

CHELMSFORD DRAFT LOCAL PLAN EXAMINATION

HEARING STATEMENT - AQUILA DEVELOPMENTS LTD

RELATING TO ENVIRONMENT ISSUES: MATTER 9

Green Wedges and Green Corridors

Context

Aquila's submissions at the Regulation 19 stage express concern as to the both the general approach taken to green corridors and to the specific designation which is applied at Generals Farm Boreham. Associated representations emphasise the suitability of the latter site for employment development in the context of a need for more deliverable employment sites.

This Statement supplements the original submissions with specific reference to the Inspector's questions and provides further detail as to site specific constraints which the designation imposes.

Are Green Corridors and Wedges valued landscapes in the context of para 109 of the Framework.

It is accepted that Green Corridors or Wedges are capable of being 'valued landscapes' within the context of the Framework, and as such are planning tools which have legitimately been applied elsewhere. The key point at issue however is whether the areas which have been so defined are genuinely valued landscapes which warrant a designation apart from the 'norm' (which will generally be countryside) or whether the designation has been applied in pursuit of other planning objectives.

..if so is this based on robust evidence and are they clearly justified

In this context, the analysis set out on EN094A & B clearly represents the evidence underpinning the allocations. This study responds to a brief from the City Council which requires the review of existing Green Wedges and the potential scope for extension of these or an equivalent landscape designation. Whilst In large part the robustness of the document turns on its analysis of specific areas of land there are number of points which should be made in relation to overall principles. Thus:

- It is clear from the Study Methodology & figure 2.1 of the document that the starting point for analysis has been existing Green Wedge boundaries and 'strategic Landscape Character Areas'. The latter are taken from previous work by Chris Blandford Associates and there is no suggestion that these strategic areas are outdated or no longer fit for purpose. Rather, it is indicated that the CBA work provides a 'reference point for detailed definition';
- Parcel identification supposedly follows the river valleys with boundaries based on roads, building lines or other defensible physical features;
- Green Wedges are identified as having a clear separation role between built development (EB094A 4.6). In contrast to this for Green corridors there is no function in separating built form & the role is centred on landscape character, connectivity & biodiversity (4.7) . This is borne out by the stated Corridor Policy objectives (4.13)which concentrate on these issues and make no reference to separation.

As we note below when these key principles are applied to the Boreham interchange area the lack of justification for this particular designation is readily apparent.

How have wedges/ corridors and their respective boundaries been determined? Are their designations supported by appropriate methodologies & criteria.

It is clear from EB094A that boundary definition is dependent upon the document's land parcel review as a starting point, since this in due course translates directly through a process of amalgamation into the overall pattern of wedges & corridors .

Since inclusion in the review is, in essence, a precondition of designation it is appropriate to ask whether the correct parcels have been included from the outset.

In this context, our review necessarily centres upon the CE5 Land parcel in the Chelmer East area and in this regard it is clear at the outset that there is marked disparity between the boundaries of that area & the Lower Chelmer River Valley as defined in the Strategic Landscape work (see EB094A figures 2.1.& 3.2), given the parcel's extension over an additional area to the north and south east.

It is immediately questionable whether the river valley designation can be legitimately enlarged in this way since there has been no physical change to the topography in the intervening period and since, as we have already noted, the strategic work is claimed to provide the basis for detailed parcel definition. However, even if it is accepted that the boundaries can be reviewed in this way , we strongly challenge the justification for extending the boundary up to the A12 for the following reasons:

- The northernmost area is well beyond the river corridor & enjoys no intervisibility with it;
- It is significantly affected by the A12 as a major road corridor;
- It has no distinctive landscape features.

As such, it demonstrably fails to meet the Key Characteristics of the Lower Chelmer River Valley set out in Table 3.1 of EB094A.

Moving on from parcel definition, the character assessment set out at page 28 of EB094B does make direct reference to the influence of the A12 & other intrusive features, although it fails to acknowledge the despoiled (open storage) area of land which lies east of the Premier Inn, nor do the accompanying photographs in the assessment record this.

Significantly, however, the area between Main Rd & the A12 (in which the Generals Farm land lies) is characterised as being 'vulnerable to change' on the basis that it lies between Boreham Village & the Boreham Interchange and forms the beginning of open countryside to the east of Chelmsford .

It is clear from this that, rather than landscape character, the desire to maintain physical separation lies at the heart of including the area in the green corridor, notwithstanding the fact that this function is not a stated corridor objective.

On this basis, we are firmly of the view that inclusion of the area north of Main Rd in the corridor is unjustified and that application of the designation here is simply to provide another layer of control which protects the area from development. Furthermore, where the designation extends over the Generals farm open storage land its credibility is even further undermined.

Are the criteria...justified effective and consistent with national policy?

Whilst the inspector's question is understood we would wish to address the criteria in Policy CO3 from a slightly different perspective: Namely through asking what the effect of the application of these criteria will be.

In this context, it is readily apparent that definition of a Wedge or Corridor in effect represents a *de facto* extension of the green belt designation. Comparison of the respective policy criteria with those in CO2 serves to demonstrate this, since most are repeated.

There can be no question but that the policy represents a strong in principle resistance to development; which affect has been readily apparent to us in discussions centred on a 2017 planning application at Generals Farm. In that context we were advised that the designation of the Green Corridor here represented a significant in principle objection notwithstanding its draft status.

Furthermore , and most importantly ,in the site selection exercise pursuant to the SLAA it will be noted that Green Corridor is an absolute constraint , which leads to a site being discounted under a 'policy on ' assessment (see appendix 1 , which also references the Generals Farm site as CFS 77) .

The recognition that control/ restraint will be applied in this way emphasises the need to ensure that designations are confined to areas which genuinely warrant this additional restriction over development.

The Green Corridor Designation & Generals Farm

Our written Submissions make the case for the allocation of the whole of the Generals farm site up to Paynes Lane for employment via a scheme of circa 7,000sqm and illustrate how this could be achieved. Whilst we recognise that this would necessarily dictate a modification to the plan (which we consider is fully justified on the basis of the need for more employment land) it is also important to emphasise that even in the absence of this, removal of the Green Corridor notation will allow a first phase of development to come forward on that portion of the site which is despoiled & given over to storage yard use .

This has subsisted on the site for many years and clearly warrants removal to secure environmental improvement.

In this context Appendix 2 provides photographs of the area in question while Appendix 3 shows both the extent storage yard and a scheme of some 2,600 sq m B1 centred directly on it.

Such development would afford the potential for a further phase in the event that a wider site allocation were to be secured now or in the future but in any event clearly serves to further emphasise that a Green Corridor designation is unduely restrictive and entirely unjustified on this land .

Changes Sought

On the basis of the position which we have outlined we believe that the removal from the corridor designation of all land north of Main Rd (ie between settlement edges of Chelmsford & Boreham) is warranted. Plainly, the land is not part of the river valley and does not meet stated green corridor objectives . Whilst some of this land clearly does separate Chelmsford & Boreham, maintenance of an appropriate degree of separation can properly be secured by settlement boundary / countryside policy.

Even if this wider proposition were to be rejected, land to the West of Paynes Lane poses even more substantial challenges to the designation & we see no circumstances in which the storage yard land can properly be subject to it. The illustrative layout submissions for General's farm serve to illustrate how physical features in that land parcel can readily be used to create a defensible boundary here, recognising the importance which the Council's consultants evidently attribute to this consideration.

Aquila Developments Ltd

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APPENDIX 1

SLAA Extracts:

Assessment Criteria: Absolute Constraints

CFS77: Discounted Site

SLAA Assessment Criteria Note

Item	Subject
1.	<p>ABSOLUTE CONSTRAINTS</p> <p>If any of the following conditions are fulfilled, the site will be completely ruled out of the SLAA:</p> <ul style="list-style-type: none"> ▪ Site lies in the Metropolitan Green Belt (Policy CP5 and Draft Policy S14, CO1) ▪ Site lies in Flood Zone 3b (Policy DC22 and Draft Policy S3) ▪ Site lies within a Green Wedge or Green Corridor (Policy DC9 and Draft Policy S14, CO1) ▪ Site lies within a Special Area of Conservation, RAMSAR or Special Protection Area ▪ Site lies within a Site of Special Scientific Interest (SSSI) ▪ Site lies within a Registered Park or Garden of Special Historic Interest ▪ Site contains all or part of a Scheduled Monument ▪ Site lies on route of safeguarded corridor for strategic Trunk roads ▪ Sites highly unlikely to be available during the SLAA period ▪ Sites highly unlikely to be achievable during the SLAA period ▪ Allocated Mineral sites or Mineral sites with extant Planning Permission¹ ▪ Allocated Waste sites or Waste sites with extant Planning Permission² <p>Where only part of the site falls within one of these designations, only the part of the site which falls outside of the designation is considered in the SLAA (subject to the inclusion of a suitable buffer where appropriate).</p>
2.	<p>'SUITABILITY' CRITERIA</p> <p>Note: <u>Underlined</u> criteria are considered particularly important. If a site achieves a low score against any underlined criteria, the site's overall suitability score will be capped accordingly (as described in more detail below). Where a site falls only partially within a designation which constitutes a key criterion, we will look at the possibility of excluding part of the site and assessing only those parts of the site which fall outside the designation.</p> <p>2a. Policy Restrictions or Limitations</p> <p><i>Suitability of Location for Development (Local Plan Policy CP5 and Draft Policy S14, CO1)</i></p> <ul style="list-style-type: none"> ▪ Site is in Chelmsford or South Woodham Ferrers Urban Area, or Chelmsford Town Centre Area Action Plan 5 ▪ Site is within a Defined Settlement Boundary 4 ▪ Site is adjacent to Chelmsford or South Woodham Ferrers Urban Area, or Chelmsford Town Centre Area Action Plan 3 ▪ Site is adjacent to a Defined Settlement Boundary 2 ▪ Site is outside of any Defined Settlement Boundary or Town/City/Urban area in the countryside 0 <p><i>Impact on Areas of Defined Open Space (Local Plan Policy DC39 and Draft Policy CA2)</i></p> <ul style="list-style-type: none"> ▪ Site not within an area defined as Public Open Space or 'Other' Green Space 5 ▪ Site partially within an area defined as Public Open Space or 'Other' Green Space 3 ▪ Site wholly within an area defined as Public Open Space or 'Other' Green Space 0

¹ Preferred and reserved Mineral sites identified in the Essex County Council Minerals Plan (2014)

² Sites in the Essex County Council Replacement Waste plan (2017)

Council Reference CFS77

:

SLAA Reference 71

Category: 2

Yield: 0

Density: 35
(per ha)

Site Name Land East of Premier Lodge Hotel, Main Road, Boreham, Chelmsford, Essex

Observations PROW 213_45 From the B1137, by the Police House, in a north-westerly direction to the A12 PROW 213_31 From the main A12 road, north-east of generals, in a south-easterly direction to FP30. Bridleway 45BOR runs through the site. Tree Preservation Order TPO/2014/001 covers group of trees within the site to the south. Grade II listed building CBC/00248 within site. Registered parks and gardens: 1000354 to the South of site. Within buffer zone for 'final stage sand and gravel'

Site faces some suitability constraints

Site performs well against availability criteria

Site performs well against achievability criteria

Suitability Criteria

Access Infrastructure Constraints	5: No known constraints to achieving a suitable access
Bad Neighbour Constraints	3: Site has bad neighbours with potential for mitigation
Ground Condition Constraints	5: Treatment not expected to be required
Mineral Constraints	5: Site does not fall within an identified Mineral Safeguarding Area
Impact on Areas of Defined Open Space	5: Site not within an area defined as Public Open Space or 'Other' Green Space
Impact on Locally Protected Natural Features	5: Site not within an area of Ancient Woodland, Local Wildlife site, Local Nature Reserve Essex Wildlife Site or Coastal Protection Belt
Flood Risk Constraints	5: Site is within flood zone 1
AQMA Constraints	5: Site not within 800m of an AQMA
Suitability of Location Constraints	0: Site is outside of any Defined Settlement Boundary or Town/ City/ Urban area in the countryside
Other Suitability Considerations	Relationship with designated heritage assets.
Site is potentially suitable but faces some constraints	

Availability Criteria

Availability Details	5: Held by developer / willing owner / public sector
Site identified through submission process - therefore assume willing owner	
Other Availability Considerations	
Site is available	

Achievability

Achievability Details 3: Good achievability (could be used in five year supply but site is in the Green Belt /Green Wedge/Green Corridor so currently a discounted site - see Appendix 5)

Site most closely reflects Typology 9 - medium, greenfield, Key Rural Villages (Residential)

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APPENDIX 2

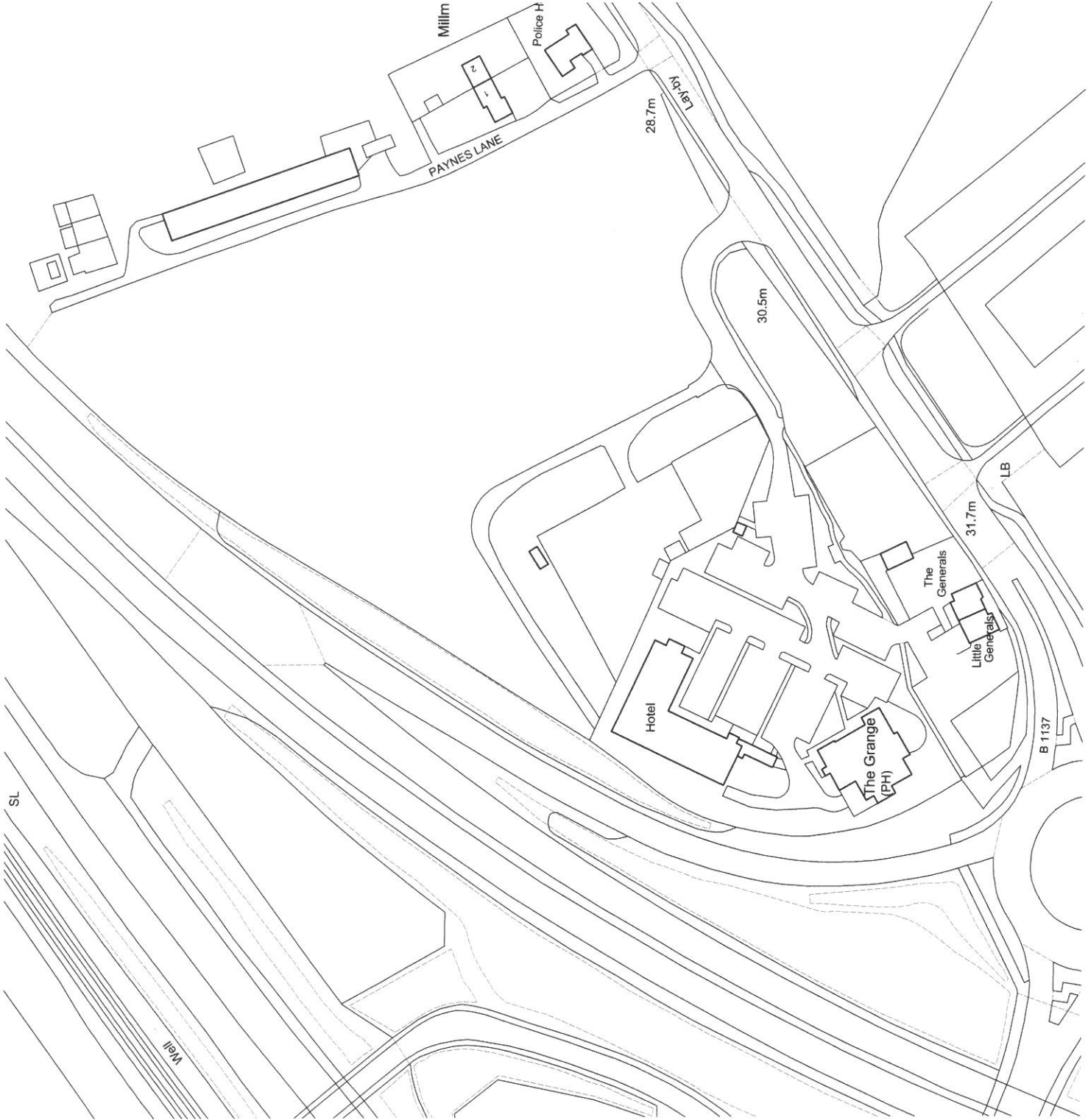
Generals Farm Site Photographs



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APPENDIX 3

Generals Farm : Existing Site Plan & Phase 1 Scheme



DO NOT SCALE
All dimensions to be checked on site
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consent of the Architect

10/05/2015



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GENERALS FARM
BOREHAM

OS BASE DRAWING

Scale
1:1250 @ A3
North arrow

Printed
AUGUST 2015

101/052 - OS/01

ILLUSTRATIVE LAYOUT



Application boundary



Indicative building locations

This plan illustrates only how the site could be arranged as detailed layout arrangements will need to be approved via future reserved matters applications.



Essex Technology & Innovation Centre
The Cobblers
Chapman Widgery Architects
Unit 10, The Cobblers
Chapman Widgery Architects
Tel: 01277 348274
Email: info@chapmanwidgery.com

LAND NORTH OF MAIN ROAD & EAST OF
PREMIER INN, BOREHAM

ILLUSTRATIVE LAYOUT

Scale: 1:1250 @ A3
Date: 11/25/2016

Drawn: 11/25/2016

101/052 - UP/05 L