

Proposed Submission Local Plan Examination Hearing Statement

In respect of

Chelmsford Draft Local Plan 2036
Examination – Matter 2
Strategic priorities, vision and
spatial principles

On behalf of

Taylor Wimpey Strategic Land

RPS Ref: JCG24113

9 November 2018

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1 INTRODUCTION

- 1.1 RPS are instructed by our clients, Taylor Wimpey Strategic Land (TWSL), to submit a Hearing Statement and appear at the Examination in relation to the Draft Chelmsford Local Plan and associated evidence base in relation to their submitted representations.
- 1.2 The representations comprise of those made to the Chelmsford Local Plan Issues and Options Consultation (November 2015) (Reg 18) – Representations submitted 21st January 2016; the publication of the Preferred Options Local Plan (March 2017) – Representations submitted 9th May 2017 (Council ref. ID: 961183); and the Pre-Submission Local Plan (January 2018) (Reg 19) – where the Representations were submitted 13th March 2018 (Council ref. ID: 1157030).
- 1.3 In summary, the representations provide evidence that in order for the Chelmsford Draft Local Plan to be sound, the Plan needs to allocate a 7.89 hectare site (19.47 acres) site at land at Galleywood Road, Great Baddow, for a new sustainable residential neighbourhood, comprising of up to 200 new housing units with a local community hub and open space that can be used by local residents and the public. The Masterplan is attached at **Appendix 1**.
- 1.4 Section 2 of this Statement details our client's responses to issues and questions identified by the Inspector in relation to Matter 2 – Strategic priorities, vision and spatial principles.

2 RESPONSE TO THE INSPECTOR'S MATTERS, ISSUES, AND QUESTIONS FOR DISCUSSION AT THE EXAMINATION HEARINGS

- 2.1 The Inspector has posed a number of questions in respect of Matters for the Examination into the Draft Chelmsford Local Plan. This Hearing Statement seeks to respond to questions of relevance to our clients' interest as given in our submitted representation in respect of:

Matter 2: Strategic priorities, vision and spatial principles

Main Issue: Whether the strategic priorities, vision and spatial principles have been positively prepared, are justified and consistent with national policy and can be realistically achieved.

- 2.2 We note questions 10 to 12 raised by the Inspector and in response we make the following observations.
- 2.3 It is our view that the Local Plan's 9 strategic priorities and associated spatial principles in strategic policies S1 to S5 are not compatible with each other and combined together they actually conflict with each other through the proposed spatial strategy.
- 2.4 Our submitted hearing statements relating to Matter 2; Matter 3 'Objectively Assessed Housing Need'; Matter 5 'Spatial Strategy'; Matter 6 'Housing Provision' and Matter 9 'The Environment' provide evidence that the Plan is not sound because it has not thoroughly explored other spatial options in order to accommodate the City's projected growth of population and the associated need for new housing, employment and other land uses required to meet this growth - especially within the first 5 years of the Plan's adoption (assumed to be in 2019) and the other 2, 5 year plan periods.
- 2.5 This is because the Plan takes the overriding approach that under no circumstances should the existing Green Belt boundary be reviewed to accommodate the Plan's projected need associated with its growing population. This is despite the fact that approximately a third of the Borough is within the Metropolitan Green Belt (MGB) and the MGB is confined to the south and west of the City Council.
- 2.6 The Sustainability Appraisal (SA) therefore takes the approach that the Green Belt is to be maintained throughout the Plan period regardless of the environmental impacts of implementing the proposed spatial strategy.

Strategic Priorities

- 2.7 We note Strategic Priorities 1 to 9. We do question how all of these strategic priorities collectively all can be delivered without incurring adverse environmental impacts. The Plan recognises these potential conflicts, stating that a *"balance needs to be struck between the need for and the positive benefits of, development against impacts. This is tested through separate sustainability appraisals."*
- 2.8 However, the SA has not considered whether in order to meet the needs for new homes (Strategic Priority 2) and the need to protect and enhance the natural and historic environment, Green Belt and valued landscapes (Strategic Priority 8) and creating well designed and attractive places and

promoting healthy communities (Strategic Priority 8) there needs to be a review of the Green Belt boundaries for a strategic release of Green Belt sites in sustainable locations as a complementary spatial strategy solution to meet the Plan's development needs to 2036.

- 2.9 In relation to achieving the delivery of the Plan's identified housing needs, we note that in Strategic Priority 2 'Meeting the Need for New Homes', paragraph 3.4 states that *"there is significant demand for affordable housing or starter homes for first time buyers or those on lower incomes. There is also demand for supported housing and independent living for older people (55+) and adults with disability."*
- 2.10 Paragraph 3.5 also states that the Local Plan will need to *"ensure the provision of sufficient and appropriate housing to meet objectively-assessed housing needs"* and that *"the ageing population also means the Plan needs to provide the right homes, including independent living accommodation for older people (55+, adults with learning or other disabilities and appropriate support services as well as sufficient healthcare facilities to support both older residents and the population as whole in the period to 2036."*
- 2.11 We also note that Table 4 of the Draft Plan states that almost half of new market homes in Chelmsford by 2036 need to be three bedrooms units.
- 2.12 The spatial principles do not say how this can delivered – is high density housing within the Chelmsford Growth Area really going to meet the needs of family housing or needs of the ageing population?
- 2.13 The Plan fails to consider whether identified housing needs within Chelmsford City, as given in Strategic Policy S8, including within the existing urban area of Chelmsford, can actually be viably delivered, as prescribed in paragraph 4.15 by the proposed Policy S9 – The Spatial Strategy.
- 2.14 The Plan has not assessed whether these needs can be more sustainably delivered by allocating the release of sustainably located urban fringe Green Belt sites, including land at Galleywood Road, Great Baddow.
- 2.15 Local housing needs are overlooked, and it is assumed that they just have to be met in locations which have no affinity to existing and growing local community needs.

Spatial Principles

- 2.16 Strategic Policy S1 'Spatial Principles' incorporates the strategic priorities into policy and identifies 11 spatial principles. In particular, we note the spatial principle of:
- Maximise the use of previously developed land for development
 - Continue the renewal of Chelmsford City Centre and the Urban Area
 - Protect the Green Belt
 - Protect and enhance the character and of valued landscapes, heritage and biodiversity.
 - Ensure development is deliverable
 - Ensure new development is served by necessary infrastructure

- 2.17 The protection of the Green Belt is reiterated in paragraph 4.12 states that *“the Green Belt will be protected as it provides the strongest possible planning policy to prevent the encroachment of urban growth into open undeveloped areas and the coalescence of existing built up areas.”*
- 2.18 The submitted SA of the Plan therefore has an, as of yet, unproved assumption throughout the SA, namely that there is no need to review the Green Belt boundaries, as all of the Plan’s projected housing, employment and other needs can all be sustainably met during the Plan period by the viable delivery of the identified sites, as given in the Plan’s spatial principles and associated spatial strategy.
- 2.19 The Plan and SA have both been prepared on the assumption that there are no reasonable alternative options other than the spatial strategy as set out in the Draft Local Plan. However, it can be argued that all alternatives have not been considered and the decision to desist from undertaking a review of the borough’s Green Belt boundaries has not been fully justified. In the case of R (RLT Built Environment Ltd) v Cornwall Council (2016) EWHC 2817, Hickenbottom J accepted that a reasonable alternative is one which will, or sensibly may, achieve the objectives of the plan. It notes that SEA Directive makes clear that the SEA is procedural in nature and only seeks to require the proper assessment of potential environmental effects of a particular plan before adoption. It states that the SEA Directive is designed to ensure that potentially environmentally-preferable options that will or may attain policy objectives are not discarded as a result of earlier strategic decisions in respect of plans of which the development forms part.
- 2.20 It is therefore our view that the Council has not fully assessed all reasonable alternatives to the proposed spatial strategy set out in the Draft Local Plan as required by the SEA Directive.
- 2.21 This approach is not sound, as no consideration has been made by the Plan as to whether there are exceptional circumstances warranting the review of the Green Belt boundary as part of the Plan making process.
- 2.22 We consider that there are exceptional circumstances to review Green Belt boundaries and allocate land at Galleywood Road, Great Baddow, for reasons given section 3 of our submitted representation on March 2018 and re-iterated in our complimentary Hearing Statements relating to Matter 3 ‘Objectively Assessed Housing Need’, and Matter 5 ‘Spatial Strategy and Matter 6 ‘Housing Supply’ and Matter 9 ‘The Environment’.
- 2.23 Our evidence shows that housing need has been underestimated and that the supply of housing units on sites identified in the Plan are unlikely to be delivered in the first 5-10 years of the Plan.
- 2.24 We also re-iterate in Taylor Wimpey Strategic Land’s Site Delivery Statement, which is provided at **Appendix 2**, that the proposed residential development at land at Gallywood Road, Great Baddow can be delivered within 5 years if allocated in the Local Plan.
- 2.25 Notwithstanding the above, we would also wish to highlight that the Plan’s strategic priorities, vision and spatial principles have not been positively prepared, are justified and consistent with national policy, and can be realistically achieved for the following reasons.
- 2.26 Appendix F of SA states that under the heading of Item 1 ‘Biodiversity and Geodiversity’ and Item 7 ‘Land Use and Soils’:

*“Housing growth is expected to be encourage the re use of brownfield land. However, the limited number of brownfield sites that have not already been earmarked for future development in the Chelmsford City Area will **mean that a potentially substantial area of greenfield land will be required.**”*

- 2.27 The SA also notes *“the best and most versatile agricultural land in the City Area generally lies to the north/north west (Grade 2).”*
- 2.28 We wish to highlight that the Green Belt land to the south of Chelmsford, including land at Galleywood Road, Great Baddow, is classified as moderate land (Grade 3) and described in the Landscape Assessment, prepared in relation to the representations made to the Pre-Submission Plan, as containing varying field levels/ridges and flooding in areas (to the southern part of the site), which limits the agricultural potential of the site.
- 2.29 We therefore question how the Plan can be sound by not considering the need to review Green Belt boundaries for greenfield development, given that evidence is provided showing that there are exceptional circumstances warranting the strategic release of the Green Boundary at Galleywood Road to the south of Chelmsford.
- 2.30 The SA also identifies as a SA objective ‘Cultural Heritage’ that:
- “Chelmsford’s cultural heritage is a key feature of the local authority area as indicated by the National Heritage List of England which includes 1,121 listed buildings, 25 conservation areas and 9 registered parks and gardens. Residential development has the potential to adversely affect these assets as well as other non – designated assets that contribute to the character of the City Area.”*
- 2.31 Strategic Policy S5 ‘Conserving and Enhancing the Historic Environment’ states that the Council will protect and enhance the historic environment, including preservation of their setting.
- 2.32 Given that the Plan identifies Central and Urban Chelmsford as a major growth area, we question how the proposed higher density and required infrastructure to deliver the proposed allocated sites for development City Centre can support the SA cultural heritage objective and Strategic Policy 5.

Conclusion

- 2.33 We conclude that the Draft Plan’s strategic priorities, vision and spatial principles as given in sections 3 and 4 of the Plan have not been positively prepared, or justified and consistent with national policy and can be realistically achieved, because:
- The Plan and SA have both been prepared on the assumption that there are no reasonable alternative options other than the spatial strategy as set out in the Draft Local Plan. In other words, there is no need to review the Green Belt boundary, because all of the identified needs, including housing, can all be met in the Plan’s growth areas, as identified in the spatial strategy.
 - This is not sound. In our view, there is evidence that there are exceptional circumstances which warrant the strategic release Green Belt land for development, in order to meet projected local housing need and delivery during the Plan period.

- The vision and spatial principles are not all compatible when taken as a whole. Focusing development in Chelmsford City Centre is reliant on the delivery of large brownfield sites requiring significant investment in infrastructure, whilst high density housing is not suitable for family living, the ageing population of the City and the environmental impact on the City's heritage assets and their settings.
- Release of major greenfield sites to the north of the borough need the delivery of new infrastructure and are on higher grade agricultural land.
- Reliance on the delivery of higher density housing in Growth Area 1, Chelmsford City Centre, to meet Chelmsford's growth housing needs is not sound. To make the Plan sound, a review of Green Belt boundaries and identification of strategic land to be released from the Green Belt to assist in meeting the delivery of the Plan's housing needs development is required.
- The strategic release of Green Belt land at Galleywood Road, Great Baddow, will help meet Chelmsford's local and the City's housing needs in the first five years of the Plan's adoption. The allocation would deliver a new sustainable local community and provision of wider public and environmental benefits as given in our submitted representation.

APPENDIX 1 – TWSL GALLEYWOOD ROAD, GREAT BADDOW MASTERPLAN



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Notes
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- Site boundary
7.95ha / 16.65 acres
Approximately 175 dwellings
- Residential development blocks
- Public Open Space
- Site access / main route
- Secondary routes
- Private Drives
- Footpaths
- Frontages
- Community Hub

Rev	Description	Date	Initial	Checked

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Project Galleywood Road, Great Baddow

Title Concept plan

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APPENDIX 2 – DELIVERY STATEMENT BY TAYLOR WIMPEY STRATEGIC LAND – NOVEMBER 2018



Taylor Wimpey Strategic Land (TWSL)

Land at Galleywod Road, Great Baddow Masterplan Delivery Statement.

TWSL have submitted representations to the draft Chelmsford Local Plan seeking the allocation of land at Galleywod Road, Great Baddow, for development as illustrated in Appendix 3 of our representations to Regulation 19 Local Plan.

The proposed masterplan seeks to provide the following land uses which have been informed by the suite of technical work undertaken:

Land Use Footprint	Hectares	Acres	%	Masterplan Location/Commentary
Residential	5.09	12.58	64	Within 3 broad areas; (north)-fronting rear gardens of properties to Galleywod Road); (middle) – in 3 parcels and (south) in 4 parcels. Proposed residential parcels of land to accommodate approximately 200 housing units.
Community Hub	0.10	0.25	1.3	Within the central residential zone – western parcel with access from the main access road serving the new neighbourhood.
Entrance Road	0.06	0.15	0.8	With access to Galleywod Road and the main service road for the development.
Public Open Space/Recreation Land	2.42	5.97	30.4	To the south, west and east of the residential development.
Proposed landscaping	0.28	0.69	3.5	Within the public open space and enhancing the defined southern boundary to open farmland to the south of the site.
Total	7.95	19.64	100	

Deliverable Development

TWSL consider that the development is deliverable within 5 years because of the following:

Planning Criteria	Commentary
Availability	<p>The site is immediately available. The site has one owner and TWSL have an Option Agreement with the landowner to purchase and develop the site should the site be allocated in the Local Plan for development. Therefore there is no need to acquire land compulsory from other land owners.</p> <p>The development could have planning permission (s) in place within 1 year and the development could then commence in agreed phases with the Local Planning Authority within the next four years.</p> <p>Therefore the proposed development will significantly help to meet the delivery of unmet need for new housing within the first 5 years of the plan.</p>
Suitability	<p>The site would represent a new sustainable residential led scheme, which will be integrated within the existing southern urban edge of Chelmsford and Great Baddow, providing new homes and a new community hub for existing and new local residents.</p> <p>The site will provide approximately 200 homes and a new community hub, including affordable homes, and formal and informal public open space.</p> <p>The design, scale and layout of the residential component will complement existing housing densities and scale and so complement the existing suburban residential character of the southern urban edge of Chelmsford.</p> <p>The existing road network, public transport services and pedestrian and cycle routes can all be integrated to serve the proposed new residential development and the existing local community.</p> <p>The development would also comply with policies which reduce carbon emissions and will ensure the retention and enhancement of the site's existing ecological assets and landscape features.</p> <p>The masterplan's principles also seek to preserve key views across the site by creating public open space to the south, west and east creating a new green edge to the site's southern boundary and footpaths.</p>
Viability	<p>A suite of technical work has been undertaken to inform the masterplan layout - including Drainage; Contamination and Ground Conditions; Archaeology; Ecology; Provision of Utilities; Transportation and Access – and there are no abnormal site development costs preventing the delivery of the residential units as proposed by the masterplan.</p> <p>Chelmsford has a strong market demand for new homes and the proposal seeks to deliver a policy compliant mix for both market and affordable homes.</p>

