HS083

Matter 6, Issue 1, Location 10

(Strategic Growth Site Policy 10 – North of South Woodham Ferrers).

Hearing Statement prepared by Phase 2 Planning Ltd on behalf of Vistry Group

Client Consultation PID Number	1378968
Client Name/Organisation	Vistry Group
Comment ID	PS25-132

Background

Vistry has been working collaboratively with the Council on the delivery of Strategic Growth Site 10 since its allocation in the currently adopted Local Plan.

Following the Council's adopted Masterplanning protocol, initial consultation on a site-wide Masterplan for the site commenced in 2019 and continued into 2020 with a series of workshops. A first draft Masterplan was the subject of consultation in the summer of 2020, followed by a review from the Essex Design Quality Review Panel. An updated Masterplan was considered by the Council's Policy Board in January 2021, was subject to further consultation, and approved by Cabinet in March 2021.

Vistry made an Outline Planning Application, supported by an Environmental Impact Assessment, covering the majority of the allocated site, which was validated in October 2021 (a separate application was made by Bellway for a small part of the allocation west of the B1418). The application was the subject of a resolution to grant permission in February 2023.

Following further discussions between Vistry and the Council on delivery (specifically relating to the issue of the impact of CIL contributions in addition to s106 contributions), the application was reconsidered at the Planning Committee on 9th December 2025, and the resolution to grant was reconfirmed with amended s106 provisions. Unfortunately, progress on signing the s106 has been slower than Vistry had wished, but it is progressing to conclusion.

Response to Inspector's Questions

m. What is the likely impact of the proposed allocation on the following factors:

- The strategic and local highway network, including public transport and active travel

  Through the planning application process, the impact of the development on the highway network has been rigorously tested through highway modelling, and that subject to the agreed mitigation measures included in the s106 heads of terms, there is not an unacceptable highways impact in highway terms.

  The s106 heads of terms also set out appropriate measures for public transport enhancement, and the scheme provides appropriate connectivity for active travel routes.

- Agricultural land quality, landscape character and heritage assets

  The site was the subject of an agricultural land quality assessment as part of the application's Environmental Assessment, which found the site to be predominantly

Grade 3a (in common with much of south Essex), with elements of Grade 3b land (due to the gradient of parts of the site).

The proposals as set out in the Masterplan/planning application are designed to concentrate development on the low lying land, to reduce its prominence on the wider landscape, including the setting of nearby heritage assets.

Having assessed the scheme in relation to nearby heritage assets, the Committee Report for the application explains that the proposals would not result in any significant harmful impacts to heritage assets, and that subject to appropriate mitigation (including archaeological investigation), the proposed development would be acceptable.

- Biodiversity and green infrastructure, including European sites

The proposals for the site include on-site opportunities for recreational walking, linking to adjacent off-site connections, and also includes an off-site contribution in accordance with the Essex RAMs scheme. An appropriate assessment was completed at the application stage which confirms no adverse impacts on integrity, subject to delivery of the agreed mitigation.

The proposals include appropriate provisions for retention of existing habitat where appropriate, creation of new habitats, mitigation for protected species, and on-site proposals for species enhancement. The submitted application allows for the statutory minimum of 10% BNG for habitats and hedgerows.

- Flood risk, air quality, noise and light pollution

The proposals include for on-site surface water attenuation, and the details of this have been the subject of scrutiny by the LLFA through the site-specific FRA and drainage strategy submitted as part of the planning application process.

The Committee report for the application gave specific consideration to the findings of the air quality and noise assessments submitted as part of the application, and concluded no adverse impacts on either matter (subject to appropriate conditions in respect of construction activity).

Lighting is a matter controlled by condition on the approved scheme, but other than the need to ensure sensitive lighting for bats in the vicinity of foraging routes, the Committee Report raises no issues relating to lighting impact.

- Other infrastructure, including education, health, recreation and utilities

The s106 for the approved scheme includes appropriate mitigation for impacts on local education and health services, the scheme includes substantial on-site recreational provision, and makes provision for all relevant utility connections.

How were the above impacts assessed, and what evidence is the Council relying on?

The impacts have been rigorously assessed through the environmental impact assessment and other relevant supporting material submitted and assessed via the formal planning application process and already assessed by statutory consultees.

n. Are the essential site specific requirements and mitigation measures justified, and will they, along with other policies in the plan, be effective in achieving sustainable development on the site?

Vistry agrees that the site-specific requirements and mitigation measures are generally justified (the exceptions being matters raised in Vistry's representations as summarised below). These requirements have been evidenced and tested through both the previous master planning process and formal consideration of a planning application, where both demonstrate a sustainable development of the site can be achieved.

Vistry's Site Specific Representations

A summary of Vistry's site specific representations in respect of the soundness of Strategic Growth Site Policy 10 are set out below.

Text	Summary of Vistry's Representation
1st Para 1st sentence.	Objects to use of the word "maximises" as literal interpretation is that this factor takes priority over every other part of the policy. Suggests "promotes" or "encourages" instead.
1st Para 2nd sentence	Objects to implication that Masterplan is still to be approved. For clarity, suggests instead "Development proposals should generally accord with the Masterplan Framework approved by the Council in 2021, or any subsequently approved revised Masterplan"
1st bullet under Amount and type.	Objects to fixed figure for dwelling yield, and considers this should be "around" (which would be consistent with other policies). Considers business floorspace should be 1,000 sq m as per adopted Local Plan (the fact that the approved scheme has 1200 sq m is not evidence of need). Considers scheme has potential for in excess of 1200 homes.
1st bullet under Movement and Access	"maximises" should be replaced with "promotes" or "encourages".
9th bullet under Movement and Access	Objects to policy requirement for car club to be available to wider community (it almost certainly would be, but it is not a justified policy requirement).
10th bullet under Movement and Access	The extent of highway mitigation required is dependent upon the extent of impact, and should be evidenced based. The reference to mitigation being "as required by the Local Highways and Transportation Authority" should be deleted as this is not the correct basis for determining CIL compliant mitigation
2nd bullet under Site Infrastructure	Reference to "...as required by the Local Highways and Transportation

	Authority" should be removed for the reasons previously given.
8th bullet under Site Infrastructure	It is not reasonable to place the onus for demonstrating sufficient capacity in the foul drainage network on individual developers at the application stage.
10th bullet under Site Infrastructure	Cannot be a requirement to provide a car club for the wider community
11th bullet under Site Infrastructure	Clarification needed to ensure requirement is proportionate i.e. by adding "in accordance with the Council's adopted standards and subject to need."
12th bullet under Site Infrastructure	Requirement should be based on need, not "as required by the Local Education Authority" i.e. change final part to "as required to mitigate the impact of the scheme on school place availability."
13th bullet under Site Infrastructure	Based on the application, the requirement for community facilities can now specifically refer to an on-site community building (or equivalent). Reference to healthcare in the final bullet should refer to a proportionate commuted payment, subject to need. The reference to "as required by" should be deleted - whether or not financial contributions are payable is not determined by the relevant body asking for money, but by an impact arising from the development that cannot be accommodated by existing infrastructure and for which mitigation in some practical form can and should reasonably be provided (over and above CIL). The recent application shows no evidence of need for additional funding for such bodies, and certainly shows no evidence of a need for any on-site provision for any of the matters raised.