

South Woodham Ferrers Town Council comments to: Chelmsford Draft Local Plan Pre-Submission Document January 2018

Question 1:

The Town Council agrees that the Local Plan is legally compliant in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Question 2:

The Town Council agrees that the Local Plan complies with the Duty to Co-operate.

Question 3:

The Town Council does not agree that the Local Plan is 'Sound' and has been positively prepared, justified and consistent with the National Policy i.e. it has not been prepared in a way that will meet infrastructure requirements. It is not effective as it is not deliverable, nor is it consistent with the National Planning Policy Framework.

National Planning Policy Framework

There are 3 dimensions to sustainable development, economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- Economic – this includes the provision of infrastructure;
- Social – providing the supply of housing to meet the needs of present and future generations with accessible local services that reflect the community's needs and support health, social and cultural well-being;
- Environmental – contributing to protecting and enhancing our natural, built and historic environment and as part of this improve biodiversity.

These roles should not be undertaken in isolation because they are mutually dependent.

Pursuing sustainable development involves seeking positive improvements to the quality of the built, natural and historic environment as well as in people's quality of life, including but not limited to:

- Making it easier for jobs to be created in cities, towns and villages;
- Moving from a loss of biodiversity to achieving net gains for nature;
- Replacing poor design with good design;
- Improving the conditions in which people live, work travel and take leisure;
- Widening the choice of high quality homes.

The Local Plan Pre-Submission Document fails to meet 3 out of the 5 criteria:

1. Moving from a net loss of biodiversity to achieving gains for nature;
2. Improving the conditions in which people live, work, travel and take leisure;
3. Widening the choice of high quality homes.

Infrastructure

South Woodham Ferrers is a commuter town and the Strategic Site 7 North of South Woodham Ferrers provides for the following:

- around 1,000 new homes of mixed size and type to include affordable housing;
- Travelling Showpeople site for 5 serviced plots;
- 1,000sqm of flexible business floorspace providing a range of unit sizes and types;
- 1,900sqm of convenience retail floorspace.

But without enhancement to the existing infrastructure to support and accommodate the additional expansion.

This contravenes N.P.P.F. 7 an economic role – the provision of infrastructure.

Railway – the rail line is at near capacity with no plans to increase it. Whilst there was mention of rail improvements in the Preferred Options document (March 2017) 7.184; stated "development should investigate potential for and contributions to additional train capacity, station improvements and in the longer term opportunities for a passing loop to enable more frequent trains", this item does not appear in the Pre-Submission document.

The recently approved Maldon District LDF allows for an increased use of the railway.

Roads – The Pre-Submission Document mentions “Improvements to the local and strategic road network as required by the Local Highways Authority (page 171).”

The Chelmsford Local Plan Preferred Options Strategic & Local Junction Modelling – January 2018, undertook Peak Flow surveys at many road junctions throughout the Chelmsford area. There were 8 road junctions in South Woodham Ferrers itself or on the outskirts of the town, that were examined and of these only 1 was forecast to remain within capacity. Of the remaining 7 it was thought that Highway Mitigation was possible, however the main Burnham Road/Ferrers Road junction was deemed that No highway mitigation was possible. This road carries a lot of traffic from the Dengie Peninsula and with current and proposed development in that area the volume of traffic will increase.

This contravenes N.P.P.F. 9 pursuing sustainable development involves seeking provision improvements in the quality of the built, natural and historic environment as well as in people’s quality of life, including improving the conditions in which people live, work, travel and take leisure.

It should be noted that of the 27 junctions examined the Burnham Road/Ferrers Road, Rettendon Turnpike, Hawk Hill and the A132/A130 are the busiest and these are either in South Woodham Ferrers itself or on the outskirts of the town.

The Pre-Submission Document (Page 175) 7.339 states “impacts from development on the local and strategic road network **must be mitigated** and may include appropriate road and junction improvements along Burnham Road, the roundabout junctions at the B1418, Ferrers Road and Rettendon Turnpike, at the A132 and local junctions between the town and the A130, in line with the Highway Authority requirements. Impact of development in the adjoining Maldon District needs to be part of this consideration.”

The above statement mentions that the impacts from development must be mitigated and the Ferrers Road junction with the Burnham Road is mentioned. The Chelmsford Local Plan Strategic and Local Junction Modelling January 2018 (Table 6.1, pages 112 & 113), states that Highway Mitigation is not possible on this junction.

Strategic Priority S5 (Page 33) 3.14 states that; “one of the most challenging strategic infrastructure requirements is ensuring the transport network is sufficient to accommodate future growth. Many of the existing roads are at, or near to capacity. Much existing transport infrastructure therefore has little spare capacity to cope with population growth and new housing and employment development. However, additional capacity in certain areas may come from promoting a change in behaviour, for example how people choose to travel.”

A large number of residents in South Woodham Ferrers commute to London and they already have a choice between using the railway which is already near/at capacity at peak times, with no plans to expand, or use the highway to access an alternative mainline railway station adding to the already congested roads which are being used by car drivers mixing with commuters already going to other locations. A change in how people travel is not valid here, unless there is extra capacity on the railway the only choice is to travel by car.

Schools –

Page 171 Strategic Site 7 North of South Woodham Ferrers – 1,000 new homes

- Potential co-location of a new primary school with an early years and childcare nursery, and one stand-alone early years and childcare nursery; or two new stand-alone early years and childcare nurseries

Page 119 Strategic Growth Site 2 West Chelmsford – 800 new homes

- Provision of a new Primary School with co-located early years and childcare nursery;
- Provision of a new standalone early years and childcare nursery;
- Financial contribution to secondary education.

Page 150 Strategic Growth Site 5a – Great Leighs Land at Moulsham Hall – 750 new homes

- Provision of a new Primary School with co-located early years and childcare nursery.

The Chelmsford City Council Infrastructure Delivery Plan – Final Report January 2018 (pages 25 & 28) states that there should be Primary School on a ‘precautionary basis’.

Strategic Growth Site 7 is the only site of this size that is not getting a Primary School on a definite basis, but on a 'precautionary' basis (Preferred Options document) and a 'potential' basis (Pre-Submission document page 171).

Page 28, 3.40; "there is 1fe of surplus capacity within the group. Only Collingwood School has the site capacity to expand significantly (by 0.5fe), potentially leaving a new school as the best option to meet demand in excess of the current surplus."

The Pre-Submission Document (Page 41) 4.16; Ensure new development is served by necessary infrastructure.

"Development will need to be supported by provision of infrastructure, services and facilities that are identified to serve the needs arising from the new development and provided in a timely and where appropriate, phased manner to serve the occupants and users of the development. This will include maximizing the efficient use of existing infrastructure and securing forward funded infrastructure that supports new development such as the provision of schools."

It should be pointed out that Collingwood School is quite some distance from the development and there are potential safety issues in young children getting to and from school from the new development.

The Town Council believes to meet the required infrastructure a primary school should be provided on the proposed site.

Town Centre

Page 32, Strategic Priority 4 Protecting and enhancing retail, leisure and commercial development 3.10 "Jobs in retail are focused in Chelmsford City Centre, South Woodham Ferrers Town Centre and Principal Neighbourhood Centres. Chelmsford City Centre attracts shoppers and visitors from well beyond. It continues to grow in choice and popularity and is not ranked within the top 100 of all shopping centres across the country. Conversely there is evidence that the retail offer of South Woodham Ferrers Town Centre could benefit from enhancements and investments to meet the requirements of customer, businesses and visitors."

Page 38, Vision for Chelmsford 4.2 "Our vision for Chelmsford sets out the kind of place we want to be in 2036: By 2036, Chelmsford will continue to:

- Revitalize South Woodham Ferrers town centre by enhancing its retail, cultural and leisure offer"

There is no evidence provided to substantiate these statements or the proposed enhancement of this and other Neighbourhood areas. There is also no evidence provided on how the current lack of parking provision will be addressed.

This contravenes N.P.P.F. Section 2 Enhancing the Vitality of Town Centres. Point 23 (bullet points 1, 4 and 10).

B.P. 1 Recognised town centres as the heart of their communities and pursue policies to support their viability and vitality.

B.P. 4 promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres.

B.P.10 where town centres are in decline, local planning authorities should plan positively for their future and encourage economic activity.

Flooding, Ramsar and SSSIs, Historic Environment

Flooding

Sustainability Appraisal Report (page 78)

"5.4.23 Owing to their close proximity to waterbodies, North of South Woodham Ferrers and St Giles, Moor Hall Lane have been assessed as having a significant negative effect on water (S.A. Objective 8). North of South Woodham Ferrers has also been assessed as having a significant negative effect on Flood Risk (SA. Objective 9), as this site includes land within Flood Zones 2 & 3.

Appendix D – Key Settlements Characteristics (D2) lists the 'majority of the town lies within Flood Zone 1. However, land beyond its boundary to the east, south and west is within Flood Zone 3.

Note: The majority of S.G.S 7 is within Flood Zone 1, but large areas of the town are in Flood Zone 3."

Appendix G – “lists the site as being within 10m of a waterbody. The site is predominantly within Flood Zone 1, with an area of Flood Zone 2/3 to the west of the site associated with a waterway and an area of Flood Zone 3 in the south eastern corner of the site.”

This contravenes Policy NE3 Flooding and SUDS.

This contravenes N.P.P.F.7 and environmental role – contributing to protecting and enhancing our natural, built and historic environment.

Ramsar, SSSI.

Appendix G Lists SGS 7 as “Hawes Ancient Woodland and Crouch and Roach Estuaries, SSSI, Ramsar and SPA within 500m of the site. Bushy Hill South Woodham Ferrers wildlife site lies within the site boundary. Woodham Fenn North, SWF, Essex Wildlife Trust Nature Reserve and Wildlife sites lie within 100m of the site. The HRA highlights that development may affect the SPA/Ramsar by increasing recreational pressure and potentially urbanisational effects.”

However, it should read - “Hawes Ancient Woodland and Crouch and Roach Estuaries SSSI, Ramsar, SAC and SPA are within 500m of the site. Bushy Hill Local Wildlife Site, Bushey Hill East Potential Local Wildlife Site and Edwinshall Wood Deciduous Woodland Priority Habitat lie within the site boundary. Woodham Fenn North Local Wildlife Site, Essex Wildlife Trust Woodham Fen Nature Reserve and an area of Priority Habitat Coastal Grazing Marsh lie within 100m of the site. The proposed development area is also within the designated SSSI impact risk zone. The HRA highlights that development may affect the SPA/Ramsar by increasing recreational pressure and potentially urbanisational effects.”

Appendix 2 (page 28/9) lists the condition of the SSSI – “Crouch and Roach Estuaries (1,729.13 hectares) as being 23.08% favourable, 76.25% unfavourable but recovering and 0.67% unfavourable, no change.” It adds that there are a number of core areas of biodiversity and ecological importance within the City area, which includes South Woodham Ferrers Crouch Estuary, which is part of a large SSSI and SPA linking to sites in Maldon and Rochford Districts.

Contravenes the following policies:

Strategic Policy S1 – Spatial Principles Bullet Points 4 & 6

Strategic Policy S3 – Addressing Climate Change and Flood Risk

Strategic Policy S11 – Infrastructure Requirements (Section on Flood Risk Management)

Strategic Policy S13 – The Role of the Countryside

Policy NE1 – Ecology and Biodiversity

N.P.P.F.9 – moving from a net loss of bio-diversity to achieving gains for nature

N.P.P.F.118 – the following wildlife sites should be given the same protection as European Sites:

- Listed or proposed Ramsar Sites;
- Sites identified, or required, as compensatory measures for adverse effects on European Sites, potential Special Protection Areas, possible Special Areas of Conservation and listed or proposed Ramsar Sites.

N.P.P.F. 118 – proposed development on land within or outside a Site of Special Scientific Interest likely to have an adverse effect on a Site of Special Scientific Interest.

Historic Environment – Sustainability Appraisal Report Appendix 6

Lists the site as “having 6 Grade II Listed Buildings within 500m of the site, the closest of which is within 19m south of the site. Marsh Farm Country Park is within 16m south of the site. There are no other heritage assets within 500m of the site. Given the significant scale of the development there could be significantly adverse effects on the heritage assets, notwithstanding the intervening built form providing some screening.”

Contravenes the following policies:

Strategic Policy S1 Spatial Principles Bullet Point 6

Strategic Policy S5 Conserving & Enhancing the Historic Environment

Strategic Policy S6 Conserving & Enhancing the Natural Environment

Strategic Policy S13 The Role of the Countryside

Policy HE1 Designated Heritage Assets

N.P.P.F.132- when considering the impacts of a proposed development – substantial harm to or loss of a Grade II listed building, park or garden should be exceptional

Housing

Page 171 "around 1,000 new homes of mixed size and type to include affordable housing"

Page 173, 7.329 – "affordable self-build, custom build housing as well as other types of specialist housing **should be provided** in accordance with the Council's policy requirements, to meet local needs and create a mixed and inclusive community. This **could** include accommodation for frail, elderly and homes for those with a disability or support needs. This provision should be based on the latest assessment of need and in conjunction with Essex County Council."

Note: Great Leighs (S.G.5a) has the same general wording as page 173, Great Leighs (S.G.5b) has a **definite** 250 houses that are specialist residential homes for older persons. **South Woodham Ferrers does not.**

We believe there has been insufficient study into the housing needs of South Woodham Ferrers including specialist needs.

Design and Layout

The proposed development of land to the east of site is considered inappropriate due to its close proximity of the current Garden of Remembrance for the town of South Woodham Ferrers.

The proposed provision of 1,000sqm of flexible business floorspace is considered inadequate for the site and provides very little job opportunities.

The division of the existing B1418 for the proposed site is detrimental to the town centre and safety. This will also disrupt the traffic flow and the Maldon District Local Development Plan must be taken into account.

Conclusions

The N.P.P.F. 173 states under the heading **Ensuring Viability and Deliverability:**

"Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened."

Appendix 12 of the Local Plan indicates that the cost of infrastructure to support the development proposed is £648m, with known funding of £307m, leaving a gap of £341m. The costs (determined so far) that can be met by CIL amount of £39.6m. This still leaves a funding gap of £301.4m with no clear indication of how this shortfall will be met.

Question 5: Executive Summary

The Town Council's concerns are for the sustainability of South Woodham Ferrers if the Strategic Group Site 7 – North of the town is proceeded with.

Our considered opinion is that even the minimum of infrastructure requirements for the town and urban area, will require funding that far exceeds that which can be generated from the new development.

Appendix 12 of the Pre-Submission Document indicates that the infrastructure to support the Local Plan has a cost of £648m, with known funding of £307m, leaving a funding gap of £341m. The costs (identified so far) that can be met by C.I.L. amount to £39.6m. This still leaves a funding gap of £301.4m, with no clear indication of how this shortfall will be met.

In the submission many instances were found where the Local Plan failed to meet the requirements of the N.P.P.F. The numbers quoted in that paper were N.P.P.F. 7, 9, 99, 100, 102, 103, 118, 132 and 173.

We contend that a Local Plan which is non-compliant with the requirements for it to be viable and deliverable is not sustainable and therefore not "sound". Contravening N.P.P.F. 18

Agreed at the Town Council's Planning Committee at the meeting being held on Tuesday 27 February 2018.