



Phase 2

INDEPENDENT EXAMINATION OF THE CHELMSFORD DRAFT LOCAL PLAN

INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

RESPONSES TO WEEK 2 HEARING SESSIONS

Strategic Growth Site 1b – Essex Police Headquarters and Sports Ground

On Behalf of

Police, Fire and Crime Commissioner for Essex

November 2018

Our Ref: C18021

Phase 2 PLANNING & DEVELOPMENT LIMITED

250 Avenue West | Skyline 120 | Great Notley | Braintree | Essex | CM77 7AA | 01376 329059 | www.phase2planning.co.uk

1. Introduction

- 1.1 This representation is submitted by Phase 2 Planning Ltd on behalf of the Police, Fire and Crime Commissioner for Essex (PFCC) in response to the matters, issues and questions (MIQs) for week 2 of the hearings.
- 1.2 This representation responds to Matter 6a, the Main issue—Whether the supply of housing development in Growth Area 1 – Central and Urban Chelmsford (GA1) is sound, set out in question 62.
- 1.3 This representation relates to PFCC interests in the Essex Police Headquarters (EPHQ) complex at Kingston Crescent, Springfield, which is identified as ‘Strategic Growth Site 1b Essex Police Headquarters and Sports Ground, New Court Road’ within Examination Document SD 001.
- 1.4 The PFCC submitted responses to the pre-submission Local Plan consultation documents in respect of ‘Strategic Growth Site 1b’, which has been recorded as examination reference document PS1684 and 1159923PS-A.
- 1.5 Following receipt of the PFCC representations and the submission of the Draft Local Plan Chelmsford City Council (CCC) proposes the deletion of ‘Strategic Growth Site 1b’ within its Schedule of Additional Changes June 2018 (Examination Document reference SD 002). As set out in these submissions the decision to delete this allocation fails the test of soundness as set out in paragraph 182 of the National Planning Policy Framework (NPPF) 2012, which CCC are being examined against.
- 1.6 CCC has also subsequently signed a Statement of Common Ground with Sport England regarding CCC preference for protection of the private training ground facilities at EPHQ under draft Policy CF2 (Protecting Community Facilities). As set out in these submissions this decision fails the test of soundness as set out in paragraph 182 of the NPPF.
- 1.7 Within this submission we refer to specific evidence within our original submissions documents (examination reference document PS1684 and 1159923PS-A).

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

Main issue –Whether the supply of housing development in Growth Area 1 – Central and Urban Chelmsford (GA1) is sound.

Q. 62 Are the housing site allocations in GA1 within Location 1: Chelmsford Urban Area, Location 2: West Chelmsford and Location 3: East Chelmsford justified and deliverable?

- 2.1 The PFCC submits that the allocation of ‘Strategic Growth Site 1b’ with previous suggested amendments is justified and deliverable.
- 2.2 The PFCC reasoning is amplified in previous submissions (see paragraph 1.8 for document references), which identify that the allocation of ‘Strategic Growth Site 1b’ within Location 1 was justified and deliverable because it focused new housing to the most sustainable locations (see paragraph 3.3 of the PFCC previous submissions) and made best use of previously developed land. The approach of planning for housing in the most sustainable urban locations, such as ‘Strategic Growth Site 1b’, was therefore considered to be sound, which is to say that it is, justified, effective and consistent with national policy as NPPF refers.
- 2.3 However, CCC proposes the deletion of ‘Strategic Growth Site 1b’ within its Schedule of Additional Changes June 2018 (Examination Document reference SD 002).
- 2.4 Examination Document reference SD 002 does not provide a reasoned explanation for the deletion of ‘Strategic Growth Site 1b’ and states that the deletion is: *“to reflect that the site allocation is no longer considered available and suitable for development”*. However, these submissions are to demonstrate that the site is available and suitable for development.
- 2.5 CCC within a report to the 7th June 2018 Development Policy Committee sets out in paragraphs 5.9 and 5.10 of that report an explanation for this deletion as follows:

“5.9 The promoter of Strategic Site Growth Site 1b – Essex Police Headquarters has indicated through their representation to the Pre-Submission Local Plan that it is now not Essex Police’s intention to vacate the headquarters site located at Kingston Crescent, Springfield. The site was allocated for 250 new homes and also a new primary school with early years provision. The representation sets out that functions and operations of the headquarters site will be consolidated on the main site, which could leave opportunities for disposal of other parts of the site for potential development. As this approach would require the re-provision of the existing playing fields off-site, there is uncertainty regarding a reconfigured site allocation to be included in the local plan.

5.10 As Strategic Growth Site 1b provided a site allocation to comprehensively redevelop the site and now it will not be vacated by Essex Police, Officers are recommending

that Strategic Site Growth Site 1b is removed. The loss of the housing numbers will be absorbed into the existing overall buffer set out in Policy S8 of the Pre-Submission Local Plan leaving a buffer of just over 18%. As the site is located within Chelmsford's Urban Area as defined in the Local Plan where the principle of development is accepted, redevelopment of portions of the wider site may be acceptable subject compliance with all other development plan policies. To mitigate the loss of the proposed primary school site, a programme of expanding existing primary schools has been assessed by Essex County Council and will need to be implemented."

- 2.6 Whilst the PFCC welcomes the refinement of the allocation, such as the withdrawal of the requirement for a primary school with a co-located early years and childcare nursery, for the reasons set out in paragraphs 6.6 to 6.28 of the PFCC previous submissions, the decision to delete this allocation fails the test of soundness as set out in paragraph 182 of the NPPF because it is a decision that is not 'justified' or 'effective'. The PFCC would therefore invite the Inspector to retain the allocation for residential development on a reduced site area.
- 2.7 The original purpose of 'Strategic Growth Site 1b' was to give certainty to Essex Police and enable investment in their estate and this requirement remains. Paragraphs 6.2 to 6.5 of the PFCC previous submissions confirmed support for this principal behind Strategic Growth Site 1b and the text of paragraph 7.30, which itself supports Essex Police in their plans for rationalisation of the EPHQ estate. The supporting text to Strategic Growth Site 1b explains that it aims to assist Essex Police by identification of this site as an opportunity for residential development. Therefore all that has changed since the original drafting of this policy is the announcement by the PFCC that not all of the land at the EPHQ complex would be available for development. This is not to say that the land is unavailable or unsuitable for development.
- 2.8 The PFCC recognise that their previous representations presented temporary uncertainty surrounding the precise area of land that will be made available for development in the Plan period because being a public body a series of approvals were needed to be reached prior to finalising the strategy for the EPHQ and presenting this within the public domain. It was unfortunate that the two processes were not aligned in this regard. However the PFCC made clear in meetings with CCC prior to submission of Regulation 19 representations, and within the representations themselves, that key decisions would be made prior to the Examination in Public and announced that the area of land that was to be made available for housing would be likely to comprise the 2 hectares (ha) of current operational buildings in the east of the site, which is north of Kingston Avenue and south of the training grounds, and land just over 2.1 ha consisting of the private training grounds. Further, following the closing of the Regulation 19 consultation an early meeting with CCC was held on the 13th April 2018 to explore the outcome of these representations resulting in the submission of a letter dated 25th May 2018 enclosed at **Appendix 1** outlining the PFCC preferred course of action, which was to enable the delivery of 'Strategic Growth Site 1b' within this Plan period.
- 2.9 The PFCC has now officially announced within the public domain their decision to remain at the EPHQ and reinvest in improvement works to the retained EPHQ buildings and services but to rationalise other non-essential key services and make surplus land available for

development.

- 2.10 We therefore submit that there is evidence and clarity that land is available for development at the site that is suitable for development pursuant to 'Strategic Growth Site 1b' to provide certainty regarding the delivery of this site.
- 2.11 Paragraph 6.37 of the PFCC previous submissions outlined the changes that were believed to be required to the policy in order to achieve soundness of the allocation. This would still apply. With respect to provision of a school CCC has confirmed that: *"a programme of expanding existing primary schools has been assessed by Essex County Council and will need to be implemented."* The site is not required to facilitate improvements to this infrastructure.
- 2.12 It is acknowledged that a reduced site area is now available for development, which may reduce the potential for housing delivery from 'Strategic Growth Site 1b'. However, as set out within the PFCC submissions there remains an area of 2 ha of previously developed land available for development and an existing training field of 2.1 ha, part of which could be developed if alternative suitable provision is made within the City. As acknowledged by CCC (see paragraph 2.4 above) the re-provision of playing fields elsewhere within the City is a realistic option for the PFCC given various other landholdings within the City's administrative boundary that would enable public access onto private unused land for open space. Early discussions have taken place with Sport England who did not object to this proposition in principle. There would also be the option of providing alternative all weather and multi-use forms of open space, such as a MUGA, on site, which would require a smaller area of open space to be retained on site and result in the release more land available for development.
- 2.13 Therefore the foregoing illustrates that there is certainty that land will be made "available" for development. The land remains "suitable" for development because Essex Police Headquarters still retains all the credentials that led to the Council identifying it as suitable for housing, and as such, retaining a residential allocation on this site remains sound i.e. justified and effective.
- 2.14 It recognition of a reduced site area a refined quantum of housing is proposed and preferred that an allocation for a minimum of 150 homes for 'Strategic Growth Site 1b' is identified as deliverable across a site area that is a minimum of 2ha but could be as much as 4.1 ha. Accordingly, the PFCC submits that the retention of a refined policy for 'Strategic Growth Site 1b' is deliverable and is sound.
- 2.15 Retaining an allocation of 'Strategic Growth Site 1b' for a minimum of 150 dwellings would provide more confidence that there is a variety of allocations and supply of land that will provide sufficient head room to enable the Council to react quickly to any unforeseen change in circumstances and to ensure that the full housing requirement is met during the Plan period. The alternative of looking to windfall allowances is less certain.

- 2.16 Retaining the allocation of 'Strategic Growth Site 1b' for a minimum of 150 dwellings, and as much as 250 dwellings, across a site in the urban area of up to 4.1ha, would also:
- make a meaningful contribution and support the Government's objective to 'boost significantly' the supply of homes which NPPF paragraph 47 requires.
 - meet the obligation provided within NPPF paragraph 47 and 50 because it is a site that can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly, assisting with the obligation to provide a five year land supply.
 - make effective use of land in accordance with the NPPF.
- 2.17 Therefore the retention the allocation of 'Strategic Growth Site 1b' is consistent with national policy, as the test of soundness refers.
- 2.18 In addition, the PFCC notes the statement made within Examination Document SOCG05 between CCC and Sport England and the recommendation that the existing training and sports ground will be protected by Policy CF2 (Protecting Community Facilities). This is not considered to be a sound approach.
- 2.19 As policy CF2 refers, it aims to protect community facilities, which the training and sports grounds at EPHQ are not. This land is in private ownership and use without any public use. The land is currently required for use by Essex Police for training and sport and cannot serve a public purpose unless redevelopment is taken forward. These fields are currently in use for training and sport associated with Essex Police. The PFCC does not support a policy that seeks to provide public access to operational land. The proposed amendment should remove any reference to the training ground/playing fields presenting an opportunity to improve pitch facilities. The proposed identification of the land for public open space or use is not deliverable having regard to the NPPF because it will not be made available for such use.
- 2.20 Within SOCG05 Sport England states that their objection could be addressed through modifications being made to the policy and/or reasoned justification to provide clarity about the need to protect or replace the sports ground and by providing detail about the mitigation options.
- 2.21 As set out in paragraph 2.12 above there are mitigation options available that would support the release of the training grounds for alternative use, which include re-provision on other assets within the City to a commensurate size and enhanced provision and/or provision of a football and rugby-compliant artificial grass pitch as set out in CCC Open Space and outdoor sports pitch strategy.
- 2.22 Therefore retaining the allocation of 'Strategic Growth Site 1b' with modifications as set out in this submission would retain certainty that the site is available, suitable and achievable for at least 150 dwellings proposed in this submission.

2.23 In light of the foregoing and in answer to the MIQ's below we advise as follows:

Q. Are there any soundness reasons why they should not be allocated? In particular:

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

2.24 As set out in paragraph 2.14 a refined scale of housing for 'Strategic Growth Site 1b' would be appropriate in light of a reduced site area available for development.

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

2.25 As set out in paragraphs 2.7-2.17 of this statement retaining the allocation of 'Strategic Growth Site 1b' with the refinements noted in these submissions would result in the delivery of the site in accordance with the timescale set. The PFCC has made public the announcement of the decision for Essex Police to remain within its existing site but to release surplus land not required for frontline services for development. The PFCC has sanctioned proposals to progress the preparation and submission of a planning application as a priority.

c. Are the planning and masterplanning principles justified?

2.26 Subject to the refinements set out in this statement regards to the allocation of 'Strategic Growth Site 1b'.

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?

2.27 Paragraph 2.11 of this submission outlines the changes to the policy that were considered necessary to ensure deliverability of the homes proposed at 'Strategic Growth Site 1b' and therefore achieve soundness of the allocation. This would still apply to the confirmed site area. With respect to provision of a school CCC has confirmed that: *"a programme of expanding existing primary schools has been assessed by Essex County Council and will need to be implemented."* The site is not required to facilitate improvements to this infrastructure.

e. Are the site boundaries for the allocations justified?

2.28 As set out in paragraph 2.10 of this submission a revised site boundary for the allocation of 'Strategic Growth Site 1b' is proposed as illustrated at **Appendix 2**.

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

- 2.29 As set out in paragraphs 2.2 and 2.13-2.17 of this submission the allocation of 'Strategic Growth Site 1b' will achieve sustainable development.

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

- 2.30 The PFCC submits that the allocation of 'Strategic Growth Site 1b' with previous suggested amendments is justified and deliverable.
- 2.31 The amendments set out in 2.1 to 2.22 of this statement are necessary to ensure soundness of the allocation of 'Strategic Growth Site 1b'.

Appendix 1



Phase 2

PLANNING &
DEVELOPMENT
LIMITED

250 Avenue West
Skyline 120
Great Notley
Braintree
Essex
CM77 7AA

01376 329059

office@phase2planning.co.uk
www.phase2planning.co.uk

Jeremy Potter
Planning Policy Manager
Civic Centre
Duke Street
Chelmsford
Essex
CM1 1JE

11th May 2018
Our Ref: C18021

Dear Jeremy,

Strategic Growth Site 1b – Essex Police Headquarters and Sports Ground

Further to the Police, Fire and Crime Commissioner for Essex (PFCC) response to the Regulation 19 Draft Local Plan consultation and our subsequent meetings I set out below the PFCC position for your consideration.

We understand that the Council is minded to withdraw the proposed allocation for Strategic Growth Site 1b (Essex Police Headquarters and Sports Ground) in response to the PFCC representations to the Regulation 19 Draft Local Plan consultation.

The PFCC welcomes the withdrawal of the requirement for a primary school with a co-located early years and childcare nursery, for the reasons set out in our representations. However, the PFCC would invite the Council to retain the allocation for residential development of up to 250 dwellings from this site.

As set out within the PFCC submissions there remains an area of 2 hectares of previously developed land available for development (post reconfiguration and consolidation of the operational uses within the site) and an existing training/sports field of 2.1 hectares part of which could be developed if alternative suitable provision is made within the City. As discussed the re-provision of playing field is a realistic option for the PFCC given various other landholdings within the City's administrative boundary.

The Essex Police Headquarters still retains all the credentials that led to the Council identifying it as suitable for housing, and as such, we have not identified any disadvantage to the Council from retaining a residential allocation on this site but the advantage of demonstrating a significant supply of housing from previously developed land within the urban area.

Accordingly, the PFCC would invite the Council to retain the allocation for residential development of up to 250 dwellings from this site but with the exclusion of the infrastructure requirements as detailed in our response.

We would be pleased to discuss this matter further as the process develops.

Directors: Kevin Coleman BSc (Hons) DipTP MRTPI
Trevor Dodkins BSc (Hons) DipTP MRTPI
Michael Calder BSc(Hons) DipTP MRTPI



Registered Office Wingham's House, 9 Freeport Office Village, Century Drive, Braintree, Essex, CM77 8YG Reg in England No 7796227



Phase 2

PLANNING &
DEVELOPMENT
LIMITED

Yours sincerely

Michael Calder BSc(Hons) Dip TP MRTPI
Director

mcalders@phase2planning.co.uk

Telephone: 01376 329059