

Chelmsford Draft Local Plan:

Matter 6, 6a, and 6d – Week 2

Hearing Statement on behalf of:

Seven Capital Plc

Agent Consultation PID Number: 1160027

Matter 6 – Housing Provision

Q58. It is not clear whether some of the site allocations within the Plan are 'policies' as they are not referred to as such, except Policy GR1. Should all the site allocations clearly state that they are policies for clarity and effectiveness?

It is agreed that the site allocations should be clarified i.e. are they deemed to be policies or are they aspirations for each allocation.

If the planning authority consider these to be 'policies', in terms of Strategic Growth Site 1h, whilst the allocation is supported in principle by our client, there are elements for the proposed policy wording that are objected to on the basis of soundness. A fuller response is contained under Matter 6a, which is specific to Strategy Growth Site 1h.

Matter 6a Housing Provision in Growth Area 1 – Central and Urban Chelmsford

Q62. Are the housing allocations in GA1 within Location 1: Chelmsford Urban Area, Location 2: West Chelmsford and Location 3: East Chelmsford justified and deliverable? Are there any soundness reasons why they should not be allocated?...

Please note that the responses provided below to question 62 are made solely in respect of Strategic Growth Site 1h, and no other site.

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

With regards to the scale of housing please see response at Q62(g). In terms of the local infrastructure and the provision of necessary additional information identified for Strategic Growth Site 1h, the site infrastructure requirements should be assessed on the basis of any proposed scheme.

Paragraph 001 Reference ID: 10-001-20140306 of the Planning Practice Guidance which states that '*...where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible...*'. It is therefore requested that the draft policy be amended to allow site infrastructure requirements to be negotiable between the Council and the Landowner/Developer/Applicant, on the basis of the scheme at application stage.

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

Subject to any subsequent planning approval, development on the site is anticipated to be delivered within the first five years following adoption of the draft Local Plan. This is reflected in the Council's housing trajectory which shows the site coming forward in years 2022/23 – 2025/26.

- c. Are the planning and masterplanning principles justified?***

No comments are made in respect of the site master planning principles identified with regards to Strategic Growth Site 1h.

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

There is a reference to the 'integration of flexible workspace facilities' for Strategic Growth Site 1h. Since the submission of the Draft Local Plan for Examination, there has been no further update to the Strategic Housing

Market Assessment Update (December 2015) (**EB 047**) or in the Employment Land Review (January 2015) (**EB 073**). Therefore, it remains unclear on what basis the authority is requiring flexible workspace facilities as this is not supported by the evidence base. The Policy requirement is therefore unsound as it not justified. It is requested that the reference to 'integration of flexible workspace facilities' is removed from the draft policy.

e. Are the site boundaries for the allocations justified?

No comments are made on this matter with regards to Strategic Growth Site 1h.

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

Strategic Growth Site 1h is located within Growth Area 1 – Central and Urban Chelmsford. The site within an urban context, surrounded by existing retail, commercial, education and leisure uses. The site's location within a central area means access via sustainable transport modes (i.e. railway, local bus services, pedestrian routes) and direct access to the existing highway network are both easily available. The proposed site allocation will therefore achieve sustainable development. Indeed the site's sustainable location adds to the points made at (g) below on the site's capacity to accommodate residential development.

g. Are any amendments necessary to the policies to ensure soundness?

Whilst the identification of Strategic Growth Site 1h for the redevelopment is supported, as currently drafted the policy is neither justified nor consistent with national policy. Therefore, the policy is unsound.

Strategic Growth Site 1h is located within the defined City Centre boundary and a sustainable location. The provision of main town centre uses, would therefore be acceptable in principle in line with national policy.

In respect of the above matter, the evidence base (**West End Vision - EB 082, Page 12**), identifies that the objective for the site is to '*...optimise the development site for residential and employment...*' as well identify a further objective which is '*...residential-led mixed uses...*' Neither of these 'objectives' form part of the site allocation as drafted. There is also reference within EB082 to '*...high density development will depend upon good walking and cycling links to the station...*'.

As set out in response to Q62(f), the site is located within a sustainable location, and therefore, the aspirations within the West End Vision Document (**EB 082**) are not reflected in the current draft allocation for Strategic Growth Site 1h. The policy should be amended to expressly support the principle of Town Centre uses to come forward as part of a mixed-use development (NPPF 2012 Para 23 and NPPF 2018 Para 85), which includes residential development.

The quantum of development identified is implied in the draft allocation as a 'maximum' figure, and therefore, does not seek to optimise the use of previously developed land. The reuse of previously developed land should be capable of development which maximises its redevelopment potential (Para 17. NPPF 2012, and Para 118 NPPF 2018).

To maximise the use of previously developed land and reflect the West End Vision, the quantum of housing should be expressed as a minimum and the draft wording of the policy amended as such. This would also better reflect the Framework's requirement to 'significantly boost' housing supply (NPPF 2012 Para.47 and NPPF 2018 Para.59).

It is acknowledged that transitional arrangements are in place for those draft Local Plans, such as the Chelmsford Draft Local Plan submitted prior to the publication of the NPPF 2018. Whilst this process ensures that the evidence base for such plans would not require updating for plan examination and adoption, any subsequent planning application submitted to the LPA will be assessed against the provisions of NPPF 2018 as opposed to NPPF 2012. Therefore, should the wording of Strategic Growth Site 1h not be amended as requested above, the policy could immediately be considered to be out-of-date with reference to other elements of the NPPF 2018, such as the Government's rhetoric to maximise the use of previously developed land; and, increasing densities in urban areas (Para 118; Para 85 of the NPPF 2018).

Matter 6d – Housing Provision – Affordable Housing

Main issue – Whether the approach towards the provision of affordable housing is sound

Q66. Are the requirements for affordable housing set out in Policy HO2(A) justified, effective and consistent with national policy? In particular: ...

d. Has the impact of affordable housing on the viability of scheme been assessed? Is there sufficient flexibility in circumstances where there may be a lack of viability to deliver all the affordable housing within a scheme?

The evidence base does not demonstrate that the level of affordable housing proposed within the draft policy has been assessed in terms of the impact on the viability of a scheme, as required under para 173, NPPF 2012.

As the draft Local Plan is being assessed under the provisions of NPPF 2012, the draft wording of the policy requires flexibility (Para 173 of NPPF 2012). This will allow for the level of affordable housing provision to be determined on a site by site basis with reference to viability, and where there is a departure from policy, adequate justification and evidence to be submitted as part of individual planning applications.

The policy is inconsistent with national policy as drafted, and therefore is unsound as it is not justified nor effective.