. At that meeting it was resolved that the following comments be forwarded to you as this Council's formal response to the consultation.

**Overview of the East of England Plan**

The recognition of the importance of the need to secure significant investment to meet the Region's growth agenda is welcomed. However, the Secretary of State must ensure that appropriate funding mechanisms are put in place as a matter of urgency if the Government's Sustainable Communities vision is to be delivered. This is especially important as the Government's growth plans for the Region has increased the housing requirement, including the allocation to this Borough. Unless the unresolved issues relating to investment in transportation infrastructure, water supply and waste water treatment capacity are addressed the Plan will remain undeliverable and unsustainable.

**Policy SS3**

This is welcomed as it reinforces the Borough Council's Spatial Strategy as set out in the LDF Core Strategy and Development Control Policies DPD by providing a robust, long term basis to ensure that the Borough's future development needs are met in a sustainable way, and in particular by focusing development at Chelmsford.

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### **Recommendation R3.3**

Concern is raised that the Secretary of State is failing to take advantage of the opportunity to establish a body to help secure the funding of infrastructure requirements to support the Region's overall development needs. It is not considered that the existing mechanisms and structures that are in place have been robust enough to secure the investment in infrastructure needed to secure sustainable development.

### **Policy EI: Job Growth**

Previously the Council had expressed concerns that job growth had not been apportioned between individual local planning authorities rendering it difficult to determine specific employment requirements. The Council is disappointed that these concerns have still not been addressed especially as LDD's are being expected to provide an enabling context to achieve the targets.

Unlike the housing allocations, job growth is not apportioned between individual local planning authorities. Although the supporting text considers job growth is broadly aligned with the housing provision of the Plan it is still not possible to determine specific distributions across Central and North Essex. This undermines the ability of Local Development Documents to set out a meaningful economic strategy that will secure an appropriate job-worker balance. In addition, assumptions have been made about employment growth without indicating how and in what sectors jobs are likely to be created. Chelmsford has seen significant structural changes to its traditional employment base and the opportunity to diversify into other growth sectors such as health, education and research should be acknowledged.

Failure to address these issues may prejudice the ability of individual local planning authorities to deliver appropriate employment provision in their spatial strategies.

### **Policy HI: Regional Housing Provision 2001 to 2021**

During the preparation of the Core Strategy and Development Control Policies DPD the Council took into account the increased provision arising from the Panel report from 14,000 to 16,000 and considered that the increased growth requirements could be met entirely within the parameters of the Spatial Strategy without necessitating the consideration of any further spatial options for growth. The proposed new neighbourhoods to the North East of Springfield and to the West/North West of Broomfield can meet an increased requirement for new dwellings on 'greenfield' land if that proves necessary. This increase reflects Chelmsford's economic role in the Region.

The Borough Council will address the increased requirements for new housing and jobs as part of the First Review of the Core Strategy document, to be undertaken in 2008 and will assess the specific requirements for any land allocations through the Site Allocations DPD and the North Chelmsford Area Action Plan. In this context, the Borough Council will monitor the completion of new dwellings and creation of new jobs through its Annual Monitoring Reports, in accordance with the monitoring framework set out in the Core Strategy, and will use that information to inform the First Review.

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Whilst the Council's Core Strategy can accommodate the additional growth there are wider implications for other parts of the Region in terms of the deliverability of jobs and infrastructure and the impact on the environment.

#### **Policy HI: Supporting Text**

Whilst the rationale for the amendment to the text is understood it should not be assumed that there will always be capacity to accommodate development and the requisite infrastructure having regard to the carrying capacity of the environment.

#### **Policy ENV8: Renewable energy and energy efficiency**

Whilst the formulation of policies that focus on the need to reduce Carbon Dioxide Emissions and to promote Renewable Energy is welcomed the development of policies will be dependent on the provision of up to date and consistent technical guidance by the Government and their agencies to inform and underpin the process

#### **Policy E5: Regional Structure of Town Centres**

The recognition of Chelmsford as a regional centre is welcomed as it reinforces the role of Chelmsford, as set out in the Core Strategy and 'Chelmsford Tomorrow' Vision, as the economic, cultural, leisure and shopping capital of Essex and as a leading strategic regional centre in the East of England.

#### **Policy CHI: Chelmsford as a Key Centre for Development and Change**

This proposed policy is welcomed as it reinforces the role of Chelmsford, as set out in the Core Strategy and 'Chelmsford Tomorrow' vision, as the economic, cultural, leisure and shopping capital of Essex and as a leading regional centre in the East of England. It also addresses previously expressed concerns that the sub-regional role of Chelmsford had not been properly defined in the Draft Plan undermining its existing role and its ability to nurture continued growth. It also helps support the proposed transport infrastructure enhancements set out in the Core Strategy. However, the role of Chelmsford as key sub-regional employment centre within Essex needs also to be recognised. Its role as a key centre for primary health care and further and higher education should also be considered.

#### **Policy CHI Supporting Text**

In the consideration of issues and options that informed the Core Strategy and Development Control Policies DPD the Council examined and consulted on a number of spatial options to meet its Greenfield development needs, including the potential release of Green Belt land. When assessed against a range of sustainability criteria including the provision and availability of infrastructure as well as potential impact on the environment, the identification of locations to the North of the urban area of Chelmsford has been identified as the most sustainable option. In addition the public consultation revealed overwhelming support for the retention of the existing Green Belt boundaries.

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**Policy T13: Parking**

It is regretted that the 70% maximum parking provision has been dropped in Regional Transport Nodes and Key Centres for Development and Change as this provided positive support for other public transport and urban design initiatives. It is now understood that Essex authorities will review the situation at the County-wide level.

**Appendix A: Strategic Transport Infrastructure Priorities**

The list of regionally significant transport investment currently programmed for the region (Appendix A) does not include either a rail station north east of Chelmsford, the Chelmsford North East Bypass, nor widening of the A12 from the M25 to Colchester. Whilst the Bypass proposals are not fully worked up to a level where they could be programmed it is concern is raised that neither the rail station proposals, one of the few schemes in the country on the rail industry's Single List of Enhancements, nor the A12 widening proposed by the London to Ipswich Multi Modal Study are included.

The inclusion of the London to Ipswich Corridor, including Chelmsford and Colchester urban areas, as an area likely to come under increasing transport pressure as a result of underlying traffic growth and the development strategy of the RSS where further work should be focussed to identify the interventions needed is welcomed.

In order, however, for Local Planning Authorities to deliver the Government's growth vision for the Region, it will be essential for credible funding streams to be made available to deliver the infrastructure to support the quantum of development proposed.

Yours sincerely

David Green  
Director of Planning and Building Control

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