
EXAMINATION STATEMENT – MATTER 9

Chelmsford Local Plan

Representations on behalf of
Redrow Homes
(ID: 927695)

November 2018

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CHELMSFORD LOCAL PLAN

**REPRESENTATIONS ON BEHALF OF
REDROW HOMES (ID: 927695)**

NOVEMBER 2018

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Barton Willmore
The Observatory
Southfleet Road
Ebbsfleet
Dartford
Kent
DA10 0DF

Tel: 01322 374660
Email: david.maher@bartonwillmore.co.uk

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1.0 INTRODUCTION

1.1 This Statement has been prepared by Barton Willmore LLP on behalf of our Client, Redrow Homes, who has an interest in the land to the east of Great Baddow and west of the A12 that forms the following emerging strategic allocations at proposed Growth Area 1 “Central and Urban Chelmsford” (Location 3) in the draft Local Plan:

- Strategic Growth Site 3b - Land North of Maldon Road (employment site);
- Strategic Growth Site 3c - Land South of Maldon Road (residential site); and,
- Strategic Growth Site 3d - Land North of Maldon Road (residential site).

1.2 Representations have been made on behalf of our Client throughout the production of the Local Plan. Our representations to the Regulation 19 Pre-Submission draft Local Plan related to the above proposed allocations as well as additional land to the east of Growth Site 3c and west of the A12 (labelled as ‘Site 3e’ in our representations). The representations included a Development Vision Document to explain the masterplan and vision for this land to create an attractive and sustainable new neighbourhood.

1.3 Notwithstanding the land interests of our Client, these representations have been prepared in recognition of prevailing planning policy and guidance, in particular the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

1.4 The Local Plan was submitted prior to the revised 2018 NPPF and is therefore being examined under the 2012 NPPF. Reference is therefore made to the 2012 NPPF in responses to the Inspector’s questions, unless otherwise stated. These representations respond to the Inspector’s questions within Matter 9 and have been considered in the context of the tests of ‘Soundness’ as set out at Para 182 of the NPPF which requires that a Plan is:

- **Positively Prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where reasonable;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternative, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities;
- **Consistent with National Policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.

2.0 RESPONSE TO MATTER 9 – THE ENVIRONMENT

Main Issue: Does the Plan set out a positively prepared strategy for conserving and where appropriate enhancing the natural, built and historic environment that is justified, effective and consistent with National policy? Does it adequately address climate change and other environmental matters and are the policies sound?

Question 85. Green Wedges and Green Corridors

Strategic Policy S13 also states that the main river valleys are identified as valued landscapes and designated as green wedges and green corridors. This is reiterated in Policy CO1.

- a. Are these valued landscapes in the context of paragraph 109 of the Framework and if so is this based on robust evidence and are they clearly justification?*
- b. How have green wedges and green corridors and their respective boundaries been determined? Are their designations supported by appropriate methodologies and criteria?*
- c. Have the purposes of green wedges and green corridors been clearly defined within the Plan and does land with their boundaries meet the required purposes?*

- 2.1 Policies SP13 and CO1 note the function of Green Wedges along the main river valleys as valued landscapes for their openness and as important networks for wildlife, leisure and recreation. These policies, where they relate to the Green Wedge, are generally considered in-compliance with the NPPF.
- 2.2 The boundary of the Green Wedge is assessed in the Green Wedge Review (Green Wedges and Green Corridors: Defining Chelmsford's River Valleys – Feb 2017), which confirms that sites 3b/3d only make a limited contribution to the river corridor and are thus proposed to be removed from the previous Green Wedge. This approach is supported and site 3b/3d are able to make a meaningful contribution to the overall comprehensive development (at Location 3) delivering employment and residential schemes.

Question 88. Rural Areas

Strategic Policy S13 states that there are ‘further areas within the countryside that are sensitive to change...’. What are these areas and is it clear how a decision-maker will consider development proposals within them? It also identifies that other areas of the countryside, including recognised areas of ecological, historic and functional importance will also be protected from inappropriate development? What is meant by ‘inappropriate development’ in this context?

- 2.3 The wording of Policy S13 is not wholly consistent with National policy, insofar as “inappropriate development” is referred to in Green Belt terms (within the NPPF) where this policy appears to apply it to other areas of countryside. We therefore object to Policy S13.
- 2.4 Whilst we generally support the over-arching aims of the Policy, we would also object on the basis that (as presently proposed) the Local Plan fails to make the most efficient use of Redrow’s land interests – the resultant effect of which is that a significant proportion of the remainder of the land (Site 3e) would be designated “countryside”. This is all the more irrational given that the area of land concerned has not been designated or identified in the Council’s evidence base as being a “sensitive” or “valued” landscape – instead the Council’s Landscape Capacity Assessment considers the land as having “medium - high capacity” to accommodate development.

Question 91. Historic Environment Policies

What is the purpose of Strategic Policy S5 and is it necessary when detailed criteria for the historic environment are set out in Policies HE1-HE3?

- 2.5 Policy S5 does appear to be superfluous having regard to the content in policies HE1 – HE3. We therefore consider that it can be deleted.

Question 92. Historic Environment Policies

Is Policy HE1 justified, effective and consistent with national policy? Does the policy promote development within Conservation Areas and within the setting of heritage assets which would enhance or better reveal their significance in accordance with paragraph 137 of the Framework? Are any changes necessary for soundness?

- 2.6 Policy HE1 contains requirements relating to, *inter-alia*, Listed Buildings and Conservation Areas.

- 2.7 In line with Chapter 12 of NPPF, the policy at 'Criteria A' outlines the approach to undertaking the planning balance assessment when considering proposals that have an effect on a designated Heritage Asset.
- 2.8 However, Criterion B and C then set out the only scenarios when a proposal would be supported/ permitted, which contradicts the balancing assessment that Criteria A sets out must be undertaken, in line with the NPPF. As currently drafted Policy HE1 is therefore not considered to be sound.