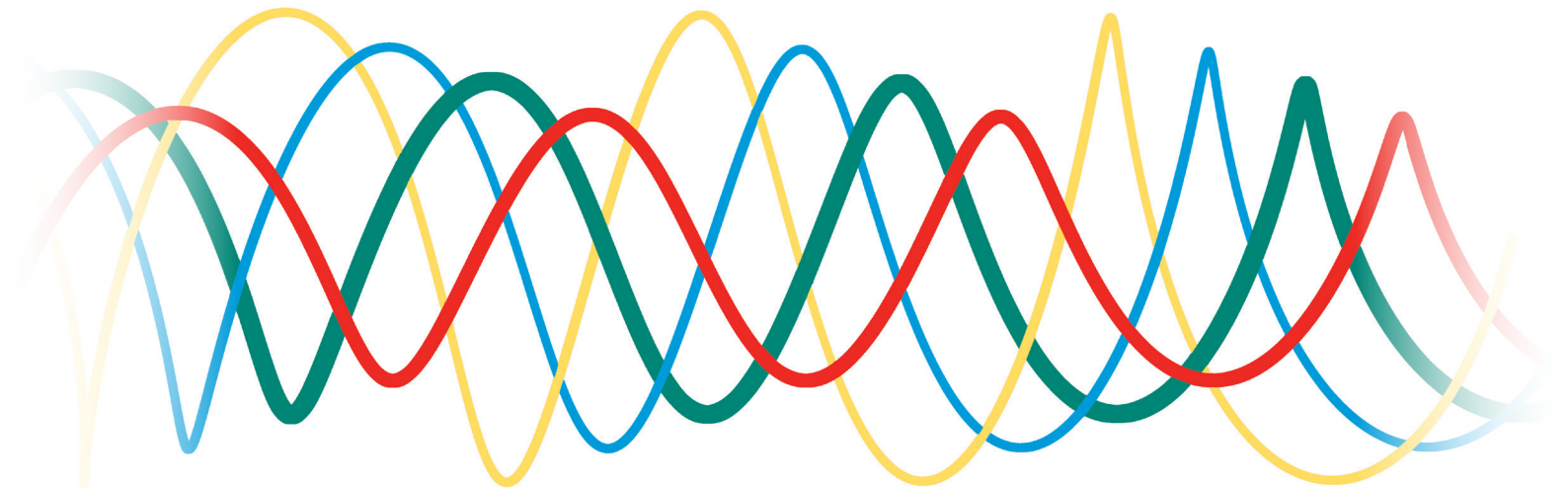


# HAMMONDS FARM

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INDEPENDENT EXAMINATION OF THE CHELMSFORD DRAFT LOCAL PLAN

**ID 872955**

**MATTER 6**

HOUSING PROVISION



GROSVENOR

HAMMONDS  
ESTATES

## Matter 6 - Housing Provision

**Main issue – Whether the identified housing requirement is sound and whether the Plan sets out a positively prepared strategy for the supply and delivery of housing development that is justified, effective and consistent with national policy**

### **Housing requirement**

**Qu.54 Strategic Policy S8 identifies the housing requirement for the Plan period as a minimum of 18,515 net new homes (average of 805 dpa). Will it ensure that the Plan meets the full objectively assessed housing needs identified in the SHMA? Will it significantly boost housing supply in accordance with the Framework?**

- 6.1 Paragraphs 7, 9 and 47 of the NPPF (2012) confirm the need to significantly boost housing supply. The council has, through Strategic Policy S8, confirmed its intention to meet this requirement.
- 6.2 Given the promoters' view that the objectively assessed need (OAN) should be higher than identified in the PSP (940dpa - see Matter 3 response, para 3.24), the housing requirement set out in Strategic Policy S8 will not meet the required OAN. This revised OAN results in a requirement for 21,620 dwellings across the plan period. Accordingly, there is a shortfall against the council's OAN (18,515) of 3,105 dwellings.
- 6.3 Strategic Policy S8 applies an approximately 18% addition to the OAN to ensure flexibility in delivery and to help boost housing supply across the plan period (21,872 in SD002.) If an 18% increase is applied to the promoters' suggested OAN, the total housing requirement is 25,512. As the Pre-Submission Plan (PSP) provides only for 21,872 dwellings, there is a shortfall of 3,640 dwellings.
- 6.4 In light of the above, the PSP is not positively prepared and is unsound. In order to remedy this and make the PSP sound, there is a need to identify additional housing land to ensure that the PSP meets the OAN for housing.

### **Site selection process**

**Qu.55 Is the methodology for housing site assessment and selection as set out in the Strategic Land Availability Assessment (SLAA) documents EB072A to EB072G sound?**

- a. **Do the 'absolute constraints' and criteria for suitability, deliverability and achievability accord with national planning policy and guidance and are they justified (EB072B and EB072C)?**
- b. **Are the SLAA site assessments robustly evidenced?**
- c. **Are the reasons for selecting sites and rejecting others clear?**
- d. **How has the SA informed the site selection decisions?**

- 6.5 Many of the absolute constraints do not comply with the NPPF and PPG because the designations identified do not specifically exclude development. For example, Green Corridors may be considered to be valued landscapes but neither paragraphs 109 or 113 prevent development, nor does draft policy C01. Furthermore, a number of the criteria are too crude and do not, therefore, enable a robust, rational evaluation of the suitability of a site, particularly large sites.
- 6.6 The 2017 SLAA (EB072D) concludes that Hammonds Farm site is available and has good achievability and is economically viable. It raises some suitability concerns, but these are not accurate. A further review of the site based on up-to-date information, utilising the scoring system set out in the SLAA Assessment Criteria Note (0 to 5, negative to positive) (EB072C), confirms:

Suitability criteria	SLAA assessment	Promoters' comment and re-assessment
Access infrastructure constraints	Score 5: No known constraints to achieving a suitable access	5 No change
Bad neighbour constraints	Score 3 Site has bad neighbours with potential for mitigation	Revised score 5 Site has no bad neighbours There is a quarry to the east of the site, but it is some distance from the site boundary. Built development is not proposed adjacent to the boundary. The proposed development also takes account of the location of the sewage treatment plant to the west of the A12, and has applied Anglian Water's 'cordon sanitaire' to the establishment of development areas.
Ground condition constraints	Score 3 Treatment is expected to be required on part of the site	Revised score 5 Treatment is not expected to be required The site is predominantly agricultural land with little or no likelihood of treatment being required
Minerals constraints	Score 0 Site is wholly or partially within an identified Mineral Safeguarding Area	0 No change
Impact on Area of Defined Open space	Score 5 Site not within an area defined as Public Open Space or 'Other' Green Space	5 No change
Impact on locally protected natural features	Score 3 Site partially within an area of Ancient Woodland, Local Wildlife Sites, Local Nature Reserves, Essex Wildlife Site or Coastal Protection Belt	3 No change
Flood risk constraints	Score 1 25-50% of site area is within Flood Zone 3a	1 No change
AQMA constraints	Scored 5 Site not within 800m of an AQMA	5 No change

Suitability of location constraints	Scored 0 Site is outside of any Defined Settlement Boundary or Town/City/Urban area in the countryside	Revised score 3 Site is adjacent to Chelmsford or South Woodham Ferrers Urban Area or Chelmsford Town Centre Area Action Plan
<b>Total</b>	<b>25</b>	<b>32</b>

**Table 1: Promoters' reassessment of SLAA in respect of Hammonds Farm**

- 6.7 Due to the way the criteria have been framed, the assessment results in Hammonds Farm being 'marked down' in relation to impact on locally protected natural features due to the presence of a recently designated local wildlife site within the site. However, this does not in itself make the site less suitable for development; on the contrary, it provides opportunities to incorporate the designation into the proposed green infrastructure and to provide net biodiversity gains, in accordance with the NPPF.
- 6.8 The western part of Hammonds Farm (west of the A12) adjoins the boundary of Chelmsford Urban Area as defined on Plan 1 of the Pre-submission Document (SD001). If this part of the site is disregarded due to its location within the Green Wedge (i.e. an absolute constraint), the assessment should remain as above as it would be comparable to the assessment of sites at North of South Woodham Ferrers and Great Leighs – Land at Moulsham Hall, where there is a road between the site and the urban area.
- 6.9 The SLAA identifies Hammonds Farm as a Category 2 site. Both the original SLAA score and promoters' revised SLAA score place the site in sub-category A, at the top end of the developable sites. The site is therefore comparable with other allocated sites, including North East Chelmsford (NEC).
- 6.10 In light of the above, the reasons for selecting some sites and rejecting Hammonds Farm are illogical.
- 6.11 As set out in relation to Matters 1 and 5 and the promoters' representations (PS1045, appendix 1), the methodology within the SA is not considered appropriate or justified and does not adequately assess the likely significant effects of the site allocations. The SA has not therefore informed site selection decisions.
- 6.12 The methodology of the SA is flawed:
- 1) The prediction and evaluation of impacts does not comply with the significance criteria given in the regulations and guidance<sup>1</sup>
  - 2) The SA results have not described or evaluated the likely significant impacts in an appropriate way or with links to appropriate evidence, specifically with regard to the duration and likelihood of the effects and mitigation measures. For example:
    - a) Flood risk is scored (- -) for Hammond's Farm (HF) although the SA states it is considered unlikely that new development at Hammonds Farm would be at significant risk of flooding. The probability and

<sup>1</sup> Schedule 1 and 2 of the Regulations (Environmental Assessment of Plans and Programmes 2004), RTPI Practice Advice Note, (p. 20)

magnitude of the effect are not correct, and therefore the result is wrong<sup>2</sup>

- b) The assessment of the site allocations against the Housing Objective fails to evaluate the type and tenure of homes or deliverability within the plan period.
  - c) The assessment of transport infrastructure gives an uncertain impact with no assessment of proposed transport infrastructure or likely deliverability.
  - d) The impact on minerals is scored purely on their presence and does not consider the impact or duration of possible extraction on proposals.
- 3) The site assessments at Appendix G fail to include mitigation measures, contrary to the regulations and guidance<sup>3</sup>. It is therefore not known whether adverse impacts can be reduced or positive impacts enhanced. The SA fails to demonstrate either the likely significant impacts or the reasons for the site selection and rejection.
- 6.13 The reasons given for the rejection of Hammonds Farm<sup>4</sup> are not supported by the evidence and the reasons its deliverability is considered to be worse than other allocations are not explained. Hammonds Estates representations (PS1045, Appendix A) set out a comparison of the SA results, which illustrates very clearly the similarity of the results for all sites. The failure to evaluate the impacts within the SA has therefore resulted in a flawed exercise, which fails to show why the preferred site allocations were selected and Hammonds Farm rejected.
- 6.14 The SA has also failed to demonstrate that the chosen option is the most appropriate strategy but has assumed that the council's evidence will ensure delivery of the PSP. The alternatives need to be reassessed with due consideration of the deliverability of the sites, including the proposed infrastructure, and the likely impact upon the housing trajectory within the PSP period.
- 6.15 The SA also fails to show that the PSP will deliver the most appropriate strategy in the proposed timeframe. Roger Clews' report (EB 171) draws attention to the need for the plan to be clear how allocations would be carried out in the event of a shortfall in delivery. The vouncil has not set out how the housing allocation will be achieved if NEC fails to deliver the housing or transport infrastructure required within the plan period.
- 6.16 It is unclear how the SA has informed site selection decisions. The failure to assess the PSP with consideration of mitigation measures, timescales and deliverability provides misleading results, which are potentially a misrepresentation of the facts.

## **Housing Supply**

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<sup>2</sup> See SA09; SD005 SA Addendum (App.A, pA4); SA App.F 2017; and SLAA (EB072)

<sup>3</sup> Schedule 2 (7) of the Regulations, NPPF 152 and NPPG18

<sup>4</sup> EB 006 Preferred Options SA, 2017, para 5.3.59 p92

**Qu.56 The Plan in Strategic Policy S8 identifies a total land supply for 21,893 new dwellings during the Plan period. It includes completions since 2013, commitments, site allocations and a windfall allowance.**

- a. Does the level of supply provide sufficient head room to enable the Council to react quickly to any unforeseen change in circumstances and to ensure that the full requirement is met during the Plan period?**
- b. Does the Council's assessment of windfall allowances (EB067) provide compelling evidence that such sites will continue to provide a reliable source of housing land supply during the Plan period? Are the allowance levels justified and are they consistent with national policy and guidance?**

- 6.17 The PSP does not provide any headroom due to the PSP OAN being less than required. This is compounded by the significant issues identified in the promoters' Statement in relation to Matters 1, 6a and 6b regarding the deliverability of a number of sites, particularly NEC.
- 6.18 The plan contains no provision to react to changes in circumstances such as a delay to sites coming forward or reduced numbers of homes being delivered from allocated sites.
- 6.19 Given the proposed changes to the standard method for assessing local housing need<sup>5</sup>, which in the promoters' assessment results in a substantial increase in the requirement to 976 dwellings per annum (using the 2014 household projections, the 2018 affordability ratio and a 10-year period of 2018-2028), the council must provide more headroom now. This figure is very similar to that at paragraph 2.11 of TP001 although derived using the 2018 draft Planning Practice Guidance method<sup>6</sup>. It is also similar to the higher OAN set out in the promoters' Statement in relation to Matter 3 (paragraph 3.24).
- 6.20 The requirement arising from the standard method would be 22,448 dwellings across the plan period. On this basis, there is a shortfall in the plan against the council's OAN of 3,933. Considered against the PSP's proposed housing provision there is a shortfall of 576 homes.
- 6.21 If an 18% uplift is applied to the standard method, the overall requirement is for 26,489 dwellings. On this basis there is a shortfall of 4,617 dwellings against the PSP (SD02) requirement of 21,872 across the PSP period.
- 6.22 It is acknowledged that the PSP is being examined under the 2012 NPPF. However, given that the standard method represents current national planning policy, and the current consultation on changes to it, in order to ensure that there is a significant boost to supply and that there is flexibility in the supply, the PSP must provide additional housing to ensure it is sound.

**Qu.57 Appendix C of the Plan sets out the development trajectories which indicate that deliverability of sites for housing is based on developers' projected**

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<sup>5</sup> Technical consultation on updates to national planning policy and guidance, Ministry of Housing, Communities and Local Government, October 2018

<sup>6</sup> Draft Planning Practice Guidance, Ministry of Housing, Communities and Local Government, March 2018

***build out rates and information from site promoters for years 2017/18 to 2021/22.***

- a. Are these rates achievable?***
- b. How has deliverability of sites beyond 2021/22 been assessed and are they realistic?***
- c. Does the trajectory reflect the time needed for allocated sites, particularly the large strategic growth sites, to produce a masterplan (where required), gain planning permission, agree any necessary planning obligations and provide for any facilities? (Also see below for specific questions for site allocations within the Growth Areas)***

- 6.23 The council's housing trajectory<sup>7</sup> identifies an annual average delivery of 368 dwellings from Beaulieu, Channels and NEC (2018-2036), with the maximum annual delivery for Beaulieu and NEC of 442 dwellings between 2028/29 and 2032/33. Such high annual delivery rates are wholly unrealistic given that the combined average annual delivery at Beaulieu and Channels for the period 2015/16 to 2017/18 was 242.
- 6.24 As set out in the promoters' Matter 1 Statement (paragraph 1.36) there is considerable evidence that delivery of around 250 dwellings per annum is a realistic rate for large sites. Furthermore, there is evidence that Countryside has not delivered housing at the rates identified in the PSP on other large sites (paragraph 1.37 and table of Matter 1), even where there have been multiple developers.
- 6.25 If 250 dwellings were delivered per annum at Beaulieu, Channels and NEC, this would result in a shortfall in delivery at these sites of 2,120 dwellings during the plan period based on the council's latest trajectory (SD002 and EB063) (based on 6,620 (Beaulieu, Channels & NEC delivery 2018-2036) minus 4,500 (250dpa x18 years)).
- 6.26 Delivery of NEC depends on the rephasing of existing mineral operations and updating of restoration conditions. A planning application for the former (requiring EIA (see appendix 3 of Matter 1 Statement) has not yet been submitted. Such an application would be complex and require a comprehensive EIA and there can be no assurances that it can be secured nor on the timescales for achieving this.
- 6.27 Whilst a Minerals Resource Assessment has been prepared (see SOCG15) the option of extracting minerals from Area D as a satellite operation has not been properly assessed and has been dismissed on the basis of untested assumptions. In the event that extraction is required from this area, this would delay the delivery of housing at NEC.
- 6.28 This evidence demonstrates that there are extensive and complex issues affecting this site and that the council's housing completion rates are not deliverable with the potential for delay of housing delivery. The PSP is therefore unsound.

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<sup>7</sup> SD002 and EB069

- 6.29 The trajectory for Great Leighs (Strategic Growth sites 5a, 5b & 5c) is unachievable as proposed for the following reasons.
- Delivery is constrained by the need to upgrade provision at Great Leighs Water Recycling Centre. The IDP states that *“it will be difficult for any significant growth to come forward before 2024”* (paragraph 5.15, EB018B). Despite this, the PSP identifies 350 dwellings coming forward in the period 2019/20 – 2023/24.
  - When taken with the need for masterplans to be prepared, planning applications to be submitted and approved (likely to be outline applications followed by reserved matters), conditions discharged and contracts for construction procured the housing trajectory for this site is unrealistic.
- 6.30 The Housing Trajectory (SD02) identifies that Strategic Sites 2, 3a, 3b, 3c, 6 and 7 will all deliver housing from 2021/22 onwards. Given that the plan is unlikely to be adopted until spring 2019 (if found sound), and the requires set out Question 57c), it is unrealistic to think that these sites will start to deliver housing within two to three years.
- 6.31 Mineral Resource Assessments are required for Strategic Sites 5 and 6 to determine if mineral extraction and subsequent restoration is required:
- A MRA has been produced for North of Broomfield. It is not, however, robust relying on inadequate geological investigation such that the conclusions cannot be relied upon
  - The promoters of Site 5a and 5b indicated in 2017 that a MRA was underway; this evidence is not apparent. Their representation to the Preferred Options consultation confirms that if there are minerals of economic importance, extraction will be required.
- 6.32 It cannot be concluded that mineral extraction is not required at these sites and that the housing trajectory can be relied upon.

**Qu.58 *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?***

6.33 No comment

**Qu.59 *Existing residential development commitments (EC1, EC2, EC3, EC4 and EC5) are identified within the Plan as sites with and without planning permission. Whilst the latter are sites that are currently allocations within the Council’s existing Local Development Framework (LDF) as they do not yet have planning permission is calling them ‘commitments’ or ‘re-allocations’ appropriate? Will existing allocation policies from the LDF remain in place should this Plan be found sound or will they be superseded? If the former, why are the sites included within this Plan? If the latter, are the inclusion of these sites within this Plan based on robust evidence? Are***

***there any particular reasons why the sites have not delivered housing under the LDF?***

- 6.34 It is unclear from the council's evidence why these sites have not yet come forward. The PSP suggests that neither the Telephone Exchange or St Giles sites will come forward until 2028/29 – 2032/33 and 2023/24 - 2027/28 respectively. It is considered that the justification for the continued allocation of these sites is unsound and they should be removed from the council's housing supply.

**Five year housing land supply**

***Qu.60 In relation to the five year housing land supply (5YHLS):***

- a. Is the Council's 5YHLS methodology (EB066) justified and consistent with national policy?***
  - b. Does the delivery of a surplus 73 dwellings against the Plan's housing requirement since 2013 justify a 5% additional buffer?***
  - c. Is the identification of a 7.7 year housing land supply by the Council in EB065 justified and based on robust evidence of housing supply?***
  - d. Overall, will the housing provision have a reasonable prospect of delivering a 5YHLS at the point of adoption of the Plan?***
- 6.35 It is the promoters' view, as set out in relation to Matter 3 (paragraph 3.24), that the OAN is substantially higher at 940 dpa. This results in a 5-year housing requirement, taking account a shortfall against completions and a 5% buffer. This would provide the council with a 5.7 year land supply (using the council's claimed supply of 6396 (EB063)).
- 6.36 It is the promoters' view that a number of the sites in the council's 5YHLS will not come forward as envisaged or that the envisaged delivery start year is unrealistic.

**Sites that should be excluded from the PSP 5YHLS**

- SAD allocation 185 New London Road Chelmsford (An alternative planning consent has been granted and the existing consent will expire on 7 December 2019)
- SAD allocation 86 Main Road Danbury Chelmsford (Planning permission expired on 16/09/2018 and the existing use continues)

**Sites that should be reduced in capacity as a bed space in a care home use cannot be equated to a single dwelling**

- TCAAP allocation Moulsham Home 116-117 Moulsham Street Chelmsford

Sites the delivery of which should be delayed by one year to accommodate the requirements set out in question 57c) pushing one year of delivery beyond the 5 year supply period

- Site allocation SGS1d      Former St Peters College, Fox Crescent, Chelmsford (Essex County and Chelmsford City Councillor Stephen Robinson has advised planning application is likely to be submitted between April - July 2019. Delivery of housing is unlikely to be until 2021/22)
- Strategic Growth Site 2    West Chelmsford
- Strategic Growth Site 3a   East Chelmsford – Manor Farm
- Strategic Growth Site 3c   East Chelmsford – Land south of Maldon Road
- Site allocation CW1c       Lockside Navigation Road
- Strategic Growth Site 6    North of Broomfield
- Strategic Growth Site 7    North of South Woodham Ferrers

Sites delivery of which will be outside the 5 year supply period due to constraints arising from the need for wastewater treatment capacity

- Strategic Growth Site 5b   Great Leighs – Land East of London Road

6.37 In light of the above it is estimated that there will be a reduction in the council's assumed supply of 674 dwellings within the 5-year supply period. This would reduce the council's 5YHLS even further to 5.1 years.

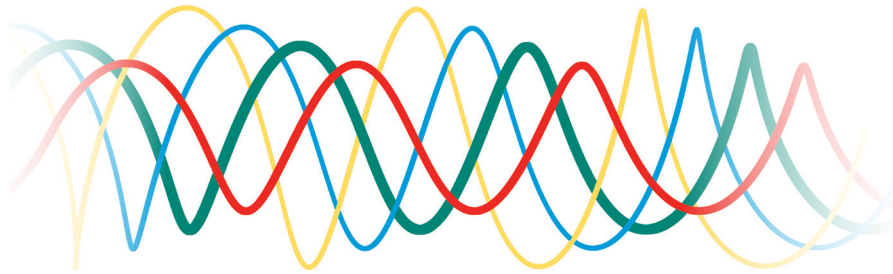
6.38 This demonstrates the fragility of the council's supply such that should there be further delays to development, as identified above, or if other sites do not come forward, there is no reasonable prospect of delivering a 5YHLS at the point of adoption of the plan and the plan is therefore unsound. Allocation of additional housing is required to ensure that the council not only has a 5-year supply at the point of adoption but also a rolling 5-year supply throughout the plan period.

***Qu.61 Is there sufficient flexibility in the housing trajectory to ensure that housing land supply within the Plan area will be maintained and will deliver the housing requirement of Strategic Policy S8?***

6.39 It is considered that the council's housing trajectory will not deliver the quantum proposed at the time identified and hence the PSP will fail to deliver sufficient housing to meet the OAN requirement. There is no flexibility within the trajectory to facilitate the delivery of additional housing should there be delays to the delivery of consented or allocated sites. Furthermore, the PSP will not provide choice or diversity of housing. The housing requirement set out in Strategic Policy S8 will not be delivered and the PSP is therefore unsound.

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