



CHELMSFORD LOCAL PLAN

HEARING STATEMENT

MATTER 6C: HOUSING PROVISION IN GROWTH AREA 3 – SOUTH AND EAST

GLADMAN DEVELOPMENTS LTD

Date: November 2018

Pegasus Reference: ST/P18-2428/R002v2

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1. INTRODUCTION

- 1.1 This Hearing Statement has been prepared on behalf of Gladman Developments, in relation to Matter 6c of the Chelmsford Local Plan Examination in Public process. Gladman have land interests in Danbury, Bicknacre and East Hanningfield, all of which are located within Housing Growth Area 3 (South and East).
- 1.2 Whilst this Hearing Statement specifically answers the Inspectors questions in relation to Matter 6c, the Statement should also be read in conjunction with our Hearing Statement in relation to Matter 5, where we expressed concerns relating to the spatial distribution of growth and that more growth should be directed towards Growth Area 3 (South and East).

2. QUESTION 73

Are the housing site allocations in GA3 within Location 7: North of South Woodham Ferrers, Location 8: Bicknacre and Location 9: Danbury, justified and deliverable and are they consistent with the Plan's spatial principles (Strategic Policy S1) and national policy? In particular:

a. Is the scale of housing for each site allocation, particularly the large Strategic Growth Site North of South Woodham Ferrers, justified having regard to any constraints, existing local infrastructure and the provision of necessary additional infrastructure?

- 2.1 Within our Matter 5 Hearing Statement (Appendix 1), we have highlighted the low level of housing growth afforded to Danbury and Bicknacre with only 100 units to the former and 30 units to the latter.
- 2.2 We have previously highlighted that the scale of development committed and planned equates to only a 6% growth in households over the plan period (2014 – 2036). This compares to Great Leighs, which will more than double in size at 122%. Even the Key Service Settlement of Runwell, which is located in Growth Area 3 and is within the Green Belt is to grow by 32% in terms of households.
- 2.3 In short, the scale of growth afforded to other, less sustainable key service centres is disproportionate. We have previously highlighted that the scale of growth at Great Leighs is unjustified, particularly when considered against the Council's spatial principles and spatial strategy which essentially seeks to locate development in and around settlements with the most services located outside of the Green Belt. Bicknacre and Danbury, in particular, both have more existing services than currently exist in Great Leighs by some margin (see Tables at the rear of Council's own evidence at EB 083B – Appendix 2).
- 2.4 In the event that the Inspector finds either the Council's housing requirement, buffer or spatial distribution to be unsound, we would like to reiterate that both Bicknacre and Danbury could accommodate a greater scale of growth without having undue impacts on known constraints and existing local infrastructure.

b. Is the housing trajectory realistic and are there any sites which might not be delivered in accordance with the timescale set?

- 2.5 No comment.

c. Are the planning and masterplanning principles justified?

- 2.6 No comment.

d. Are the specific development and site infrastructure requirements clearly identified for each site allocation, are they necessary and are they justified by robust evidence? Is any other infrastructure necessary for site delivery?

2.7 No comment.

e. Are the site boundaries justified?

2.8 The site boundaries for the 100 units at Danbury will be identified through the emerging Neighbourhood Plan. Gladman fully support this process.

f. Will the site allocations in these locations achieve sustainable development?

2.9 See above responses.

g. Are any amendments necessary to ensure soundness?

3. QUESTION 74

Strategic Growth Site 9 allocates 100 new homes at Danbury. Reference is also made to 'around 100 new homes' - which term should it be? Is it appropriate to call this a 'site' or 'allocation' when no site or sites are identified within the Plan? At what stage is the Danbury Neighbourhood Plan and does the Plan provide a mechanism to ensure delivery of housing at Danbury should there be a delay in its production?

3.1 'Allocation' is the incorrect term in this instance because the Local Plan does not specifically allocate a site for Danbury. In this specific instance, the Local Plan is setting a target for Danbury and that target should be expressed as a minimum. Simply utilising the words 'around' would not guarantee that the objective of achieving 100 units would be met.

3.2 Paragraph 23 of the 2018 NPPF confirms the following:

'...Strategic policies should provide a clear strategy for bringing sufficient land forward, and at a sufficient rate, to address objectively assessed needs over the plan period, in line with the presumption in favour of sustainable development..'

3.3 Paragraph 29 of the 2018 NPPF confirms the following:

'Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies'.

3.4 Whilst we note that the Local Plan is being prepared under the transitional arrangements in the Framework and therefore the 2012 NPPF applies, it is pertinent to note that the Danbury Neighbourhood Plan will be tested against the Local Plan and the 2018 NPPF. Indeed, there is no reason why this latest policy/best practice/advice could and should not be utilised in this specific instance.

3.5 In order to avoid any confusion therefore, the Local Plan should set a minimum requirement/target for the Danbury Neighbourhood Plan to achieve so the Local Plan delivers the tested and examined Spatial Strategy.

3.6 The 2012 Framework is also clear in confirming that objectively assessed housing targets should be met in full (paragraph 47) and therefore the targets set out within a Local Plan should very much be viewed as minimum development requirements, and not a cap to development which cannot be exceeded. Paragraph 16 of the NPPF also confirms:

'The application of the presumption will have implications for how communities engage in neighbourhood planning. Critically, it will mean that neighbourhoods should:

develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;

plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan;..'

- 3.7 Setting a minimum target also allows for further flexibility in the Local Plan to ensure that development requirements are met, by allowing for the minimum figure to be exceeded if other sites are failing to deliver as anticipated. Such an approach is also in the interests of significantly boosting the supply of housing (paragraph 47 of the 2012 NPPF).
- 3.8 The Local Plan has to be 'effective' in order to be sound. With this in mind, it is important to recognise that the Local Plan does not obligate Danbury Parish Council to produce a Neighbourhood Plan, nor could it. In the event that a Neighbourhood Plan is not progressed during the plan period, this could mean Danbury does not meet any of the District's housing needs or meet any of the settlement's own needs.
- 3.9 Delivering below 100 homes in Danbury could not be regarded as being effective or sound. Indeed, Danbury is the largest Key Service Settlement in the District in terms of its population (5000+), households (2,000+) and number of key services (70+). Danbury will undoubtedly generate its own local needs given its scale. Delivering insufficient new homes in Danbury would be at odds with the spatial strategy, which is geared towards delivering growth to the Key Service Settlements outside the Green Belt. We have also previously highlighted in our Matter 5 statement that the preferred spatial strategy and other spatial strategies tested in the SA were chosen and dismissed on the basis that the Council's SA recognised growth should be afforded to Danbury (and Bicknacre) to support existing services and address local housing needs. Indeed, Option 1 was specifically dismissed on the basis that it offered no growth to these two settlements (see Table 3.2, page 24 in **SD005**).
- 3.10 This would indicate that growth in both settlements is deemed to be a necessary requirement and key component of the Local Plan for it to be sound. Growth in the two settlements is also necessary to adhere to the NPPF which seeks to promote the vibrancy and sustainability of rural settlements and a component of the Council's own SA Objective 4. If the Neighbourhood Plan is not delivered in a timely fashion, the Local Plan would fail to deliver this objective.
- 3.11 As such, in order to be deemed 'effective', the Local Plan policy in relation to Danbury (Location 9) needs to set a timescale and backstop for the Neighbourhood Plan preparation coupled with a commitment to undertake either a proportional/focused Local Plan review for Danbury in the event that the Neighbourhood Plan is not advanced and made, and/or provide wording that confirms planning applications delivering new homes on the edge of the settlement could be deemed as being acceptable in principle (subject to addressing other policies in the plan) after a certain date (i.e. a suitable phasing policy).

- 3.12 Regarding the timings of the Neighbourhood Plan, Danbury Parish Council's website sets out the anticipated timetable for the Neighbourhood Plan, which we replicate at **Appendix 1**. It is notable that the Plan is in the very early stages of preparation, with the draft plan (regulation 14) consultation anticipated to take place in March 2019. It is stated that the Neighbourhood Plan will be complete and adopted/made in April 2020. As such, this would seem to represent a reasonable backstop for a phasing component to be added to the policy.
- 3.13 In addition, we note that the Local Plan Housing Trajectory within the Schedule of Additional Changes Document (**SD 002**) anticipates that the allocation(s) at Danbury will start to deliver in the medium term, namely from 2023 onwards. This is reasonably realistic in the context of the Danbury Neighbourhood Plan's advocated timetable. However, if the Neighbourhood Plan is not made by 2020, there should be the opportunity to meet the settlement's needs through planning applications. Applications submitted after April 2020 should therefore be deemed suitable in principle as this would allow for some residential commencements from 2023 onwards.
- 3.14 In addition, and as agreed by the Council in the Week 1 hearing sessions, local communities, through their Neighbourhood Plans, could chose to deliver more development than that specified in Policy S9 of the Local Plan. It is considered that the Local Plan should expressly state this in the context of Location 9 Danbury given it is the only settlement where the Neighbourhood Plan approach is relied upon to deliver the settlement's required growth. It should be made clear that in the event that the community wish to deliver more homes, this would be consistent with the Local Plan's Spatial Principles (Policy S1) and Settlement Hierarchy and Spatial Strategy (Policy S9), subject to addressing other legal and technical requirements. This is considered necessary because Neighbourhood Plans have to be consistent with the Local Plan. At present, Policy S9 seems to cap Danbury's requirement at 100 units and therefore any Neighbourhood Plan that sought to deliver more homes might then be cited as being inconsistent with the Local Plan.
- 3.15 Overall, to be found sound, the Chelmsford Local Plan must demonstrate certainty that the development requirements of the Borough will be met. The current approach to rely on the Danbury Neighbourhood Plan to allocate a site or sites to deliver 'around' 100 dwellings does not provide this certainty and is therefore not effective of justified. In order to address this Location 9 policy must:
- **Cite the 100 dwellings for Danbury as a minimum target;**
 - **Confirm that the Danbury Neighbourhood Plan could allocate sites to deliver more than 100 homes (subject to SA testing) as this would still be consistent with the Settlement Hierarchy and Spatial Strategy which seeks to focus development at Key Service Centres outside of the Green Belt;**
 - **Confirm that in the event that the Neighbourhood Plan is not adopted/made by April 2021, there will be a need for a Danbury Focused Review of the Local Plan; or suitable sites could be brought forward within or on the edge of the settlement**

through planning applications (subject to addressing other policies in the Local Plan)

APPENDIX 1 – DANBURY NEIGHBOURHOOD PLAN TIMETABLE

[HOME \(/\)](#) [THE PLAN \(/THE-PLAN.HTML\)](#) [RESOURCES \(/RESOURCES.HTML\)](#)
[HAVE YOUR SAY \(/HAVE-YOUR-SAY.HTML\)](#) [MAP \(/MAP.HTML\)](#)



Danbury Neighbourhood Plan

Our Parish, Our Future

Our Process

The graphic below shows the key milestones for developing the NP and our estimated dates for completion.



Project Plan

The Project Plan shown below can only be used as a guide as the dates will be reviewed and updated as the work progresses.

Danbury Neighbourhood Plan - Project Plan (September 2018)

	2018				2019								2020			
	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Questionnaire No2																
Consider Data Analysis																
Hold Exhibition - Residents & DPC																
Advise Developers/Landowners																
Draft Plan																
Intro and background chapters																
Draft policies etc																
Prepare Design Code																
Sustainability Assessments																
Strategic Environmental Assessment																
Select Sites																
Draft site specific policies																
Policy compliance (with CCC) table																
Meeting with steering group																
Formal Public consultation Reg 14																
Consultation strategy agreed with DPC																
Organise consultation launch event																
Prepare feedback questionnaire																
Publish draft plan																
Collate and collect responses																
Revisions to Draft Plan																
Log and review feedback																
Recommend changes																
Discuss changes with DPC & CCC																
Steering Group agreement																
Make changes																
Submit Draft Plan to Chelmsford CC																
Prepare consultation statement																
Prepare basic conditions statement																
Prepare environmental assessment																
Submit to DPC																
Draft Plan to CCC																
Examination																
CCC publicises (Min 25 working days)																
CCC appointed examiner																
Examination																
Examiner's Report																
REFERENDUM																
Publicise referendum																
Referendum and Result																

Plan 17th Sept 2018

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(/uploads/1/0/3/9/103909068/dnp_privacy_notice_may_2018.pdf) Please contact by email at LesleyMitchelmore@danbury-essex.gov.uk
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