

CHELMSFORD DRAFT LOCAL PLAN EXAMINATION

HEARING STATEMENT - AQUILA DEVELOPMENTS LTD

RELATING TO EMPLOYMENT ISSUES:

Matter 7: Employment and Retail Development

Context

Aquila's submissions at the Regulation 19 stage express concern as to the adequacy of the Plan's employment allocations. This has been reinforced by updated material produced by the Council in the interim, as explained in this and an associated Statement, which supplement the original submissions with specific reference to the Inspector's questions.

The submissions also emphasise the need for flexibility in the reuse of existing employment land & in this respect the statement updates the position with reference to the Council's proposed changes and to an emerging development proposal.

Does Strategic Policy S8 clearly set out the employment requirements and will it ensure that the Plan meets the objectively assessed employment needs identified? Does the 55,000 sq m of employment land take into account any employment land lost to other uses in recent years?

In our matter 4 submission we noted the evident confusion which exists between the promotion of 'offices' (as per para 6.25 of the plan text & the employment densities used) and other B class uses (variously described as 'business park' or 'flexible business space'). This clearly warrants clarification since employment requirements should surely embrace all B class uses as well as other employment generating uses.

Self evidently, however, as matters presently stand unless new & committed sites are built out to their maximum employment potential in a manner for which there is no historic precedent the plan's job target will not be met via plan allocations. Moreover, if this unlikely eventuality were to occur the need for 'all foreseeable types of economic activity' (as per the Framework) plainly would not be met.

We have already referred to the loss of employment land in our original representations. We note the slowing of this trend in the latest (Draft) Annual Monitoring Report (EB173) but the overall effect since the plan base date is very marked. Surprisingly, there is no mention of employment land / floorspace loss in EB080.

Does Strategic Policy S8 clearly identify the retail development needs for the Plan Period? Are the requirements based on credible evidence and are they justified and deliverable?

Work carried out on behalf of Aquila in support of retail development on a portion of an existing employment site (Regiment Business Park, Essex Regiment Way) is relevant to this question in that :

- It reviews population & expenditure in the first part of the Plan Period in support of the retail case

- It demonstrates that a foodstore of circa 2,500 sq m can satisfactorily be accommodated with reference to relevant retail policy issues (including the sequential test & impact) adopting a Design Year of 2023 and the establishment of stable trading patterns.

Conclusions from the Study & extract plans are attached at Appendix 1.

With reference to the first issue above, the levels of convenience retail expenditure growth in the first part of the next decade which are set out in the Chelmsford Retail Capacity Study (EB077) have been corroborated using updated date inputs. Since the trajectory of growth is very similar and since changes to retail stock/pipeline in the interim have had a broadly neutral overall effect it seems likely that the overall need calculation remains robust .

On the second point, the Council have informally accepted via the pre application process that a retail case has been made at Regiment Business Park and are encouraging an application to come forward , particularly since the foodstore will serve an obvious need in relation to extensive new housing in the vicinity .

It is accepted by the parties that in the absence of a retail allocation employment policy needs to be sufficiently flexible in its application to allow this type of development to come forward and this falls to be considered below . More generally however, we would wish to emphasise that the proposed Essex Regiment Way development can clearly count towards the retail requirements identified in the Plan.

Does Policy EM1 allow sufficient flexibility for considering alternative uses?

Para 22 of the Framework indicates that applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable communities.

Policy EM 1 recognises this via a criteria based permissive approach to certain alternative uses but at the same time via the accompanying reasoned justification seeks to rule out a consideration of retail uses in a way which conflates retail & employment policy in addressing potential retail proliferation.

To address this inflexibility the Council have recognised that it is necessary for the reasoned justification to clarify the approach which will apply in exceptional circumstances and to that end have put forward Additional Change AC210. Aquila support this change as a helpful clarification .

Will the Plan ensure that Chelmsford's need for jobs and employment land are met? Will an adequate quantity and range of land be made available?

In quantitative terms the plan clearly needs to establish a satisfactory relationship between jobs & land allocations to be sufficiently robust.

Such quantitative alignment is however only part of the picture. The Framework (para 161) makes it clear that qualitative needs should also be assessed.

Moreover , the City's need also finds expression in the Economic Strategy (EB075) which has high aspirations for the Local Plan. Thus:

“Key to the future growth of Chelmsford’s economy will be provision of high quality development opportunities including high quality office space and industrial unit space. The new Local plan will seek to identify a variety of sites, to include a range of sizes, including smaller grow-on space to facilitate the expansion of existing business “.

The plan falls short in this respect in terms of the limited range of allocated sites:

- The great bulk of the 55,000 sq m new allocation is linked to 2 strategic growth locations with little prospect of early delivery. This compounds current supply pipeline reliance on the strategic allocation at Beaulieu which it is acknowledged will not now come forward until at least 2025 despite its provenance in the previous local plan;
- The Chelmsford Urban Area sites are unidentified;
- The ‘flexible business space’ allocated is confined to the area periphery at South Woodham Ferrers & is de minimis at 1000 sqm.

It is difficult to avoid the conclusion that further allocations are required via the modifications process.

This will allow proper consideration to be given to the employment site at Generals Farm Boreham promoted by Aquila which has been fully detailed in written submissions.

Aquila Developments Ltd

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APPENDIX 1

Proposed Retail Food Store

Land at Essex Regiment Way, Little
Waltham, Chelmsford

Retail Assessment

Prepared on behalf of Aquila Chelmsford Limited

August 2018

EXTRACT

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APPENDICES

1. SITE LOCATION PLAN
2. PROPOSED SCHEME LAYOUT PLAN
3. RETAIL CONTEXT & STUDY AREA PLAN
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7.0 CONCLUSIONS

- 7.1 This Retail Assessment has been prepared to consider the appropriateness of the proposed retail food store on land on land at Essex Regiment Way Business Park, Little Waltham, Chelmsford.
- 7.2 The Proposed Development represents a significant opportunity to bring forward a convenience food store and associated car parking. The Proposed Development is intended to provide choice and competition to the existing convenience goods offer in the North Chelmsford area, in particular providing an alternative to those large out-of-centre food stores which dominate convenience goods patterns in the locality. The Proposed Development is likely to provide a more sustainable pattern of food shopping for residents surrounding the Site, who are otherwise required to travel further afield to undertake their main food shopping.
- 7.3 It has been demonstrated that the Proposed Development complies with the NPPF sequential test (Paragraph 86 and 87). We have not identified any sites in sequentially preferable locations which could be considered available or suitable for the Proposed Development, even allowing for reasonable flexibility in scale and format.
- 7.4 It has been demonstrated that the Proposed Development will not have a significant adverse impact on existing or future investment in defined Centres. The Proposed Development will primarily compete with existing out-of-cent facilities, albeit it is recognised that the scheme will draw some trade from existing Centres. The greatest trade diversion from a Centre will be Newland Springs (North Melbourne), with a trade diversion of 4.50% when allowing for commitments (4.34% without commitments). This trade diversion is considered to be of an acceptable level given the context of the Morrisons store overtrading by 46% above the stores 2018 benchmark. The level of trade diversion and impact is considered to be within acceptable levels and would not be classed as 'significantly adverse' against the NPPF tests.
- 7.5 Trade diversion from other Neighbourhood Centres will be minimal and is not considered to be at a level that would affect the ongoing vitality and viability of these Centres, as their local role, function and attraction will remain.
- 7.6 It should be recognised that the Centres attract trade for those goods and services not included within the Proposed Development, and this will continue. The emerging Neighbourhood Centres within the North East Chelmsford Growth Area will provide a day

to day convenience and service role for their immediate local catchment, which will continue to be the case following the Proposed Development.

- 7.7 The Proposed Development will not undermine the ability for a large format convenience store to come forward to strengthen the City Centre's convenience offer as identified within the Retail Study. Sufficient convenience floorspace capacity will remain following the Proposed Development, even factoring in the two commitments modelled as part of the Assessment.
- 7.8 Against this background, the Proposed Development complies with NPPF paragraph 90 and in turn the Development Plan. It is therefore entirely appropriate to grant permission for the Proposed Development in retail policy terms.

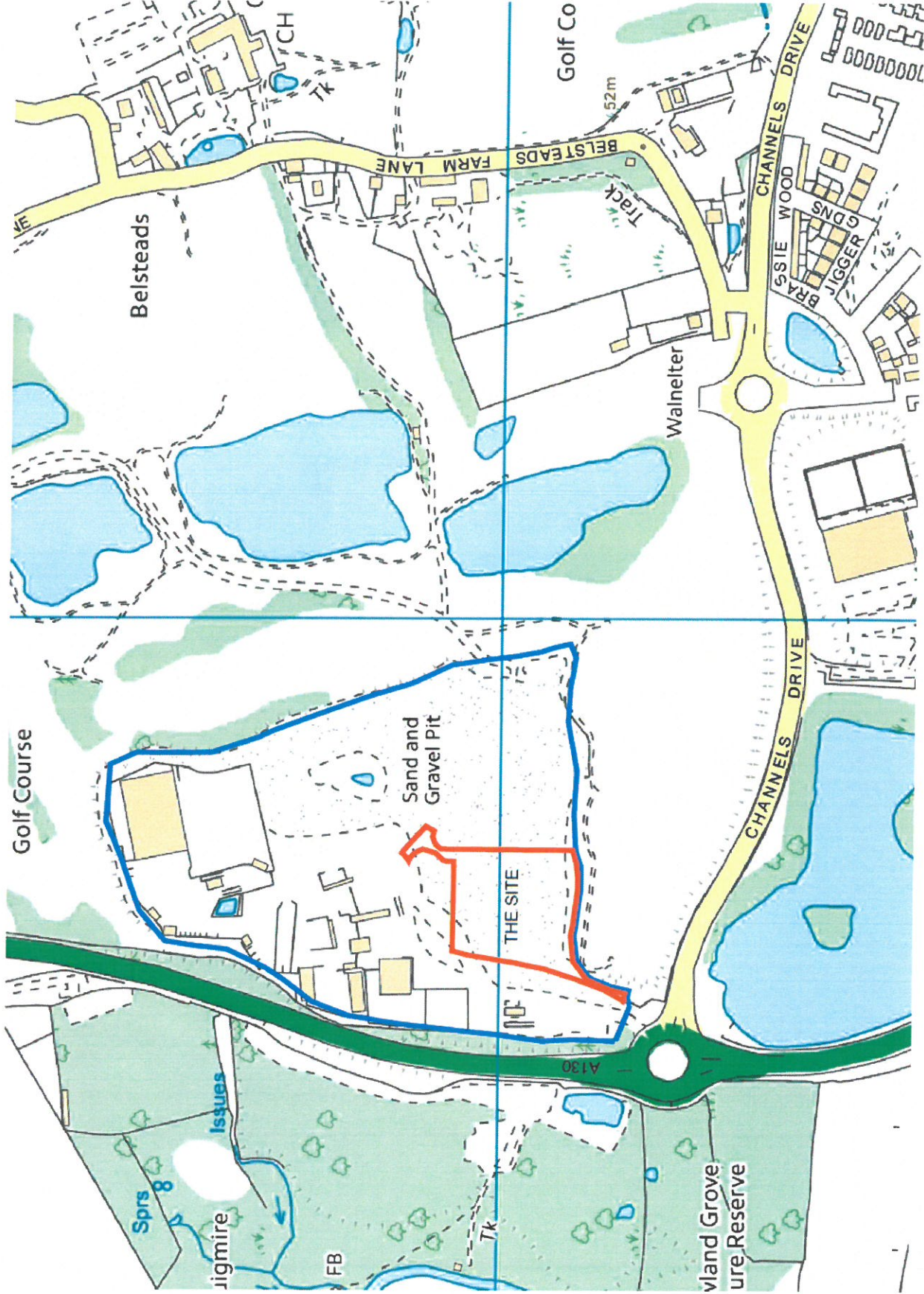
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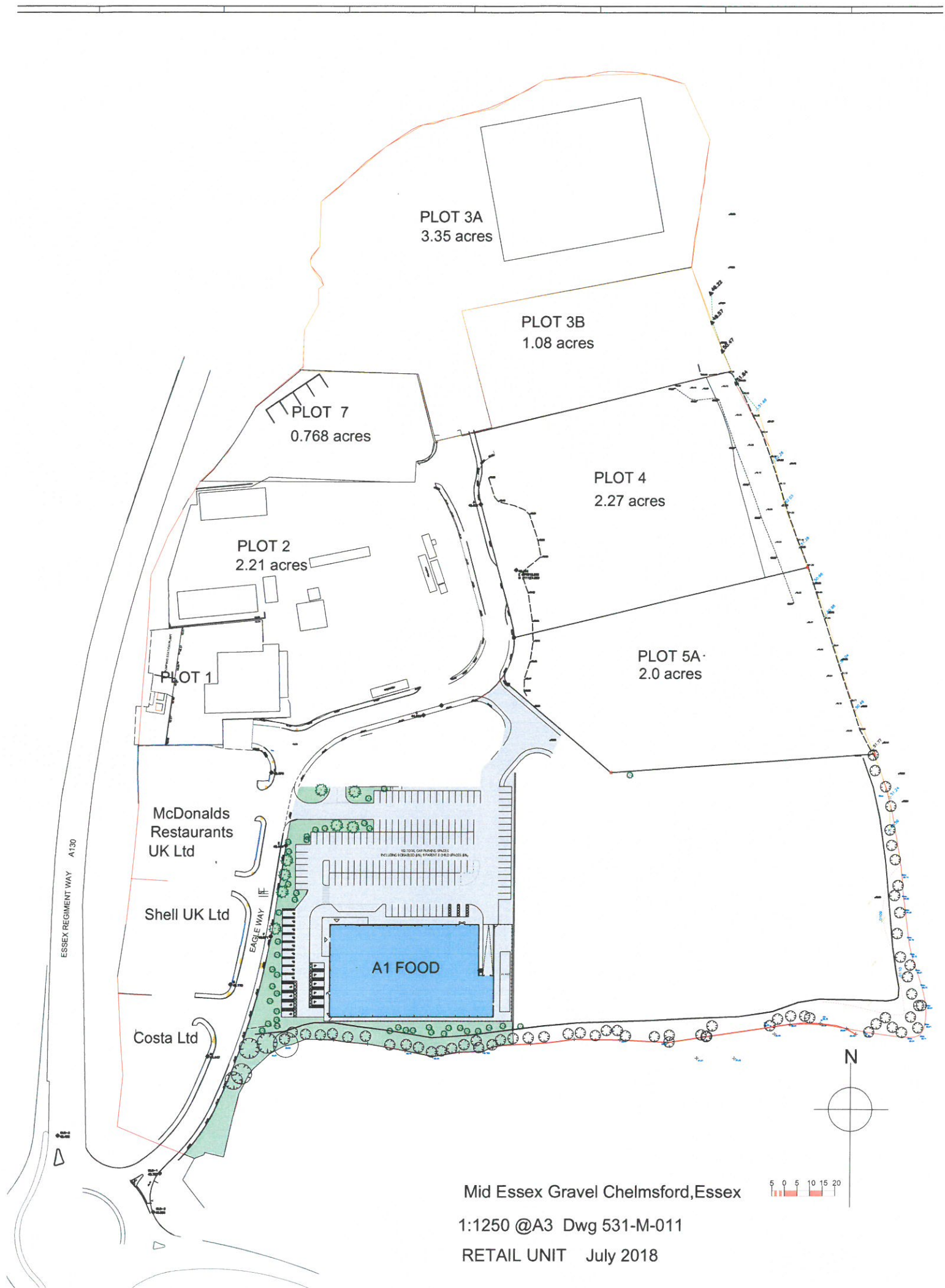
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Land at Essex Regiment Way, Little Waltham
Chelmsford

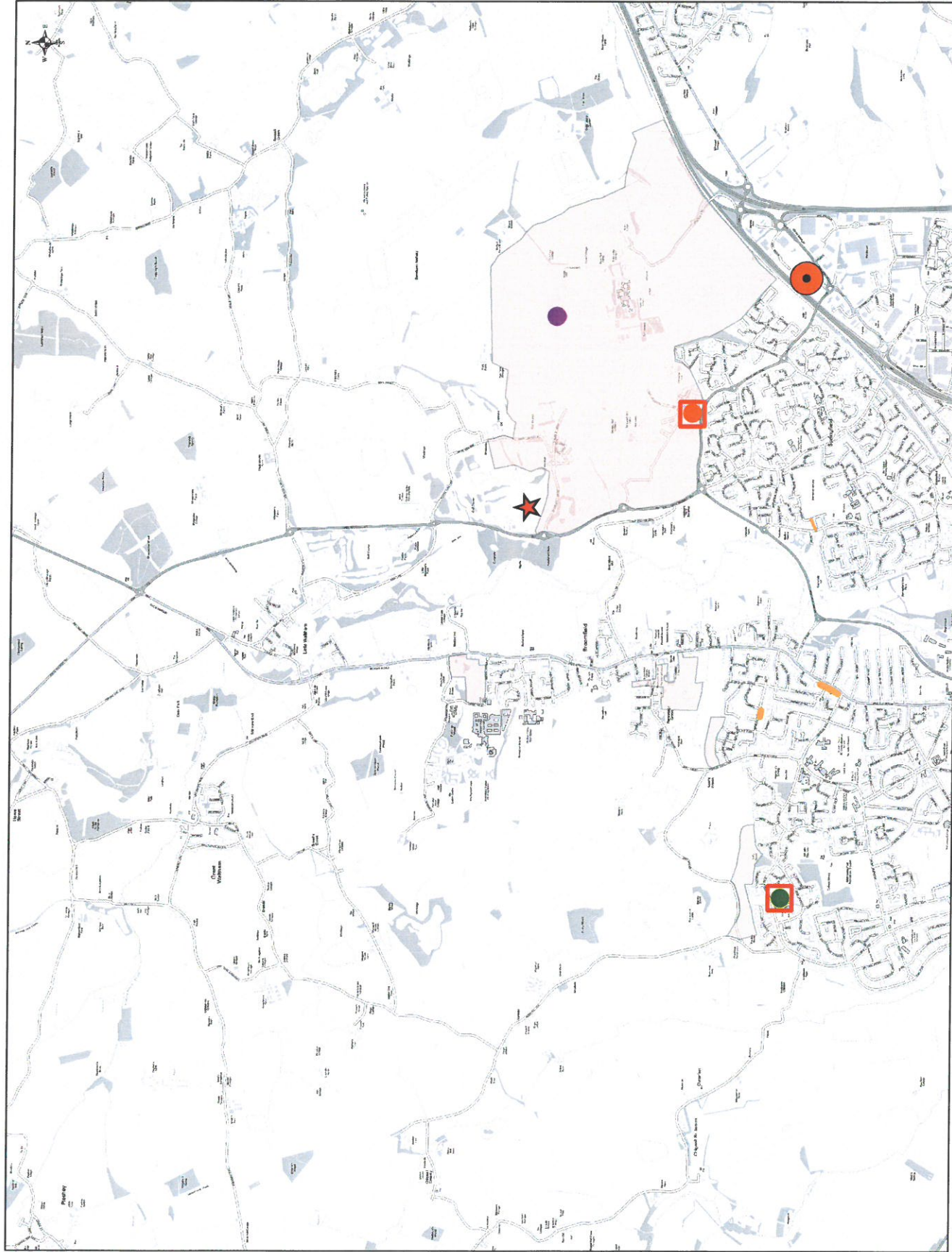
Drawing Title Site Location Plan

Date
31.07.18
Project No
29025

Scale
Not to Scale







Legend

- Application Site
- The Channels Local Centre
- Morrisons Store
- Sainsbury's Store
- Sainsbury's Superstore
- Indicative Planned Residential Neighbourhoods
- Neighbourhood/Local Centres
- Principal Neighbourhood Centres

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RETAIL PROVISION CONTEXT PLAN