

Matter 5 Strategic Housing Growth

Burnham – on – Crouch Strategic Allocations

Matter Statement prepared by Evolution Town Planning on behalf of Pigeon Land Ltd who are the developer of sites S2(i) and E1(q) and who control the land shown edged red and blue on the attached plan in Appendix 1.

This Matter Statement addresses the Inspectors questions, we have sought to avoid repetition of detail so this Statement should be read alongside our representations on policies S2, and S6.

Question 1

- 1.1 The submission strategy for development of the strategic sites in Burnham does not accord with the criteria set out in question 1. The 2012 Local Plan consultation (ED087) proposed a 450 home development to the west of Burnham, including medical provision, highway upgrades and a potential railway crossing, early years, and primary school provision, public open space and green infrastructure (ED087 page 26). At this time strategic development to the north and east of Burnham was discounted due to coalescence and highways issues (ED087 page 30). No clear reason has been put forward to justify this new strategy. No clear mechanism is in place to ensure that the revised proposal of splitting the housing across three sites delivers the necessary infrastructure. The Submission Policy S6 is unsound because it is a general policy that identifies infrastructure needs without specific detail on delivery.
- 1.2 Policies S2 and S6 also do not deliver an appropriate level of housing to sustainably address the needs of Burnham which has a population that is falling in size, and aging faster than national norms. The level of new growth proposed in the Submission Local Plan is disproportionately low compared to the size of the local population and it's needs, and is lower than the growth proposed for the other towns of Maldon and Heybridge.
- 1.3 Pigeon Land Ltd recognise the importance of delivering the infrastructure that the town needs as part of any development. They have submitted a hybrid application including full detail for 113 homes, the reconfiguration of the Maldon Road, the spine road through the development, and associated infrastructure. In outline is a proposal for 185 homes, a 50-60 bed care home

including 14 sheltered bungalows, 5 self-build homes, 14 self-build affordable homes, a nursery school, 4.3 hectares of B1, B2 and B8 including a reserved site for a D1 medical centre, 5 hectares of green infrastructure, and a reserved site for a 2 form entry primary school. The makeup of this proposal has resulted from public consultation carried out by Pigeon with a range of organisations including Town and District Councils, and with local residents. The proposal seeks to deliver, with more certainty than the Submission Local Plan, development and infrastructure that meets the identified needs of the area as set out in the 2012 policy for the site, and more generally in the Submission policy S6.

1.4 As set out in section 3 of our policy S2 representations the population of Burnham is ageing, and has fallen over the past 12 years. This is not sustainable. House building has been very low in the town for some time which has contributed to the unsustainable population changes. With the new housing allocated to Burnham, and our estimate of possible rural allocations the area would take some 13% of the Districts planned housing to serve over a third of the Districts population. Burnham is proposed to take a sixth of the level of housing proposed for Maldon and Heybridge, when it has a third of the population and serves a wide hinterland on the Dengie peninsular. Paragraph 1.46 of the LDP recognises Burnham as the principle service town for the south of the District. The low level of housing proposed for Burnham is not sustainable. The problems this causes are set out in Appendix 5 of our policy S2 representations. The Council increased the Districts housing targets in 2013, but did not increase the housing proposed for Burnham. The increase in housing for Burnham required now needs to come from either the increase to an annual target of 310 homes as proposed by the Council, or through a recognition that housing numbers are minimums to be exceeded therefore allocations can be expanded to meet local need.

1.5 As set out in paragraphs 3.1 and 3.2 of our policy S2 representations the local authority should address the development needs of their area. This requires the level of housing to be delivered in Burnham to be increased where there are not constraints to development. As set out in our Policy S2 representations paragraph 3.25 to 3.32 there are landscape, historic environment and coalescence constraints to the development of homes on strategic sites S2(j) and S2(k) and we set out that the capacity of these sites is a maximum of 171 homes not 270 as set out in policy S2.

- 1.6 Burnham has the advantage of a rail station giving links to London. Maldon and Heybridge do not. Migration from London is an increasing issue to ease the housing shortfall there. Burnham is a location unique in the district to provide housing for those relocating from London but who still work in London. These links with London will improve the prospects of the business park expansion in Burnham.
- 1.7 We propose that Policy S2 should allocate around 325 homes to site S2(i) West of Burnham on Crouch and around 4.3 hectares of employment land. Policy S6 should state the Burnham West site should include a site for enhanced medical provision, a site for a nursery school, 5 hectares of open space, provision for the elderly population, a reserve primary school site, and should allow for a future rail crossing. At 30 homes per hectare policy S2 should allocate 171 homes to site S2(j) and 30 homes to site S2(k). These changes will provide certainty over the delivery of facilities set out in policy S6 on the Burnham West Site.
- 1.8 As set out above a planning application has been submitted for the development described in the paragraph above, and to date the statutory consultees have supported the proposal, with only the comments of the education authority awaited at the time of writing. The responses to the planning application, and the 2012 draft allocation support the deliverability of the site. The deliverability credentials of the Burnham West site are further supported by the fact that no other strategic applications have been submitted or approved in Burnham.
- 1.9 The Council sets out in the evidence base that directing growth to a greater number of smaller sites could reduce the possibility of a development being financially capable of providing additional community benefits alongside housing growth. The Pre-Submission LDP does not address the demographic needs of Burnham which require a higher level of housing development to meet the needs of an ageing population. The current draft LDP cannot therefore be sound in respect of its proposals for Burnham. It is not positively prepared as it does not meet the needs of Burnham. It is not justified by being founded on a robust and credible evidence base, and is not the most appropriate strategy. The plan is not sufficiently flexible and is not consistent with national planning policy.

Questions 2 & 3

- 2.1 If site S2(i) is developed as set out above then the delivery of development can be phased alongside the delivery of infrastructure, with more certainty than if three smaller sites were developed with no infrastructure required on each site as part of the individual applications allocations. For example if a new doctors is required land can be made available and it can be funded from S2(i) with other strategic sites providing funding for increased use in proportion to their size.

Question 4

- 4.1 There are no objections from the Environment Agency or Water Authority to the planning application on site S2(i) on the grounds of flooding or sewerage capacity.

Question 5

- 5.1 A medical centre can be provided as part of an expanded S2(i) site as set out in the planning application currently being considered by the Council. This will provide greater certainty of delivery.

Question 6

- 6.1 As shown in Appendix 2 County Highways have stated that the highways network can accommodate an enlarged S2(i) allocation.
- 6.2 The development of S2(i) can provide enhanced public transport provision into the site as part of a S.106 package to be agreed with the Council and local bus operators.
- 6.3 The S2(i) planning application provides (see appendix 1) a significant area of open space. 2.65 hectares of open space will be provided across the housing development. 2.35 hectares of open strategic space will be provided to the south of the development in a single block. The development will provide one local equipped area for play (LEAP) and several smaller local areas for play (LAP's). This provision is in excess of the Councils requirements and seeks to address the requirements of policy S6 in a manner that provides certainty of delivery.

- 6.4 The Councils policy H1 requirement for 40% affordable housing will be met by the S2(i) planning application, and a wide range of house types will be provided including flats, bungalows, and family houses. The Strategic Housing Market Assessment (SHMA) states that smaller affordable homes are required. The S2(i) planning application sets out to meet that requirement with the proposed housing mix. The tenure and type of affordable homes in the planning application have been supported by the Council. If the self-build affordable homes are taken into account then the percentage of affordable provision in the planning application at Burnham West is 42%.
- 6.5 It is well documented nationally that the population is living longer and the proportion of elderly persons is growing in size. New developments have to recognise and cater for this change. In Burnham-on-Crouch the elderly population is growing faster than the national average, (see our S2 representations Appendix 5,) making it more important to cater for this age group in the town. As part of the planning application at Burnham West on S2(i) a 50-60 bed care home is proposed with 14 sheltered bungalows. Around 11 bungalows will also be provided in the market housing. If this is reflected in the policy for the site it will ensure that the needs of older people are met.
- 6.6 The Pre-Submission LDP Policy E1 Employment proposes to safeguard the Burnham Business Park and to extend it by 3.4 hectares in size. The submitted application for Burnham West and site S2(i) proposes to safeguard the existing Business Park. The application provides the extension to the Business Park and will provide the 3.4 hectares of B1, B2 and B8 space as required by the policy. Further employment land will also be provided with the total of B1, B2 and B8 provided in the application being 4.32 hectares which will be brought forward as soon as possible. This will be in the form of a small office park that has a reserve site for a medical centre and a B1 (light industrial), B2 and B8 area next to the existing Business Park. The Council's Economic Prosperity Strategy acknowledges that only about 25% of the employment sites in the District are considered to be of a high quality. As such it is fundamental that there is the provision of new high quality employment sites being brought forward during the plan period and beyond, such as proposed in the application on S2(i). We consider that the limited increase in employment space over and above the draft allocation in Policy E1 is supported by the Councils proposal in that policy to create a minimum of 2,000 net additional jobs. It is anticipated that around 600 jobs could be created in the completed development excluding

construction jobs. The HBF estimates that each new house helps to create five new jobs, being two in the construction and three in other areas.

- 6.7 The successful implementation of the employment allocation has been carefully considered. The Submission Local Plan proposes that the housing and employment allocations are separate. The planning application for Burnham West proposes an extension to the existing industrial area with a new access through the residential area to a high quality business park, creating an attractive entrance to the employment area encourage investment. This entrance would have a range of facilities nearby such as a nursery, medical centre and open space. If this new access were not created the only access to the business park would be through an existing industrial estate which would not create the right environment for high quality new investment by businesses.

Question 7

- 7.1 It is proposed that the infrastructure and facilities described above would be provided when required as part of the development put forward in the current planning application for S2(i).

Question 8

- 8.1 Our representation on policy H2 sets out our comments on the provision of affordable housing clusters. Amending this policy will improve the viability and deliverability of the development of S2(i). In the submitted application for Burnham West the affordable housing has been spread across the site and the locations have been supported by the Council.

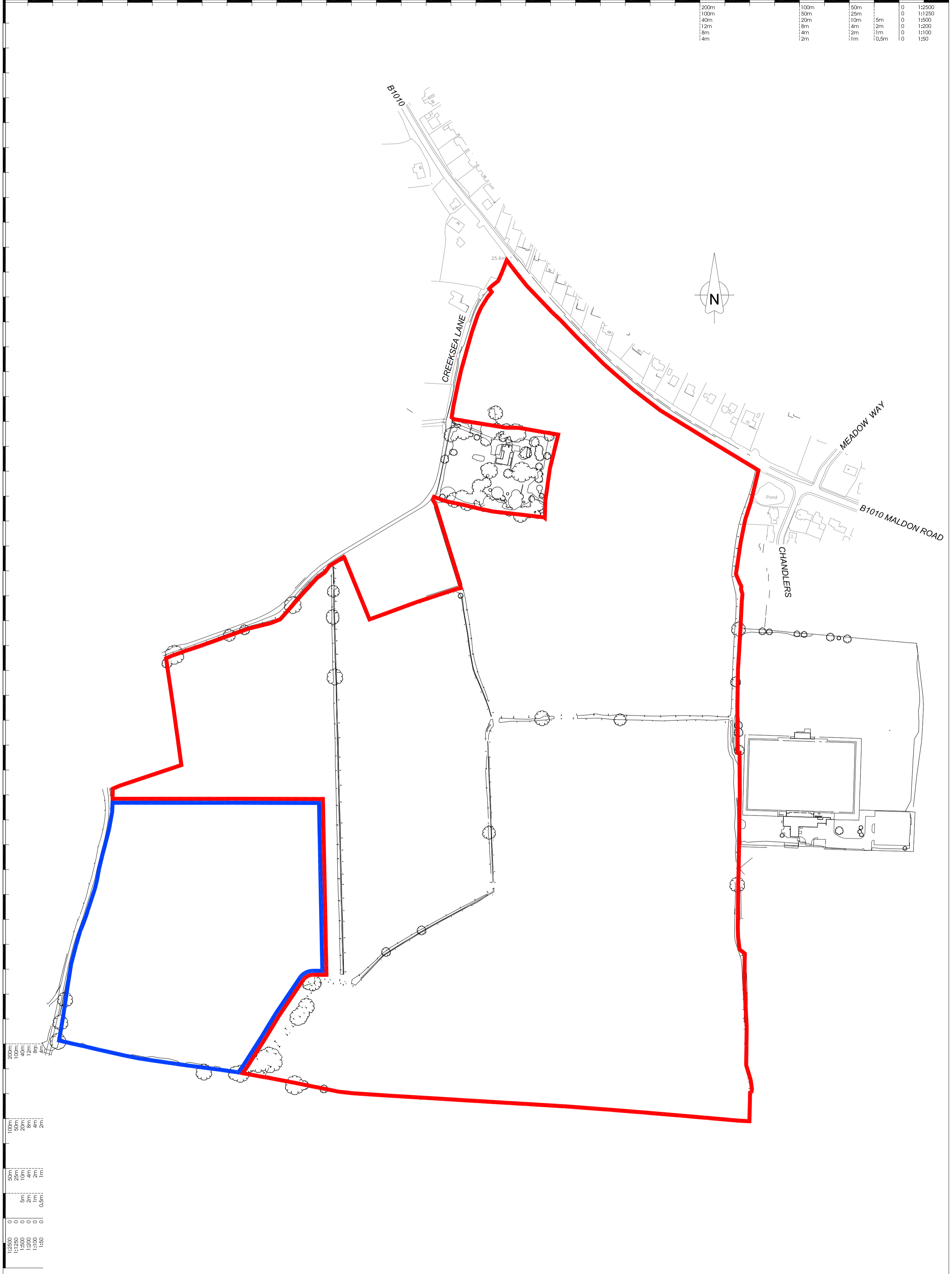
Question 9

- 9.1 To date, and following enquiries to the Council, we understand that no planning application has been submitted on sites S2(j) and S2(k). The reserved site RE3 was subject of a refused planning application for 75 homes on the 27th August 2014, and to date we have not been informed that this has been appealed. The submission of a planning application for 75 homes casts doubt on the ability of the site to deliver 100 homes as set out in policy S2. A number of planning applications have been submitted to the north of Burnham around the settlements of Stoneyhills and Southminster. These are less sustainable locations for development to

Burnham. This pattern of development reinforces our conclusion that the land on the edge of Burnham provides few unconstrained opportunities to deliver housing except to the west where an expanded S2(i) allocation can deliver housing, and provide certainty over the delivery of infrastructure and facilities.

Appendix 1

200m	100m	50m	0	1:2500
100m	50m	25m	0	1:1250
40m	20m	10m	0	1:500
12m	8m	4m	0	1:200
8m	4m	2m	0	1:100
4m	2m	1m	0	1:50



200m	100m	50m	0	1:2500
100m	50m	25m	0	1:1250
40m	20m	10m	0	1:500
12m	8m	4m	0	1:200
8m	4m	2m	0	1:100
4m	2m	1m	0	1:50

note
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Sketch proposals are for illustrative purposes only and as such are subject to detailed site investigation. Sketch proposals may be based on enlargements of OS Sheets and estimations of existing site features and will therefore need to be verified by survey.
 Do not scale. Only figured dimensions to be worked to. Any discrepancies are to be reported to Parc Design Solutions Ltd.

site
 Proposed Residential Development
 MALDON ROAD, BURNHAM-ON-CROUCH
drawing title
 Location Plan

drawn SC	checked SC
scale 1: 2500 @ A2	date April 2014
drawing number 010 - 004 - 003	revision A

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Appendix 2

Your Ref: FUL/MAL/14/00356
Our Ref: MAL/0356/14 - 17884
Date: 23 October 2014



Essex County Council

CC: (by email) Cllr Bob Boyce
Richard Cilvert, Senior DM Eng
Teresa Milbourn, Infrastructure Officer

Andrew Cook
Director for Operations,
Environment & Economy

To: Head of Planning Services
Maldon District Council
Princes Road
MALDON CM9 5DL

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. MAL/0356/14
Applicant Mr Simon Butler-Finbow - Pigeon Land Ltd
Site Location Land Between Chandlers & Creeksea Lane, Maldon Road, Burnham-On-Crouch
Proposal Application for full planning permission for 113 homes, the reconfiguration of the Maldon Road, the spine road through the development and associated infrastructure. Outline planning permission is sought for 185 homes, a 50-60 bed care home including 14 sheltered bungalows, 5 self-build market homes, 14 self-build affordable homes, a nursery school, 4.32 hectares of B1, B2 and B8 including a reserved site for a D1 medical centre, around 5 hectares of green infrastructure, and a reserved site for a 2 form entry primary school with all matters reserved. (Hybrid application).

All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

The above application has been assessed by ECC as the Highway Authority in line with current National and Local policy and safety criteria and has been found acceptable to the satisfaction of the Highway Authority in terms of its impact upon the local highway network. In accordance with the NPPF, there are no significant residual adverse effects of the development and consequently the scheme is not detrimental to highway safety, efficiency and capacity at this location or on the wider highway network. This site is identified in Maldon DC's emerging Local Development Plan (LDP).

The proposed roundabout will operate under capacity now and in the future and is the best suited form of access arrangement for the development proposals at this location. Furthermore as the development is located to the west of the Church Rd/Maldon Rd junction it will not have a detrimental impact upon it in the peak times as the traffic flows will be contrary to the peak demand.

Continued.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following measures:

A. No development shall take place until the following has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

1. No development shall take place, including any ground works or demolition, until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Statement shall provide for the following all clear of the highway:
 - safe access into the site
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - wheel and underbody washing facilities
 - signing of footpaths

The approved Statement shall be adhered to throughout the construction period.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

2. A scheme for the upgrading of public footpaths no.3 & 4 Burnham-On-Crouch within the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and any road crossing point works shall be implemented before the relevant road is open to traffic.
Reason: To ensure the continued safe passage of the public on the definitive right of way and accessibility.

B. Prior to first occupation of the proposed development the details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and the approved scheme of works being implemented, for the following:

3. The provision of the highway works as shown in principle on Parc drawing no.013-004-001, to include the following:
 - The provision of a roundabout and the re-alignment of the B1010 and Creeksea Lane junction.
 - The Creeksea Lane junction and the redundant section of B1010 shall have measures provided to prevent movement of vehicular traffic physically and with the appropriate orders. Cycle and pedestrian access shall be maintained at these locations.
 - The provision of a new priority junction onto the B1010 to the southeast of the redundant Creeksea Lane junction.
 - The provision of two dropped kerb crossing points with tactile paving across the B1010 adjacent to the proposed pedestrian/cycle access to the east of the roundabout.

Continued.

- Turning heads with minimum dimensions of Size 3 (Essex Design Guide) shall be provided at either end of the redundant sections of the re-aligned B1010 and at the old Creeksea Lane junction onto the B1010.
- The provision of physical measures to prevent HGV's from accessing the proposed industrial site to the south of the site.
- The industrial road to the south of the site, below the pinch point, shall tie into the existing road from Springfield Industrial Estate and shall be the same width as the existing road.
- All new footways shall have a minimum width of 2m.

Reason: In the interests of highway safety, efficiency and accessibility.

4. Details of the provision and location of two new bus stops on B1010 within the vicinity of the proposed pedestrian access to the east of the site, subject to a Stage 1 Road Safety Audit, to include the following:
 - The provision of bus shelters with raised kerbs and integral telematics on the north and south side of the B1010.

The approved scheme of works shall be implemented prior to first occupation of the development.

Reason: To enhance sustainable transport to the site and improve accessibility in the locality.

5. The Developer shall be responsible for the provision and implementation of a Residential Travel Plan, a £3,000 monitoring fee to ECC, including provision of a Travel Plan Co-ordinator to give advice. The plan is to be monitored annually, with all measures reviewed to ensure targets are met.

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport.

C. Other Conditions

6. All internal roads shall be designed in accordance with the Essex Design Guide, irrespective of whether it is intended that the roads will be adopted as public highway.

Reason: In the interests of highway safety and efficiency.

The above measures are to ensure that this proposal is not contrary to the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011, and policy T2 of the Local Plan.

Informative

- i. The above requirements contained within **A & B** should be imposed by way of negative planning conditions or a planning obligation.

Continued.

- ii. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- iii. A temporary closure/diversion of the footpaths is likely to be required during the construction phases.
- iv. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to:
SMO2 - Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford. CM2 5PU.
- v. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design check safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required.



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