



Report to Southend-on-Sea Borough Council

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Communities and Local Government

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Report of the Examination into the Southend on Sea Core Strategy Development Plan Document

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Contents

1. Introduction
2. Summary of findings on the tests of soundness
3. Appropriate Assessment
4. Omissions from the Core Strategy
5. The Spatial Strategy
6. Key Diagram
7. Employment
8. Retail, Leisure and Town Centre
9. Housing, including affordable housing
10. Infrastructure, including Planning Obligations
11. Implementation, Monitoring and Management
12. Renewable Energy
13. Other Matters
14. Overall Conclusions
15. Formal Recommendation

Annex with Schedule of Changes to be made:

Part 1: Policies

Part 2: Supporting text

Abbreviations used in the Report:

AA	Appropriate Assessment
AAP	Area Action Plan
AMR	Annual Monitoring Report
CS	Submission Core Strategy
DPD	Development Plan Document
LDS	Local Development Scheme
MOD	Ministry of Defence
PC (s)	Proposed Change(s) to CS subject to publicity and further Sustainability Appraisal
PPG	Planning Policy Guidance
PPS	Planning Policy Statement
PUA	Priority Urban Area
RSL	Renaissance Southend Ltd
RSS	Regional Spatial Strategy
SERT	South Essex Rapid Transit
SPD	Supplementary Planning Document
SUFC	Southend United Football Club

1. INTRODUCTION

- 1.1 I have been appointed by the Secretary of State for Communities and Local Government to conduct an independent examination of the Core Strategy (CS) Development Plan Document (DPD) which was submitted to her by the Council on 31 August 2006. Under the terms of Section 20(5) of the Act, this report contains my assessment of the Core Strategy with regards to the tests of soundness set out in Planning Policy Statement (PPS) 12 (paragraph 4.24).
- 1.2 At the time of submission the CS had been duly subject to ongoing Sustainability Appraisal and Strategic Environmental Assessment by the Borough's consultants Baker Associates. At the Pre Examination Meeting on 6 December 2006 I enquired of the Council their intentions on the Matter of Appropriate Assessment.
- 1.3 Following my initial examination of the CS I identified several "Matters" on which I felt my considerations would be aided by discussion. These hearings that started on 14 March 2007 were of considerable assistance to me. My report and recommendations focus mainly on those Matters.
- 1.4 On publication of their Topic Papers on each of these Matters, it was evident that the Local Planning Authority was proposing changes to the Submission CS. An Appropriate Assessment had by then been completed. It was plain to me that some of the changes would make a material difference to the CS and could not be considered minor. PPS12 is clear at paragraph 4.18 that a Local Planning Authority should not propose changes "prior to examination" (which is taken to mean following submission) but allows of them exceptionally.
- 1.5 At a Procedural Meeting I held with Council officers on 27 February 2007 it was decided that all the changes contained in those Papers would be formally advertised for a six week period, accompanied by an explanation of the particular circumstances that had led to this exceptional post submission stage. The period of further Community Involvement ran from 19 March to 30 April. A further Sustainability Appraisal was also conducted on the CS as proposed to be changed and this was submitted very shortly thereafter. The Council has referred to these as Pre-Examination Changes but as the Examination started on submission of the CS I refer to them below simply as "Proposed Changes" (PCs) which should be taken to refer to those subject to publicity and sustainability appraisal.
- 1.6 Representations on the submission CS received from Southend United Football Club (SUFC) included proposals for specific sites. As those would have a significant impact on the Town Centre and Retail Development Core Policy and wider spatial strategy, SUFC's representations were publicised by the Local Planning Authority (from 27 November 2006 to 10 January 2007) and I have taken representations made thereon into account.
- 1.7 In addition to their Matters Topic Papers, the Council produced several Hearing Papers which brought together information I had asked for arising from the Hearings, usefully clarified and summarised the Local Planning Authority's position and commended some further minor changes.

- 1.8 I have had regard to all the PCs and to the further representations made upon them. I have also considered the other amendments suggested and recommended many of them where I judge that they would not require further community involvement or sustainability appraisal.
- 1.9 My task is to assess the soundness of the submission CS and not whether, if sound it could be improved. However, all the advertised Proposed Changes have been subject to community involvement and sustainability appraisal and there is thus no obstacle to those being recommended where they would make it sound. The advertised changes also included many more minor changes that do not go to the heart of the strategy. Where they would enhance the CS I have included them in my binding recommendations.
- 1.10 The exceptional circumstances given by the Local Planning Authority for producing Proposed Changes to the CS were, in summary:
- Publication in December 2006 of the Secretary of State's Proposed Changes to the Draft Revision to the Regional Spatial Strategy for the East of England (East of England Plan), following consideration of the Panel's Report. These include increasing the minimum number of dwellings requirement (from 6000 to 6500) and revised policies for the Essex Thames Gateway Sub-Region including policy ETG4: Southend-on-Sea Key Centre for Development and Change, with its reinforced emphasis on the physical, economic and social regeneration of the urban area and on an urban renaissance of the town centre.
 - The emergence of the Regeneration Framework prepared by the local regeneration company Renaissance Southend Ltd (RSL) who are the Local Delivery Vehicle for regeneration of the Borough. They clearly identify the town centre as the main focus and driver of regeneration of the Borough as a whole.
 - Recognition of the need to undertake an Appropriate Assessment in accordance with the emerging requirements of the draft Conservation (Natural Habitats etc) (Amendment) (England and Wales) Regulations 2006.
 - The uncertainty over the scale and timing of the release of Ministry of Defence land at the New Ranges Shoeburyness. In the representations from Defence Estates they are said to be needed for operational purposes for the foreseeable future.
 - Representations on the submission CS on the above matters and some other matters that were not raised at pre-submission stages.
- 1.11 The first four of the above led me to accept this as the best way forward to adopting an up to date Core Strategy and I saw no reason to resist including as well those changes based on the latter given that a further period of consultation and sustainability appraisal would be needed in any case. In my schedule of changes at the Annex to this report I have included some the Local Planning Authority has proposed in response to what they term minor representations. Most are addressed below.

- 1.12 Most of the changes commended to me arising from the Hearings are also quite minor and in my judgement would not require further community involvement or sustainability appraisal. They relate to and are in response to the Matters on which I invited discussion at the Examination and I have judged it within my role to make recommendations on them.
- 1.13 I have also aimed to note the places where consequential amendments not picked up in the Local Planning Authority documents would be needed. There are also places in the supporting text where amendment is needed to update the relevant policy number in the RSS. I have aimed to spot all these. The Local Planning Authority will however need to check these and also to remedy any spelling and punctuation errors in the CS. I also leave to them any necessary paragraph renumbering.

The Context for my considerations

- 1.14 The Local Planning Authority confirmed to me at the Pre Examination Meeting that to the best of their knowledge the submission CS had met the statutory and procedural requirements set out in Section 19 of the Act and in Regulations. No claim otherwise has been made and I consider those requirements are satisfied.
- 1.15 In examining the CS I have had certain matters at the forefront of my mind:
- 1.16 As set out at paragraph 4.24 of PPS12, one should assume the CS to be sound unless it is shown to be otherwise.
- 1.17 The CS should be consistent with national planning policy. Important new statements of national planning policy have been published during the examination period. Whilst the CS should be consistent with national policy there is also a national priority to make plan making progress. The Borough Local Plan was adopted in 1994 and is subtitled "Towards 2001". The subsequent two Alterations were on restricted matters only. In assessing the CS I consider it must reflect the general thrust and ambitions of revised national policy issued since its submission (PPS3 Housing and PPS25 Development and Flood Risk) but that it would be wrong to hold up its progress because it has not anticipated all aspects of those documents. I have also had some regard to how the CS stands on the general direction of travel firstly on emerging Climate Change matters and also on the additional urgency placed on housing delivery in Prime Ministerial and Ministerial statements and as reflected in the Housing Green Paper.
- 1.18 Similarly the CS should be consistent with and help deliver regional planning policy. RPG9 for the South East remains extant and includes Essex. However Essex is now included within the East of England in the Draft Revision of the East of England Plan (RSS14) for which the Secretary of State's Proposed Changes were published in December 2006. The CS has been prepared in the context of the emerging RSS14.
- 1.19 The Borough is therein identified as having weak economic performance and significant areas of deprivation and is included as both a Key Centre for Development and Change (Policy SS3) and a Priority Area for Regeneration (SS5). As part of the Thames Gateway South Essex area its role is for

- growth as well as regeneration. The published PCs to the CS are in significant part a response to the Secretary of State's Proposed Changes to RSS14 so that the CS can be as up to date as possible.
- 1.20 Southend on Sea is almost entirely built up with almost all open land on its north and north east side being in the Green Belt. That area is also best and most versatile agricultural land and its eastern "half" has brickearth deposits. Small areas in the west and south west are also in the Green Belt. The Thames Estuary is to the south and east of the town and the boundaries of Castle Point and Rochford Districts surround the rest of the built up area. All Southend's coastline is within one or another Special Protection Area and there are other internationally significant intertidal areas nearby. The only area of open land not in the Green Belt is at Fossetts Farm which, in the Second Alteration to the adopted Local Plan was safeguarded for possible future development requirements, including for employment, a crematorium/cemetery extension and a football stadium.
- 1.21 It is for other DPDs to flesh out how the strategy will be further developed. A high proportion of the anticipated new development will take place within the Town Centre and Seafront which will have their own AAPs, which are both scheduled in the LDS for adoption in February 2009. That eases my concern that the Criteria Based Policies and Site Allocations DPD (for areas without AAPs) is not scheduled for adoption in the Local Development Scheme (LDS) until April/May 2010.
- 1.22 The evidence base necessarily includes documents that predate the Preferred Options stage (on which consultation took place in July 2005). Inevitably some of the base data now looks rather old. The main question is not the date of the documents but whether there is substantial contrary evidence that some or all of them are no longer an appropriate basis for policies in the CS.
- 1.23 Southend BC has been near the front of Local Planning Authorities in devising its CS. Thinking on "best practice" nationally has developed during its emergence. It may well be that the form and content of the CS would have been developed slightly differently if the Council were starting today. There are extensive sections of supporting text that could have been dispensed with and I urge consideration of that when the CS is reviewed and in subsequent DPDs. Its lengthiness does not undermine the overall soundness of the plan however so I do not propose cuts to it.
- 1.24 In addition to the formal evidence base that predated the CS, I have had careful regard to a large number of other documents including the Local Planning Authority's Community Plan, Local Transport Plans, their first two Annual Monitoring Reports of 2005 and 2006 several documents produced by Thames Gateway South Essex (including its Strategic Flood Risk Assessment of 2006), the Draft Revision East of England Plan, the Panel report on the Examination thereon and the Secretary of State's Proposed Changes and all those documents produced by representors on the CS.

2. SUMMARY OF FINDINGS ON THE TESTS OF SOUNDNESS

Test 1: Consistency with the Local Development Scheme (LDS)

- 2.1 The LDS was reviewed and revised in 2006. The Preferred Options consultations on the CS took place in July 2005 as targeted in the LDS and the target date for Submission in the LDS (August 2006) was also met, as was that for the Pre Examination Meeting (December 2006). The Examination formally began on submission, not in February 2007 as in the LDS but the latter may have been a misunderstanding and refer to the target date for start of any hearing sessions. The latter commenced in mid March 2007. The CS has been prepared according to the LDS.
- 2.2 The LDS of October 2006 contains a New Ranges Development Brief Supplementary Planning Document (SPD). As recognised in the PCs, the Core Strategy should reflect that the New Ranges are now expected to be retained by Defence Estates "for the foreseeable future" and the above is now to be called a Shoeburyness Development Brief SPD. During the Examination and partly in response to representations from the London Southend Airport Company Ltd it was decided by the Borough Council and Rochford District Council that they would prepare a Joint Area Action Plan DPD on the Southend Airport and adjacent land reflecting its economic importance. This would be added to the LDS in due course. Test 1 is met.

Test 2: Compliance with the Statement of Community Involvement

- 2.3 The soundness of the SCI had not been examined when I examined the Core Strategy and the Local Planning Authority had not conducted a self assessment. From their "Regulation 28 statement", it is clear that there has been consultation with local organisations and individuals over many years from the abandoned Local Plan Review process through the various stages leading to submission of the CS. The CS has met the minimum requirements of the Regulations and for the informal record has been produced in compliance with the submission SCI. Test 2 is met.

Test 3: The Plans and Policies have been subjected to Sustainability Appraisal

- 2.4 Both the submission CS and the publicised Proposed Changes have been subject to Sustainability Appraisal by consultants appointed by the Local Planning Authority (Baker Associates). Test 3 has been met.
- 2.5 Appropriate Assessment under Regulation 48 of the Conservation (Natural Habitats etc) (Amendment) (England and Wales) Regulations 1994 of both the submission CS and of the PCs has also now been conducted, the latter being submitted to me on 12 July 2007.

Test 4: Is it a Spatial plan which is consistent with national planning policy and in general conformity with Regional Spatial Strategy and has it had regard to any other relevant plans policies and strategies for the area and those adjacent?

Is it a spatial plan?

- 2.6 The Core Strategy has a strong flavour of local distinctiveness with a list of acute problems that have affected Southend being set out early in the

document. The CS leaves no doubt about the particular nature of the area and the key issues that policies should address. I shall say no more on this aspect of test 4 on which I am satisfied.

- 2.7 In having regard to policies of other providers in the area the CS has benefited from the Borough being a Unitary Authority. It reflects its Local Transport Plans with their emphasis on the need for improvements in public transport and to help relieve road congestion amongst other things and would provide an appropriate spatial framework for the more major infrastructure improvements identified as needed in the London to Southend Movement Study (LOTS) conducted for the Thames Gateway South Essex Partnership. Core Policy 6 will facilitate the Borough’s and its partner providers’ ambitions for education, health and social care to complement the recent achievements for further and higher education. The CS takes due account of the Environment Agencies Strategic Flood Risk Assessment and has due regard to the Borough’s other corporate strategies.
- 2.8 In addition to the Essex Thames Gateway Partnership with its related Transport Delivery Board, a local Regeneration Company (Renaissance Southend Ltd – RSL) was established during the emergence of the CS to help drive forward delivery of regeneration and growth. The emergence of its Regeneration Framework document has run parallel with the Examination period. Indeed, what I came to think of as a creative tension between the Local Planning Authority and RSL stimulated several of the hearings and helped me understand matters more clearly. The CS as proposed to be changed rightly reflects the even greater Town-Centre led emphasis that RSL is evolving for delivery of regeneration and growth which is in line with the Secretary of State’s Proposed Changes to the East of England Plan.

Planning Policy Guidance and Statements

- 2.9 Subject in a number of regards to substitution of publicised Proposed Changes, I am satisfied that the CS is sound in relation to national policy and guidance including that in PPS1, PPG2, PPG4, PPS6, PPS9, PPS10, PPG13, PPG15, PPG17 and PPG25. I am also satisfied that the CS is consistent with the general thrust of Planning Policy Statement 3 although it could not anticipate its requirements for a housing market assessment or on some other detailed matters.

The emerging Regional Spatial Strategy

- 2.10 Both the CS as submitted and the published PCs have been agreed by the East of England Regional Assembly as being in general conformity with the emerging RSS14 (the CS in relation to the Draft Revision and the CS with PCs to the Secretary of State’s Proposed Changes). The CS is also consistent with and will complement the work of Thames Gateway South Essex in implementing the Sustainable Communities Plan.
- 2.11 With the changes I recommend Test 4 would be met.

Test 5: Regard to the Community Strategy

2.12 The "Community Plan – Southend Together" was published in 2003 by the Strategic Partnership with subsequent Action Plans, the latest being for 2006-2007. The overall ambition is for "a vibrant coastal town and prosperous regional centre where people enjoy living, working and visiting". Seven broad sub-areas within that ambition for the community are identified: prosperity, learning, safety, health, environmental awareness, supportiveness and culture. I have read and heard about progress that has already been made. Core Policy 6 addresses Community Infrastructure. With minor clarification as I set out below and the amplification in the policy in its 6 sub paragraphs, it would safeguard the aims of the Community Plan that are not elsewhere addressed in the CS. For those developments not addressed by specific Core Policies, the Key Policies of the CS would provide an appropriate strategic framework for the further achievement of those community goals. Test 5 would therefore be met.

Test 6: Coherence and consistency within and between DPDs

2.13 The CS is the first DPD to be produced. As regards internal coherence and consistency I am satisfied in that regard. On the related matter of continuity, adopted Local Plan policies to be replaced and others to be saved, pending their review as part of a subsequent DPD are clearly set out. Test 6 is met.

Test 7: Appropriateness of the Strategy and Policies, having considered the relevant alternatives and whether they are founded on a robust evidence Base

2.14 With the PCs that I support and some minor changes I propose, the overall Spatial Strategy, the Key and Core Policies provide an appropriate policy framework to reconcile adequately the following key matters: the need to achieve both regeneration and significant growth with first priority to the Town Centre and Central Area; minimise the potential problems of an overstretched main road network and improve public transport; continue to maximise the reuse of previously developed land; protect the Green Belt and the urban green spaces of this densely built up area; ensure the very special biodiversity of the foreshore is protected; be alert to the flood risk associated with parts of the area and ensure that new development contributes where necessary to the social as well as physical infrastructure of the Borough. The only real alternative spatial strategy, of taking land from the Green Belt has some advantages in terms of new physical and social infrastructure and affordable housing but those are heavily outweighed by the brake that would place on regeneration of the town centre and central area.

2.15 I am satisfied that the evidence base provides a sound foundation for the policies of the CS. This is qualified in respect to retail matters where the evidence on additional capacity is only robust for the period to 2016. A timely review of the Retail Study is thus needed.

2.16 With the changes I propose Test 7 would be met.

Test 8: Implementation and Monitoring

- 2.17 The CS does not provide sufficient guidance on how policies would be delivered and monitored. This would be rectified and Test 8 met by making the publicised PCs.

Test 9: Reasonable Flexibility to deal with changing circumstances

- 2.18 In the case of housing, delivery in the early years has exceeded the annual average required to meet minimum requirements and this is likely to compensate for a possible shortfall from Shoeburyness without the New Ranges.
- 2.19 There may be issues regarding the timing of capacity in the Town Centre for significant new development, especially for retailing, but I am satisfied that the wording of policies with the PCs would allow consideration of the merits of other locations to be weighed against the possible prejudice of regeneration objectives.
- 2.20 The likely types of net new jobs that the area can generate will be mainly suited to a Town Centre/Central Area location and there is some limited scope for further such development on safeguarded land and from intensification of development within the established industrial areas. The lack of identification of any new general areas for future new allocations is not therefore unduly constraining on development.
- 2.21 The time may come when proposals for release of some of the remaining Green Belt land in the north/north east of the Borough is justified. However for this plan period the priority must be to regeneration as well as growth and this CS as proposed to be changed will better achieve that balance.
- 2.22 Within the limited scope provided in this densely built up area surrounded largely by Green Belt and the sea, I am satisfied that there is sufficient flexibility allowed for in the policies. Test 9 is therefore met.

General conclusion and summary of main changes needed

2.23 My overall conclusion is thus that the CS can be made sound provided it is changed in the ways specified. The main changes needed are:

- To include and distribute the increase in minimum housing numbers in the Secretary of States Proposed Changes to RSS and ensure those are not phased beyond the end of the plan period;
- To strengthen the primary focus of the CS for regeneration and growth on the Town Centre and Central Area;
- To bring references to developer contributions in line with national guidance;
- Clarify the concept of Priority Urban Areas;
- Make clear that the CS seeks a better alignment of jobs and housing rather than the latter being "jobs led";
- Make clear that new infrastructure is needed to be provided in parallel with new development rather than being a "precondition" for development;
- Bring Town Centre and Retail Development policy in line with national policy;
- Set out a minimum requirement for renewable energy provision in new development;
- Simplify proportions and thresholds regarding negotiations for affordable housing;
- Give greater recognition to the internationally important biodiversity of the foreshore;
- Add paragraphs setting out that Waste will be addressed in a separate Waste Core Strategy;
- Add paragraphs on how the needs of gypsies and travellers will be addressed;
- Give greater prominence to the role of RSL as delivery vehicle
- Give greater prominence to the economic importance of London Southend Airport
- Provide more detail to enable delivery of the CS to be monitored and managed;

2.24 The remainder of my report concentrates on the soundness of the CS with respect mainly to Tests 4, 7, 8 and 9. It first addresses Appropriate Assessment and Omissions from the CS and then follows the Section order of the Core Strategy rather than the list order of the Matters I identified for discussion. Lastly I address Renewable Energy.

2.25 Annex 1 Part 1 sets out the changes required to policies and Part 2 sets out changes needed to the supporting text.

3. APPROPRIATE ASSESSMENT (Matter 10): *Would the Borough’s Special Protection Areas be appropriately conserved?*

- 3.1 To the south and east of the built up area, Southend’s entire coastline is included in Benfleet and Southend Marshes Special Protection Area /Ramsar site and the Thames Estuary and Marshes SPA /Ramsar site. Parts of the Essex Estuaries Special Area for Conservation, the Foulness SPA / Ramsar site and the Roach and Crouch SPA / Ramsar site are nearby. The Council’s Sustainability Appraisal consultants’ advised that an Appropriate Assessment (AA) of any significant impact of the CS on these Natura 2000 sites was not needed because the CS was too “high level” a document. Impact from some policies was thought possible and the need for AA should be kept under review as policy and site specific DPDs were developed.
- 3.2 Others considered that without an AA the CS would fail tests of soundness 4, 7 and 9. An AA with the aim of meeting the requirements of the Draft Conservation (Natural Habitats etc) (Amendment) (England and Wales) Regulations 2006 was subsequently duly completed and appended to the Local Planning Authority’s Topic Paper on Matter 10.
- 3.3 Core Strategies are not exempted from the need for such assessment prior to their adoption. Such assessment is an iterative process and further detailed assessment will be required when specific proposals that may directly or indirectly affect the protected areas come forward. It was wise to assess the general impact at this stage before the Examination was completed.
- 3.4 As a result of conducting the AA of the CS, the requirements of the Draft Conservation (Natural Habitats etc) Regulations appear to me to have been met.

Proposed Changes arising from the AA

- 3.5 The submission policy has the important caveat “subject to the safeguarding of the biodiversity of the foreshore” and would provide a key strategic alert regarding the importance of the foreshore when development proposals for the Seafront and Shoeburyness come forward. However the PCs to Policy KP1 and supporting text would be clearer and more specific on the European and international importance of the coastal surrounds of Southend and on the approach to flood risk management as part of a comprehensive shoreline management strategy. The PCs to the text would also set out the particular sensitivities of European and international sites for nature conservation, refer to the issues set out in the AA of the CS and alert to the need for further AA as an integral part of the preparation of the Seafront AAP, the Criteria Based and Site Allocations DPD and the Shoeburyness SPD to take account of the potential effects of the extra jobs and homes. The PCs would better reflect national policy and should be adopted as helpful amplification.
- 3.6 Change is proposed to Key Policy 2 Development Principles, to amplify the reference to the Borough’s biodiversity and its protection which I support.
- 3.7 Part of the PC to Policy KP3 sits uncomfortably here. It is useful to flag up the potential need for Appropriate Assessment but Policy KP2 is the place to

refer to avoiding or mitigating harm as a development principle. There is however merit in alerting to the possible need for AA. The matter of regard to the objectives of nature conservation designations would be adequately and properly included in Policy KP2 with the change proposed to point 4 of that policy.

- 3.8 The proposed extra paragraph 2.17 is unduly detailed though it will be useful to refer to the AA of the CS and the need for further AA of subsequent DPDs and development schemes near the SPA/Natura sites.
- 3.9 The PC to Paragraph 3.22 viii is a useful addition: best use of the River Thames is supported in regional and Thames Gateway policy but it is right to alert plan users of the biodiversity significance of the foreshore here. I was told there is no current proposal or interest in providing a hovercraft service for Southend. In the light of the significant adverse implications envisaged, I therefore see no point in making specific reference to this in Policy CP3 consider that part of the PC to be sound. Leigh Port however provides important existing facilities for the shellfish industry as well as for recreational sailors and fishermen and it is an attractive spot for visitors partly because of it being a small port. Support for its future potential is included in Policy CP1. I assume it is the Council's intention to safeguard those local jobs, leisure opportunities and perhaps the attractions for visitors to the area. The AA does not specifically address the effects of "improved access" to the port and does not therefore support changing the CS. The existing caveat at the end of the policy would be sufficient safeguard in advance of any specific proposals for improved access to Leigh Port which latter may require AA in any case.
- 3.10 The AA has not flagged up any major additional constraints on development or its likely pattern but with the above PCs and my minor amendments the approach to biodiversity of the internationally important coastal area around the Borough would be soundly based in the CS.

4. OMISSIONS FROM THE CORE STRATEGY (Matter 9): *Are there omissions from the CS that render it unsound?*

- 4.1 There are two substantive areas where omissions from the submission CS render it at odds with national and regional guidance, notwithstanding that it has been held to be in general conformity with the latter. Those are its failure to set out a strategy for Waste planning or to set out criteria that will guide the location of Gypsy and Traveller Sites.
- 4.2 Two other omissions I have considered are the failure to recognise the strategic and local importance of London Southend Airport and the scant reference to Renaissance Southend Limited as the local regeneration delivery vehicle. Issues raised by cliff instability is another issue which has been identified as requiring greater emphasis.

GYPSY AND TRAVELLER SITES

- 4.3 As the Local Planning Authority now accepts, ODPM Circular 1/2006 requires a CS to set out the criteria that will guide the location of such sites

whether of sites to be allocated in a subsequent DPD or as proposed by others to meet such a need. Section 10 and Core Policy CP8 of the CS make no reference to the needs of Gypsies and Travellers.

- 4.4 The First Alteration to the adopted Borough Local Plan of 1997 addresses gypsy caravan sites in a criteria based policy (H14). The Local Planning Authority recognises that this policy does not comply with more recent guidance.
- 4.5 Southend is most unusual in scoring a consistent zero in all recent records collected for the bi-annual counts of gypsies and travellers made for the Department of Communities and Local Government. Whilst that evidence should not be taken alone, it seems unlikely that there is such a local need from gypsies or other travellers for sites in Southend. The Local Planning Authority is however aware of the substantial unmet need in other parts of Essex and South Essex in particular as identified in the above counts and in the recent “Essex-wide Gypsy and Traveller Accommodation Assessment” study commissioned jointly by the Essex Planning Officers Association. The Borough is participating in further work with other Essex authorities as part of the single issue Review of the emerging RSS for the East of England on this matter. It aims to identify possible sites to help meet those if a strategic need is identified in the RSS Review.
- 4.6 It is said in the 2006 Annual Monitoring Report that policy H14 would continue to be operated in advance of the above review. However my understanding from the Examination discussion is that pending the outcome of the RSS Review, the Local Planning Authority considers that Key Policy 2 Development Principles with the addition at point 3 of “ensure good accessibility to local services and the transport network” (as in the PCs) would offer sufficient guidance on any proposal for a gypsy and traveller site. I have taken the latter to be the intention.
- 4.7 In the particular local circumstances of Southend I consider the latter approach would, exceptionally, meet the general aims of ODPM Circular 1/2006 but it is essential that in addition, the text of Section 10 should make this clear. A short paragraph should be added to make the CS sound re tests 4 and 9 and is set out at Part 2 of the Annex.

WASTE

- 4.8 Although the Borough Council is a Waste Planning Authority, the CS does not contain any policy references to waste matters, except in the approach to be taken to it in new development (Key Policy KP2). Table 2 sets out the Existing Adopted Policy Framework and Emerging Replacement Policy Framework which reflects the Southend on Sea LDS. A review of the adopted Essex and Southend on Sea Waste Local Plan policies and proposals for waste management is there shown as to be included in the Criteria Based Policies and Site Allocations DPD (DPD5), adoption of which is projected as in 2010.
- 4.9 As stated in the LDS, the policies and proposals on waste management set out in the adopted Essex and Southend on Sea Waste Local Plan (2001), insofar as they relate to Southend on Sea will automatically be “saved” for three years or until such time as proposals are adopted in a review of that

- plan. The Secretary of State may be asked to “save” the relevant policies and proposals of the adopted Waste Local Plan for more than 3 years pending adoption of DPD5.
- 4.10 The adopted Waste Local Plan covers the period to 2010. The Local Planning Authority considers that those existing policies and proposals remain appropriate having regard to recent work conducted by the Essex, Southend and Thurrock strategic authorities but recognises they will need to be rolled forward for the period to 2021. The Southend on Sea LDS states that a review of its policies and proposals for waste management will be included in its Criteria Based Policies and Site Allocations DPD
- 4.11 A major waste management facility encompassing a range of treatment processes is proposed in Basildon to serve the whole county. Planning permission was granted in May 2006 for a new bulk transfer station in Southend with capacity to deal with all municipal waste handled in the Borough and with provision for treatment and recycling. The transfer station is intended to be part of a network of new and sustainable waste management facilities developed in partnership with Essex County Council.
- 4.12 Notwithstanding its being a Waste Planning Authority, the built up and residually Green Belt nature of the Borough mean it is unlikely to be self sufficient on waste management.
- 4.13 Planning Policy Statement 10 is clear however that the Core Strategy of a Waste Planning Authority should set out policies and proposals for waste management in line with RSS and ensure sufficient opportunities for the provision of waste management facilities, including for waste disposal. This CS thus does not comply with national policy.
- 4.14 In their Matter 9 Omissions Topic Paper the Local Planning Authority sets out three options to address this: a separate Waste Core Strategy to align with the Essex Waste Core Strategy or a joint Waste Core Strategy with the Essex County Council or the incorporation of a Waste Core Strategy with the proposed Criteria Based Policies and Site Allocations DPD (DPD 5).
- 4.15 The latter approach is logically inconsistent. Subsequent DPDs should follow from a Core Strategy rather than include it. It is also clear that Essex County Council does not favour a Joint Waste Core Strategy.
- 4.16 There remains a current and apparently sound basis for waste planning in the area for a further few years. It is essential that a Waste Core Strategy is addressed well before the currency of the adopted plan expires. Provided that is done, it is clear to me that delaying adoption of the strategic policy framework for all other development in Southend would not, despite the conflict with PPS10, be in the wider public interest.
- 4.17 Although the style of the CS is to contain substantial amounts of supporting text I do not consider that a further long addition as suggested would be helpful in this case. It would be sufficient to add a single paragraph setting out firstly that the CS does not address waste planning matters, secondly the likely way forward for review of the relevant policies and proposals of the adopted Waste Plan and make consequential amendment to Table 2. These changes are set out in Part 2 of the Annex. The circumstances are

such that a departure from national guidance would, exceptionally not lead to the CS being unsound re test 4 if those changes are made.

LONDON SOUTHEND AIRPORT

- 4.18 The airport and its adjacent industrial area employ significant numbers of Southend residents. Apart from the road access to the Airport and the end of the runway, almost all of the airport and its adjacent industrial area is within Rochford District. Planes take off by overflying Eastwoodbury Lane within Southend Borough. The length of the runway restricts the type of plane that can use the airport and is a major constraint on its potential. Uniquely of land in Rochford District, the airport is included within the Essex Thames Gateway boundary.
- 4.19 The emerging RSS (Secretary of State's Proposed Changes to the Draft East of England Plan Policy E8) recognises the support given in the Air Transport White Paper for the expansion of London Southend Airport to meet local market demand and to contribute to local economic development. An airport (paragraph 4.35) can be an important catalyst for economic regeneration, notably at Harlow, Luton, Norwich and Southend. Appropriate provision should be made to meet the direct and indirect employment generation arising from airports operating in the area or nearby.
- 4.20 RSS Policy T12 supports the management and enhancement of sustainable surface access to the regions airports. London Southend Airport Ltd intends to develop the airport further where feasible. Policy ETG4 of the emerging RSS sets an indicative target of 3000 net additional jobs for Rochford District and the Airport will be a focus for those.
- 4.21 The importance of the Airport and its adjacent industrial area to Southend's as well as Rochford's economy is shown in the CS by notations on the Key Diagram. During the Examination the Borough came to the view that the potential of the Airport and environs as a focus for regeneration and growth should be recognised. During the Examination the Borough Council and Rochford District Council resolved to prepare a Joint Area Action Plan for the Airport. This would help facilitate further development at the Airport and assist in the regeneration and growth of Southend's economy. It is however a matter of note only for the CS. It should be recorded at paragraph 2.7 (III), Policy KP3 (1) and with consequential revisions to Table 2, Diagram 2 and the Key Diagram. This will also need to be added in the 2007 update of the Local Development Scheme.

RENAISSANCE SOUTHEND LTD

- 4.22 As the Local Planning Authority fully accept the blossoming role of RSL as catalyst and delivery vehicle of key aspects of the CS should have fuller mention in the CS. Some publicised changes are proposed. The proposed new paragraph 1.11 seems unduly wordy and may not be up to date on RSL's work. I commend an abbreviated version. The minor change and other PCs should be made: to add RSL's Regeneration Framework at the bottom of Table 1 (and Town Centre Master Plan if this is finalised before adoption of the CS); to add a new paragraph after 2.15 on the role of RSL and add a new point 5 at KP3 about working in partnership to deliver

sustainable regeneration and growth in the Borough. Test 8 will be met with these additions.

LAND STABILITY

- 4.23 There have been recent slippages of land in Cliff Gardens. Much of the Southend area has clay subsoil but stability concerns mostly relate to cliff areas behind the seafront. Detailed considerations will be addressed in the Seafront Area Action Plan (DPD 4). Whilst consideration of any proposal in or near an affected area would have regard to national policy in PPG14 and the Building Regulations, an addition to Policy KP2 to refer to avoidance or mitigation of affected areas would usefully draw attention to this important constraint and meet test 4 re national policy. Rather than add this to pollution impacts as suggested by the Local Planning Authority it should be an additional principle at KP2 11[f]. The reference to Cliff Gardens Stabilisation in Policy CP6 (3e) is a specific project (as are others in the list) to which new development may, if necessary and reasonable be asked to help fund. The suggested addition to CP6 (3e) to refer to "continued monitoring of all cliffs and appropriate mitigation where necessary" would sit uneasily in this policy. I do not support addition of the last clause.

5. THE SPATIAL STRATEGY: POLICY KP1 (Matter 1): *Is the spatial strategy appropriate to the needs of the area and in particular can it deliver the required jobs and houses without the New Ranges at Shoeburyness?*

- 5.1 The Spatial Strategy has to balance many interests and challenges. The Borough has been significantly underperforming economically as in much of the Thames Gateway and there are areas of deprivation recognised by having "Objective 2" status for EU Structural Funding. The main routes are at or near capacity. Indications are that unemployment is reducing but remains fairly high relative to other parts of the region. Parts of the shopping centre and High Street look tired and there are large 1960s/70s office blocks just north of the town centre that are near the end of their useful life. Educational attainment and skill levels have been quite low. There are fairly high levels of out commuting, a high proportion of low standard private rented housing and problems of affordability.
- 5.2 There are positive signs already including the new University of Essex campus and College building in the town centre, the beginnings of upgrading of the Seafront near the area's uniquely long pier and the much improved bus station. There are also many very pleasant well established housing areas that have made the area attractive over many years to families and others seeking good quality housing close to the sea.
- 5.3 There remains much for the Council and its partner Renaissance Southend Ltd to achieve in regenerating as well as growing the Borough. The Spatial Strategy must provide the foundation for doing it. Key Policy 1 as submitted sets out the Spatial Strategy's foci for growth and regeneration as being in the Southend Town Centre and Central Area, the Seafront, Shoeburyness and the Priority Urban Areas. The PCs would give the Town Centre and Central Area the primary focus with the other areas being "in addition".
- 5.4 In line with adopted and emerging regional guidance the spatial strategy of the CS is based mainly on regeneration and growth of the main built up area. In the submission CS there was the expectation that there would be one significant exception: the MOD New Ranges at north east Shoeburyness. The MOD in their representations on the CS made clear that they required this land for the foreseeable future. Whilst it is conceivable that position may change before the end of the plan period, the capacity for housing identified for New Ranges (874 dwellings) has now to be wholly discounted, as the Local Planning Authority has recognised.
- 5.5 It was clearly the view of the Panel that examined the Draft East of England Plan that Southend could accommodate more than the 6000 dwellings in that document. The Secretary of State's Proposed Changes endorse their recommendation of 6500 instead and the Local Planning Authority PCs incorporate the latter and make some redistribution of housing and employment numbers.
- 5.6 My main concern was whether the Spatial Strategy remained sound bearing in mind that the New Ranges could not be relied upon for either housing or employment and that a further 500 dwellings would need to be found in addition to the lost capacity at New Ranges.

- 5.7 From the representations, discussions and hearings and my own observations it is clear that the **Town Centre and Central Area** is in need of renewal and reorganisation. The main roads junction separates the 1960s linear office quarter from the very long shopping street with its shopping precinct at the north and mall at its southern end. The enclosing of the Victoria Plaza will also provide a much needed enhancement but there is much more to be done. My sense is that the High Street remains fairly vibrant but appears tired. That the railway bisects it may be impossible to wholly overcome, but the emerging plan to create a mixed use development in depth from the east side of the High Street as described by RSL would seem to be a promising way forward. It is clear to me that greater concentration of the shops, leisure, food and drink, education and employment uses within the town centre will increase its vibrancy and give further confidence to investors.
- 5.8 The Town Centre Area Action Plan (and RSL’s Master Plan) will address these (and the future use of the large and apparently outdated office blocks on Victoria Avenue), together with the aim to develop both railway termini as strategic transport interchanges. The Spatial Strategy rightly accords this area high priority for both jobs and homes and the PC would emphasise its prime status in regeneration and growth. I support the latter which would reinforce the importance of modernising and reinforcing the centre. Capacity studies indicate that there would be no difficulty in physically accommodating the additional dwellings in the PCs (from 1650 to 2000), though with the caveat that market considerations have not been fully analysed. I address whether the CS approach would lead to an undue preponderance of flats in the housing section of my report. The principle of aiming to concentrate approaching nearly a third of new housing in the Town Centre and Central Area is however a sound strategic approach.
- 5.9 As a traditional seaside resort where day trippers have always heavily dominated the tourist trade, it is important that **the Seafront** is renewed to reflect modern tourist expectations, exploit its attractions for housing, especially where close to the town centre or district centres of Leigh and Westcliff, capitalise on any new jobs that can be created and to develop the potential around the pier. This has begun with the recent improvements to access to the pier and striking new architecture at Pier Hill. The major refurbishment of the only large seafront hotel is underway in this seaside town that has surprisingly few hotels to good modern standards. There is only a modest residual requirement for housing here when completions and all elements of identified capacity are taken into account. That should be readily achievable as a minimum and more may be readily achievable given the attractions of this area.
- 5.10 **Shoeburyness** has benefited from recent new housing on the Old Garrison site and there remains identified capacity for 250 dwellings. Some new employment development has taken place on former MOD land but take up has been slow. I saw that the existing shopping areas there are in need of upgrading and some existing employment areas are down at heel. Every chance to progress regeneration here should be taken.
- 5.11 The PCs would retain a requirement for 1400 dwellings but reduce the jobs target for Shoeburyness from 3000 to 1500, delete reference to a high tech

- business park (now accepted as unrealistic and too specific) and emphasise the regeneration of existing industrial and shopping areas at Shoebury.
- 5.12 The slow performance of new employment development on MOD land so far (as well as little or none of the New Ranges land being likely to become available) makes a substantial reduction in expectations for this part of the Borough necessary. I share some representors doubts as to whether the area is likely to attract any employer where road freight accessibility is a critical consideration. Without improved road access that seems to me unlikely to change. The PCs seem to me a sensible and realistic approach where the CS figure no longer looks attainable and would be unsound.
- 5.13 Shoeburyness has already begun its regeneration with the Garrison housing and employment area and improvement to Gunners Park. That should continue as policy KP1 would encourage. I have heard nothing to convince me that it is unduly (or unsoundly) optimistic to target 1500 new jobs to the area which has several existing employment sites and a need for regeneration of its shopping areas.
- 5.14 It may well be true that when the Panel Examined the Draft Revision to the East of England Plan, the New Ranges were expected to be available within the plan period. In the Stage 1 Consultation version of the CS, "Shoeburyness" is followed by the brackets "(New Ranges)" against the 1400 dwellings figure, the same number as now proposed for "Shoeburyness" without the New Ranges. Achieving the residual requirement for 792 dwellings in that locality will now be much more challenging, but the area remains in need of regeneration and the Council considers there are other parts of Shoebury that are capable of "intensification". Bearing in mind also performance from other parts of the District, I do not think there is such a huge risk to overall delivery that the plan is made unsound by still including this number of dwellings for Shoeburyness. If the latter is slow to deliver, then it likely that other parts of the town will compensate.
- 5.15 The concept of **Priority Urban Areas** for regeneration and growth is unclear in the CS. The publicised PCs to the Key Diagram and Policy CP1 as well as KP1 would increase clarity but the concept is weakened by the uncertainty from the use of "include". Given the importance of this category of place as a focus for regeneration and growth it should be specific as to what is included. It is the several purpose-built existing industrial/employment areas in the town that are more likely to generate non service sector jobs than smaller or poorly located or configured sites. No other areas other than those listed in the PC or shown symbolically on the Key Diagram were mentioned at the hearing sessions on this or on the employment Matters. It would be unsound however to leave the CS implying that say, an individual non-estate factory or a local shopping centre could subsequently be deemed a PUA. As I commend in the Annex, "Including" should be deleted from KP1 (and CP1) and this part of the policy clarified as in the hearing paper change to paragraph 2.4, i.e. "these comprise" and "the *main* industrial/employment areas".
- 5.16 Although most of the Airport and its adjacent industrial area are in Rochford District, road access to the Airport, a small frontage in its south

east corner, the end of its runway and a small part of the industrial area are within Southend's boundaries. Bearing in mind its importance to Southend's economy and the intention to prepare a joint AAP with Rochford District Council, I endorse it being included as a PUA as in the PC.

- 5.17 The Spatial Strategy does not specifically mention that the rest of the Borough, in housing terms has already supplied nearly half the completed dwellings since 2001. This **Intensification** category (which excludes such development in the other "focus" areas above) causes concern locally that environmental limits are close to or have been exceeded but Policy CP4 provides safeguards in line with national policy that this should not be allowed to occur. There is no sign at present that the appetite for such development is waning in the town. Should it do so, then some major regeneration projects in the Town Centre coming on stream may well compensate.

The alternative Spatial Strategy

- 5.18 The major alternatives to the Spatial Strategy advanced would involve peripheral "master planned" development on much of the Green Belt land to the north east of the Borough or a more modest release of Green Belt land in the north. The former was argued as giving much greater certainty on achievement of RSS figures for housing and employment, fund a new relief road, including better surface access to the Airport, fund a range of complementary public facilities, readily deliver over a sustained period the minimum numbers of dwellings in a varied mix of sizes and types and could deliver the target levels of much needed affordable housing. The potential for affordable housing and relief road are attractive benefits and the likely poor delivery of the Core Strategy of the former in particular is a serious shortcoming. Proposers of the "Green Belt release" strategy did not submit sustainability appraisals of their proposals. That strategy would, in the absence of clearly demonstrable other considerations amounting to very special circumstances be unjustified. It would be contrary to the aim and purposes of Green Belt policy, lose high grade agricultural land and mineral deposits and prejudice the aim of creating a country park in the general location of the north east of the Borough. It is unclear how it would assist in reducing dependence on car travel and it would severely prejudice regeneration of the Town Centre, Seafront and Priority Urban Areas.
- 5.19 The need for Green Belt releases to help meet requirements was considered the East of England Plan Examination. The Secretary of State's Proposed Changes to the Draft East of England Plan delete the reference to a review of the Green Belt in the Thames Gateway South Essex that was contained in the submitted Draft Revision and there is no reference to a more limited local review being needed in Southend as there is for Broxbourne. This Secretary of State's Proposed Change was in response to the Panel's findings that in the Thames Gateway South Essex, there should be concentration in the short to medium term on recycling brownfield land and on regeneration and renaissance of the urban area.
- 5.20 In Southend the annual house building rate has so far significantly exceeded the average annual rate needed to achieve the 6,500 homes in the revised RSS figures. It may be that the rate of intensification (in all

parts of the town) will slow and that with the fairly high densities achieved recently, there may be little scope (outside the Town Centre and Central Area) to raise them much higher without harming the pleasant environment of much of the area. There is no evidence of any of these occurring at present to lead me to conclude that the Spatial Strategy cannot deliver on housing minimum requirements and would thus be unsound.

- 5.21 I have no doubt that the regeneration of the Town Centre/Central Area should be top priority as that can provide the types of new jobs that local people could fill, a substantial amount of housing and reinforcement of densities to help reduce the need to travel and support the planned public transport improvements. With upgrading of the Seafront as well it would do most to “wave the flag” of a new era in Southend’s history as a regional centre for shopping and other town centre uses and as key centre for development and change as identified in the East of England Plan.
- 5.22 The two District shopping centres at Westcliff and Leigh on Sea provide a rich range of shops (some of them quite specialist) and local services which traditionally have co-existed with the High Street and its “dumb bells” of the Victoria Plaza and The Royals. The Spatial Strategy recognises their (and Shoebury’s and Southchurch’s shopping areas) appropriate priority for shopping and other development.
- 5.23 Apart from on remaining safeguarded land at Fossetts Farm and in the Town and District Centres, the main opportunities for job creation will be in the existing industrial areas, which with the District shopping areas (and a small neighbourhood housing renewal area) are identified as Priority Urban Areas in Policy KP1.
- 5.24 The PC more closely follows the Secretary of State’s Proposed Changes to the Draft Revision to the East of England Plan regarding the primacy of town centres as the focus for investment, environmental enhancement and regeneration and the specific identification within policy ETG3 of the achievement of an urban renaissance of the Town Centre as a task for LDDs in Southend. The other areas and Intensification would then be “in addition” in the PCs.
- 5.25 Both the submitted and PC version are prefaced by the intention that development and investment will be expected to build on and contribute to the effectiveness and integration of the key transport corridors and interchanges. That is an entirely sound and urgent principle to help secure the stated aim of sustainable development. There was no dispute that serious peak hour congestion occurs on the main routes in Southend.
- 5.26 There are clearly risks associated with the Spatial Strategy. One of these is that there will be a very limited number of big projects where significant contributions to new infrastructure could justifiably be sought. The approved traffic schemes fall well short of what some consider is needed to free up accessibility in the town. As I discuss below, changes are needed to bring the CS approach to developer contributions in line with national guidance. Such contributions cannot be relied upon to deliver quite as much as the CS appears to hope.

- 5.27 There is no denying the importance of infrastructure improvements in Southend and Policy KP1 describes these as a “precondition” for additional development. This reflects Policy TG/SE3 of the Draft Revision of RSS but this word is not found in the Secretary of State’s Proposed Changes to that Draft Revision. “Precondition” overstates matters and would risk the achievement of a minimum of 6,500 net additional dwellings and an indicative 13,000 net additional local jobs by 2021 which are clear priorities set in emerging RSS. To fairly reflect RSS, as has been the Local Planning Authority’s intention in advancing the other published PCs, this reference in KP1 and at Strategic Objective 9 should be changed to a similar wording to that now supporting RSS policy ETG6, i.e. “successful regeneration and growth on the scale planned will require substantial improvements to transport infrastructure and accessibility in the Borough”.
- 5.28 Another PC would add after point 4 of the policy that the relocation of Southend United Football Club’s stadium to Fossetts Farm area is supported in principle. I endorse this given the long acceptance of this principle and that the FC itself has an important part in the town’s identity and future.
- 5.29 The CS will necessarily be reviewed in due course and that will be the time when any serious shortfall in delivery must be addressed and the issue of limited Green Belt release revisited if necessary. The paragraph on Green Belt matters in this policy does not wholly reflect national guidance in PPG2. It should be changed to insert “exceptionally” and “that could not otherwise be achieved” in its second sentence.
- 5.30 To avoid undue repetition, the contingent statements about harm to internationally important nature conservation interests and to flood risk management at both the Seafront and Shoeburyness can be moved to a separate paragraph with an asterisk link at the end of each area’s sub paragraph in the Policy.
- 5.31 The Town Centre and Central Area is already substantially built up and other provisions of the CS aim to safeguard biodiversity. I think it unlikely that the latter interests would be overlooked in producing the Town Centre AAP and in assessing specific proposals there and in the wider Central Area. Should it be found that more than 2,000 dwellings are feasible, then (subject to the impact on biodiversity and other material considerations), that would be consistent with the RSS aim that the Borough’s 6,500 dwellings is a minimum requirement. The unpublicised change to delete “at least”, as a result of the AA of the PCs should not be made.
- 5.32 Subject to the changes identified, I conclude that the Spatial Strategy of the CS (as proposed to be changed) is the preferred alternative. It is consistent with national policy and would help meet the Essex Thames Gateway policies of the East of England Plan (as in the Secretary of State’s Proposed Changes to the Draft Revision). The evidence is that there would be sufficient flexibility from “intensification” housing to outweigh any shortfall from the ambitious minima set for Shoeburyness. I see no reason to find the Spatial Strategy unsound in terms of tests 4, 7 and 9.

6. THE KEY DIAGRAM: (Matter 8): *Does the Key Diagram strike the right balance in indicating major proposals and constraints on development?*

- 6.1 The CS Key Diagram does not clearly indicate all the major proposals of the CS (including the Green Grid and an indicative location for a north eastern country park) and it omits areas within Flood Risk Zone 3 and subject to other constraints such as best and most versatile agricultural land and brickearth deposits. Those omissions render it inconsistent with PPS12. The lately declared likely non-availability of the New Ranges also renders the CS Key diagram at odds with current reality.
- 6.2 The publicised PC to the Key Diagram would address the above and amongst other things distinguish between “existing” and “proposed” on transport matters and revise the routing of South Essex Rapid Transit (SERT) in light of recent further work, distinguish different types of Priority Urban Areas upgrade the Airport to “major” (to reflect The Secretary of State’s Proposed Changes to the Draft Revision RSS) and show the nearby area as part of the Joint Area Action Plan, delete the hovercraft river service symbol (for which there is no proposal in view and which may conflict with internationally important biodiversity interests), together with a few other minor changes. It would also specify the policies to which notations relate and include a summary of the jobs and dwellings figures against each broad location, the Priority Urban Areas and from Intensification. To aid spatial expression to Policies CP6 and CP7 publicised PCs would list and/or show on the Key Diagram specific major projects. Those would reinforce the importance of the CS as a spatial plan. The PCs would also help clarify the types of area included in PUAs. All these vastly improve the Diagram and bring it in line with national guidance.
- 6.3 The further change proposed arising from the Hearing session is a clearer expression of the Airport’s importance to Southend’s economy whilst recognising that all but the end of the runway is within Rochford District.
- 6.4 The Roots Hall site will provide a significant but not strategic development opportunity (assuming that the stadium moves to the Fossetts Farm). It is not for me to identify its future use but it is outside the Town Centre and across the town centre from the identified area of qualitative deficiency for convenience retailing. Whether it should be identified for housing and convenience goods shopping is a matter for a more detailed Development Plan Document not the Core Strategy. I support the soundness of the Local Planning Authority’s judgement in not including it as a PUA.
- 6.5 Fossetts Farm as a PUA should not be qualified with the detailed uses as proposed by SUFC as that would unduly fetter flexibility over what is a scarce resource in terms of undeveloped land.
- 6.6 Local wildlife sites are too detailed to be shown on the Key Diagram. Substitution of “indicative” for “potential” in relation to the route for SERT more clearly suggests its current unfunded status. It is essential that this is shown on the Key Diagram given its sub-regional status. As SERT will be based principally on existing transport corridors, I doubt that this indication will blight the development of nearby regeneration sites.

- 6.7 The additional information shown on the PC to the Key Diagram adds to its complexity but provided it is produced in the A3 format as in the Topic Paper on Matter 8 for greater clarity it will provide an appropriate and otherwise sound guide to the strategic areas for regeneration and development, passenger transport corridors, major constraints and other strategic matters.

7. EMPLOYMENT GENERATING DEVELOPMENT: POLICY CP1 (Matter 3): *Can the CS enable delivery of 13,000 net new jobs?*

- 7.1 The Secretary of State's Proposed Changes to the Draft Revision RSS endorse the target of 13,000 net additional jobs for Southend set out in the Draft Revision of RSS.
- 7.2 The likely non-availability of much of the New Ranges for employment uses has led to the published PC to reduce from 3000 to 1500 the number of jobs at Shoeburyness (2001 to 2021) and redistribute the remainder to the Priority Urban Areas (an extra 950 jobs), Seafront (an extra 50) and "Intensification" (an extra 500).
- 7.3 Such growth in local jobs is undoubtedly ambitious. It is important to note from The Secretary of State's Proposed Changes to the Draft East of England Plan that policy E5 sets "indicative targets" for net growth in jobs which are adopted as "reference values for monitoring purposes". Policy ETG5 is worded as to "provide an enabling context for not less than 55,000 net additional jobs", within which is the 13,000 for Southend. Supporting text in the RSS clearly says that the evidence base was not sufficiently robust to set any more than indicative targets.
- 7.4 Text supporting emerging RSS policy E1 states the basic policy stance of the Regional Economic Strategy and the RSS is "to seek as far as possible to ensure that development results in better not worse alignment of jobs and housing". The intended realignment is seen as reducing the proportion but not necessarily the numbers of people out-commuting.
- 7.5 I have no doubt that the CS is wholly right in sustainability terms in seeking to reduce the net daily outflow of workers (6,900 in 2001). Referring to Essex Thames Gateway as a whole, Policy ETG1 seeks a better "alignment of homes and workplaces while ... continuing to make the most of the area's complementary role in relation to London," The RSS approach does not however suggest to me a rigid advance provision or parallel development of jobs with dwellings, especially when policy H1 gives a "minimum dwelling provision" and that provision of more housing (both market and affordable) has a national priority.
- 7.6 There is no support in The Secretary of State's Proposed Changes to the Draft Revision RSS for the statement at paragraph 3.14 of the CS that the 13,000 jobs should be delivered in the first instance in advance of the delivery of dwelling growth and supporting infrastructure or for the several connected references to this elsewhere in the supporting text. Those references should be deleted for the CS to be sound.

- 7.7 Given the constraints on land in the Borough, considerations of the sustainable location of new development and priorities for regeneration and growth, almost all the growth will come from within the existing built up area. There is some limited remaining potential on safeguarded land at Fossetts Farm. A significant part of this area is now designated a Scheduled Ancient Monument. That this area is seen as an acceptable site in principle for the relocation of Southend United Football Club’s stadium would rightly be made explicit by the PC to Policy KP1. Some additional jobs are likely to come from the B & Q warehouse (under construction at the time of the Hearings) and approved retail warehouses there and from use of the remainder of that land.
- 7.8 Half the total jobs required are apportioned to the Town Centre and Central Area. The work to date of Renaissance Southend does not suggest this is overly ambitious so long as any office jobs as well as retail, catering, public services and other service sector jobs are targeted to this part of town. Regeneration of the Seafront is also expected to yield slightly more jobs than initially considered with signs there of renewal of its tourist and recreation offer. Many part time jobs, the proportion of which continues to rise are in service activities that are considered to be the only significantly expanding sectors of the local and regional economy. It is important to note that the RSS target is not for whole time equivalent jobs and so that trend may assist towards achieving the RSS figures.
- 7.9 There is little opportunity to identify new land for employment. Most new jobs will come from greater employment densities within existing areas, including the PUAs. The evidence base indicates that several industrial areas have potential for this, including some of the more accessible areas to the west of the Borough. Poor road access to some in the east does not encourage one to think they will be early candidates for renewal.
- 7.10 As said for RSL however, jobs growth and floorspace availability is not a straightforward relationship. I have recommended under Policy KP1 that although the publicised PCs to that policy, CP1 and the Key Diagram increase clarity, acceptable certainty over what PUAs are can only be achieved by deleting “including”, or in the case of CP1 “include”. The PCs and other changes proposed arising from the Hearing should be made but with that addition.
- 7.11 The remaining source of jobs growth, i.e. “Intensification” is sensibly revised in the PCs to refer to home working, “hot desking” and small scale employment generating mixed use development, outside of any of the named areas and Priority Urban Areas. As proposed, a footnote about PUAs to clarify avoidance of potential double counting from PUAs within AAP areas would help clarify their respective roles in jobs growth.
- 7.12 The further amplification of the published PC relating to the sequential approach to locating employment generating development would helpfully clarify this useful PC. It would be clearer however to briefly summarise what these are rather than cross refer to the two policies KP1 and CP2.
- 7.13 It is certainly the case that there is no capacity in Southend for a very large Business Park. In what was described by RSL as the unlikely scenario of a large relocation firm looking to come to Southend from outside the area,

- the policy would concentrate a search in the 3 geographical areas and on the Priority Urban Areas. Land efficiency possibilities would need to be exploited. The rationalisation of existing industrial areas, the generation of extra service sector jobs in the Town Centre/Central Area, the Seafront, continued promotion of land at Shoeburyness and by intensification elsewhere are the main ways jobs will be generated. "Home grown" businesses including those in the target new sectors will most likely be served in those areas.
- 7.14 As in the Secretary of State's Proposed Changes to the Draft Revision RSS, in the medium term at least the focus should be on urban regeneration, including that of the Town Centre and Central Area, for such office demand as may exist as well as other major trip generators. Importantly, by locating such development in the Town Centre the improvements to public transport seem more likely to be successfully funded.
- 7.15 As the Council notes, major employment use in any part of the Borough would require a transport assessment. Improvements to and intensification of development on the major existing industrial areas that are mostly close to the trunk road network is encouraged in the CS; reference to locating such uses close to the trunk road network in the policy or text is unnecessary and could also be seen as contrary to the key spatial approach of focussing office and retail development in the town centre.
- 7.16 Policy CP1 is discouraging of loss of employment land to other uses. Southend is not an area with large areas reserved for employment development with little prospect of it coming forward. Such development at Shoeburyness has been slower than hoped but it is not a long term sterilisation of land that could otherwise be used for housing or other uses, which national guidance discourages. There will of course be outdated industrial premises in the Borough, some of them poorly located for either their intended use or in relation to nearby housing. Given the scale of indicative employment growth envisaged in RSS, the Core Strategy is right to flag up that the loss of existing employment land will be resisted unless its redevelopment for other uses would otherwise contribute to the *regeneration of the local economy*, including significant enhancement of the environment, amenity and condition of the local area. Given that the Secretary of State's Proposed Changes to the Draft Revision RSS seek a "better alignment" of local jobs and housing rather than "job-led" growth, the above wording should be used and "job-led" should be deleted.
- 7.17 Given the statements in The Secretary of State's Proposed Changes to the Draft Revision RSS, it is clear that the 13,000 jobs does not have quite the same specificity as does the 6,500 dwellings which is stated to be a minimum and should not be phased beyond 2021. The jobs target figures are not sub-divided into time phases in The Secretary of State's Proposed Changes to RSS and the PC to the CS would rightly delete the phasing by source areas shown in the CS.
- 7.18 Because of the almost wholly built up nature of the Borough and the difficult to assess relationship between jobs and floorspace I do not consider the plan unsound because it does not give an indication of the area of land likely to be needed to enable provision of 13,000 new jobs.

The addition of the “sequential approach” as I intend to clarify it will give some broad guidance on the types of jobs for each of the broad locations.

- 7.19 There was discussion at the Hearing session about the data set used by the Local Planning Authority for monitoring progress on jobs in the Borough, particularly as it is not the one used at regional level and by some other Local Planning Authorities. It would appear that neither the Inter Departmental Business Register (IDBR) nor the Annual Business Inquiry (ABI) is particularly reliable and in the recent past they have been contradictory.
- 7.20 Some caution is advised by the Local Planning Authority over their monitoring of jobs in the area since some major relocations within the District may well have been captured in the IDBR as well as net new jobs and there are other reasons for caution as well. It appears that the 4,500 jobs growth recorded in the 2001-2006 period may thus be an overestimate but by how much is unclear. There are encouraging signs from other data that Southend may be improving its previously poor (relative to many other parts of the Region) performance on pay, unemployment and Gross Value Added. Whether the annualised rate is achieving the 650 net additional jobs per year to meet the RSS target cannot be told for certain. I see no reason to think that at local level the Local Planning Authority’s use of the IDBR will be any less reliable than the ABI (and may be more so), provided its users take account of its limitations.
- 7.21 Given the likely problems with accurate monitoring I support the use of annual indicative targets for net new jobs in the publicised PC instead of the three time periods in the CS. That would also reflect the approach now taken in the Secretary of State’s Proposed Changes to RSS.
- 7.22 In conclusion, the redistribution of the indicative jobs target figure to the different broad locations is needed to take account of the likely non availability of much of the New Ranges. That PC is needed to make the plan sound in terms of regional policy. The other changes proposed are consequential to that or would provide much enhanced clarity, again ensuring soundness is achieved.
- 7.23 Additional changes are needed because the supporting text to the CS is out of date at Paragraphs 3.5 to 3.14, 3.18 and 3.20, which refer to the Draft Revision of the RSS not to The Secretary of State’s Proposed Changes to that Draft Revision (which is substantially changed with respect to policies referred to in those paragraphs) and PPG3 which is replaced by PPS3. It has clearly been the Local Planning Authority’s intention to make the CS compliant with the latter later version of RSS but these paragraphs have not been updated. They can be substantially abbreviated as well as updated and I include these in Part 2 of my Annex of changes to be made as below.
- 7.24 Relating to job creation and not elsewhere addressed, Policy KP3 (7) in the CS (KP3 (9) in the PCs) underlines the Borough Council’s commitment to supporting employment generating development but seems to imply that the Borough Council will not aim to deal expeditiously and within Government Best Value targets for planning applications other than employment generating development. Other forms of new development

will also aid regeneration and growth and this sub section of the policy should not appear to discriminate against those. The reference to jobs based on “knowledge creation and technology transfer” is too detailed and jargon ridden. I include a change to make this fit for purpose in the Annex of Changes below.

- 7.25 With the above changes I conclude that the CS would provide a sound strategic basis for enabling the indicative target of 13,000 net additional jobs in the town.

8. TOWN CENTRE AND RETAIL DEVELOPMENT: POLICY CP2 (Matter 5): *Will this policy provide an appropriate basis for future retailing and town centre development?*

National and Regional Policy

- 8.1 Southend is identified as a regional centre for retail and other town centre purposes (Policy E5) in The Secretary of State's Proposed Changes to the Draft Revision to the East of England Plan and Policy SS6 considers that “thriving vibrant and attractive town centres are fundamental to the sustainable development of the East of England and should continue to be the focus for investment, environmental enhancement and regeneration. LDDs should [*amongst other things*] ensure that land is allocated or can be made available to meet the full range of the city or town centre's identified needs. The text at 3.236 of RSS says “In areas with weaker economies a successful retail sector is often important to regeneration”.
- 8.2 I set that out in some detail because it is clear from the above and from evidence to the Examination that the successful regeneration and growth of the Town Centre in Southend is critical not only to its retailing future but to its wider economic prospects, for a better alignment of jobs and housing and to help secure the transport and other infrastructure improvements that all participants agreed are also vital.
- 8.3 It is essential that the CS leaves no doubt that the town centre is the priority for any expansion in retailing for regeneration as well as wider sustainability reasons together with safeguards for the District and Local centres for their own functions. It should set sequential preferences and say how proposals not in accordance with that sequence will be considered.
- 8.4 PPS6 no longer distinguishes bulky goods from other comparison goods and urges flexibility as to the format of sales space. The CS is not sound in terms of national policy in giving a separate quantum of additional capacity for bulky goods. The published PCs accept and aim to rectify that. The PCs would also delete reference to the out of centre site at Eastern Avenue/Fossetts Farm as third in the sequential list for location of the identified extra capacity for bulky goods floorspace. The Local Planning Authority recognise however that not all bulky goods retailing is likely to be able to be accommodated in the town centre and would retain such a proviso in the supporting text.

- 8.5 If and when out of centre sites are to be considered, preference should be given to sites that are, or can be well served by a choice of travel modes and which are within 300m of the town centre and have a high likelihood of forming links with the centre. There is a bus link from Fossetts Farm to the town centre and it is at the edge of the built up area but it is about 2km, as the crow flies, from the closest part of the town centre shopping area. Fossetts Farm is also distant from the most deprived areas of the Borough. The permissions for two other large stores in this general location had not been implemented at the time of the Hearings. The existing large supermarket/home store and new DIY store even if supplemented with these other stores would not amount to a new “centre” at Fossetts Farm.
- 8.6 Whilst out of centre sites are not precluded in PPS6 the Eastern Avenue/Fossetts Farm area performs poorly against the above considerations. Its inclusion in the sequence in the submission CS also risks diluting a major thrust of the CS (and Regional policy) to encourage the regeneration of the Town Centre. Given its poor performance I see no merit in specifying it within the sequential preference list in Policy CP2. The latter part of the policy as in the published PCs would ensure the site was fully considered if sequentially preferable sites or buildings were unavailable. The PC to combine all types of comparison goods and delete this general location would make the plan sound in terms of current national and regional policy.

The quanta of comparison and convenience shopping needs

- 8.7 PPS6 is clear that where development is proposed in the Town Centre it will not be necessary to demonstrate need. The quantum for comparison goods will assist where new development is proposed for which, even when a flexible approach to the format of provision is taken, the town centre cannot accommodate it.
- 8.8 From all the evidence submitted and discussed it is clear that the evidence base of the Local Planning Authority’s Retail Study of 2003 (CBRE study) may be questioned on aspects of its methodology and it was only intended to apply to the period to 2016. The CS should be clearer that the study applied to 2016 only. As the Local Planning Authority accepts it needs to be reviewed and the CS should say so.
- 8.9 Aspects of the published PCs rely instead on the Roger Tym and Partners retail analysis work for RSL in response to the SUFC proposals for Fossetts Farm. That study has itself not been subject to public consultation and does not form part of the CS evidence base. SUFC prepared their own retail study based on a new household survey but accept that it does not critically undermine the CBRE findings on floorspace and do not put it forward as a substitute.
- 8.10 It was evident from the discussion of the different reports that variations arise partly because of different assumptions on matters such as floorspace efficiencies and special forms of retailing. It appears to me that it is in the nature of such studies and their interpretation that experts will use slightly different techniques and assumptions. This is not an exact science or art. It is the Local Planning Authority’s evidence base that I am testing for

- robustness and those by other parties are significant to the soundness of the CS only to the extent that they critically undermine its credibility as an evidence base.
- 8.11 At the hearing I was anxious to clarify and narrow the areas of agreement and disagreement between the parties and after some detailed discussion I invited a joint position statement from the parties. The Hearing Paper that I received on 30 July was very helpful. It largely confirms my own view that the CBRE study generally still provides a robust evidence base and it also supports my own views on how the retail policy can be made sound.
- 8.12 It is plain that the Local Planning Authority, RSL and SUFC have narrowed the areas of disagreement, work that has involved their specialist consultants. Some of this will no doubt been helpful to the forthcoming Inquiry regarding SUFC's planning proposals but in the main it also represents a sound way forward for the CS.
- 8.13 One of my conclusions is that the submission CS can be sound only by giving the indicative additional floorspace figures to 2016. Ideally this part of the plan should apply to 2021 but, as the Local Planning Authority now accepts, it would not be a robust approach to roll it forward to 2021 as in the publicised PCs. An updated retail study should be urgently addressed to take account of changes in shopping habits and other changes.
- 8.14 Given that experts are unable to agree on some of the finer points of the considerations and assumptions to be included in assessing future needs and because the 2003 study needs to be reviewed to cover the whole of the plan period it seems right to me that the floorspace guidance should be included in the supporting text rather than the policy itself.
- 8.15 As to the quantum for comparison goods I have no reason to doubt the assumptions used to convert the "out of centre" bulky goods element in the CS into an overall figure of comparison need. The figures are now based on half such retailing being able to be absorbed into the town centre and half elsewhere, including out of centre.
- 8.16 To require a change to divide the comparison floorspace needs into two phases would require particularly convincing evidence. I do not find that to be the case. The tests that would have to be met for out of centre proposals in the latter part of the policy would be sufficient to allow for consideration of impact on the regeneration programme for the Town Centre. I have also carefully considered whether the range should have a lower base figure (21,000 square metres). The wider range is proposed arising from different figures being assumed for the above types of factors. I cannot say whose view is closest for certain. I consider however there is no clearly demonstrated case that the range now advanced by the Local Planning Authority at 24,000 to 28,000 sq. m. (net of commitments at 31 March 2006) for the period 2006 to 2016 is not soundly based. I endorse it.
- 8.17 There was little or no dissent from the convenience goods figure in the CBRE study incorporated in the CS, i.e. 5,000sqm. I find the CBRE report unclear as to whether they took into account the then planned and now completed major extension to Sainsbury's in the town centre. Nor are there figures to say how much of that major extension was convenience

and how much comparison goods. The latter is also true of the recently completed Tesco out of town extension. I do not consider there is clear reason to go against the range now proposed by the Local Planning Authority of 3000 to 3500 sq. m., (net of commitments) for convenience goods for the period 2006 to 2016. I thus support giving the indicative figures for both convenience and comparison goods as net of existing commitments so that the figures relate to 2006 to 2016.

- 8.18 Certain changes to the supporting text are needed and I agree with most of those now proposed. Updated references to RSS are also however needed. The sub paragraphs relating to what the “the Study concluded” should reflect what it said then, with the more up to date numbers given later. It is unnecessarily detailed to give the source of more up to date evidence that has become available. I have redrafted one paragraph as it did not reflect the sequential preference in the Hearing Paper change.
- 8.19 As discussed in relation to the Key Diagram and from the above it will be clear that I do not support the identification of Fossetts Farm PUA in the CS for comparison shopping. Whether SUFC’s Roots Hall site should be identified for housing and convenience goods shopping is a matter for a more detailed Development Plan Document not the Core Strategy. Policy CP2 as I propose it be changed would however provide a sound basis for consideration of either such proposal.

District Centres

- 8.20 Southend is blessed with a wide range of retail opportunities within its quite compact urban form. In addition to the Town Centre and established retail parks, both Westcliff and Leigh on Sea have large numbers of shops and local service uses. Both have a refreshing number of independent and specialist traders and contribute in a major way to local distinctiveness. Recent works in Westcliff have improved the “public realm” there and help counteract the somewhat downmarket appearance of parts of that area. The Council has a balancing act to ensure that the major strengthening of the Town Centre which they and Renaissance Southend Ltd aim for does not weaken the interest and distinctiveness of shops outside the town centre.
- 8.21 The policy as in the PCs would allow for selective renewal and concentration in the District centres without compromising the strategy of encouraging any major new stores to locate in the town centre. Strangely the part of the policy on these two centres in the Hearing change does not refer to shops (which was in the PC), and I assume this is unintended. I have heard or read nothing to support not providing and maintaining a range of shopping there. I have inserted it in the changes set out below. I have also deleted “local” which is firstly redundant if these centres are to serve “the neighbouring communities” and secondly because it could deter small specialist shops that could not afford improved Town Centre rents but which would add to vitality and local distinctiveness of the town as a whole.
- 8.22 In conclusion, the changes needed to this part of the CS to make it sound re tests 4, 7 and 9 are more extensive than for its other policies, mainly arising from change in national policy and limits to the period over which

the Retail Study can be considered robust. Many of the changes have been publicised and subject to further Sustainability Appraisal. The subsequent further changes arising from the Hearing discussion and others I recommend do not raise major new matters on which the public would be prejudiced without further community involvement or where further sustainability appraisal is needed.

9. INFRASTRUCTURE including Planning Obligations: (POLICY CP3 and others); (Matter 4): *Will this policy help ensure that the infrastructure necessary to support regeneration and growth can be provided?*

The relationship of infrastructure to regeneration and growth

- 9.1 There is common recognition, including in the emerging East of England Plan that the successful regeneration and growth of Southend, including the better alignment of local jobs and housing will depend on enhanced public transport and improved accessibility for all road users. Traffic congestion is well documented. Demand management and significant modal shift is recognised as needed. Various road and public transport improvements are planned and some are funded. Policy KP1 rightly opens with “a principal basis for sustainable development in the town, development and investment will be expected to build on and contribute to the effectiveness and integration of the key transport corridors and interchanges”.
- 9.2 Some consider the long hoped for new east-west road corridor in Southend to be the only real solution to congestion because other measures will simply not be sufficient to support the level of jobs and housing growth planned for Southend. There are no public plans or funding for such a new route but it is proposed (along with better surface access to the airport and Shoeburyness) as a benefit that could result from the alternative spatial strategy Green Belt release. In section 5 I set out the substantial objections that outweigh those and other potential benefits.
- 9.3 The Examination in Public into the RSS Draft Revision considered the balance to be struck between the several, often divergent issues raised by, amongst other things growth in Thames Gateway South Essex, cutting carbon emissions, reducing the need to travel, improving accessibility and pressures on public funding. The Secretary of State's Proposed Changes to the Draft Revision to the East of England Plan give no support to such an alternative strategy and I have concluded elsewhere that for the plan period of this CS, at least until RSS is reviewed, that regeneration and growth is rightly to be targeted within the Town Centre/Central Area, other “AAP/SPD” areas and the PUAs. The new route would only be funded with the new spatial strategy that I reject.
- 9.4 As I have identified relating to the Spatial Strategy, Policy ETG4 in the Secretary of State's Proposed Changes to the Draft East of England Plan requires Local Development Documents for Southend on Sea to (amongst other things) upgrade strategic and local passenger transport accessibility, including the development of strategic transport interchanges around existing transport nodes and to improve surface access to London Southend

Airport. Policy ETG6 which replaces TG/SE3 makes no reference to a "precondition" although the subsequent text clearly states that successful regeneration and further growth on the scale planned (in Essex Thames Gateway as a whole) will require substantial improvements to the transport network. As I have said in relation to Policy KP1 and SO9, "precondition" now overstates matters.

- 9.5 It will undoubtedly be a challenge to achieve the improvements needed. Funding for one major approved scheme at a key junction is delayed owing to increased costs but funding is agreed for a detailed transport study to inform and make a business case for several other strategic projects. The business case for SERT, a Thames Gateway South Essex partnership project is expected to be submitted early in 2008. The general thrust of Policy CP3 goes as far as is reasonable and consistent with regional and national policy regarding improvements to transport infrastructure.
- 9.6 As I have endorsed for the Key Diagram, the publicised PC to delete reference to hovercraft services should be made. In the interests of the established commercial and leisure fleet at Leigh on Sea which there is no case made to deter, the CS should remain unchanged with reference to improved access to Leigh Port. The CS caveat re environmental considerations should be retained however. The minor change to add "social transport" to the list at CP3 (2) would be a worthwhile addition.
- 9.7 Significant tidal flood protection work has been done in recent years but there is also residual flood risk in some parts of the area. I am satisfied that the CS is sound in alerting in Policy KP2 to the possible need for sustainable flood risk management in association with development. The provision of and upgrading to meet increased demands on community and recreational infrastructure is addressed under Policies CP6 and CP7. Apart from in relation to developer contributions and minor changes to the supporting text of those policies I do not address the latter policies further.

The role of Planning Obligations

- 9.8 The role of developer contributions in supporting all forms of infrastructure has been one of the more contentious issues arising from the CS. It is clear in national and regional policy (emerging RSS policy SS2) that new development will be expected to help improve the quality of life by making timely provision for the needs of health and social services and education particularly in areas of new development and priority areas for regeneration, as well as to necessary transport, flood protection and other physical infrastructure. It is the case however that new development should not be expected to remedy existing deficiencies or fund social or physical infrastructure where the need does not reasonably relate to the development proposed or meet the other tests in Circular 05/05 Planning Obligations.
- 9.9 The CS in several places implies that such contributions will be a *requirement*. That will in effect be the case where it would be necessary to refuse a proposal without suitable arrangements being in place. However, as the Local Planning Authority has recognised, the CS does not reflect Circular 05/05 in how this is expressed. It is thus unsound in this regard.

- 9.10 The publicised PCs address Policies KP3, CP3, CP6, CP7 and CP8 and some related accompanying text. With those changes all except the relevant part of CP7 would be made sound re Test 4. I have made changes to the latter to aid intelligibility and make clear that Planning Obligations for developer contributions will be sought where they are necessary for the development to proceed, relate to the development proposed and/or will be arrived at by negotiation. A further minor change to aid clarity is needed in the main paragraph of CP6 to qualify “affected” to “adversely affected”.

Other points re contributions to infrastructure:

- 9.11 The successful negotiation, where necessary, of developer contributions on many smaller projects will be time consuming. The Local Planning Authority is well advanced in preparing its Planning Obligations and Vehicle Parking Standards DPD to simplify and facilitate this.
- 9.12 There is undoubtedly sensitive relationship, especially on some brownfield sites between producing a reasonable profit, contributing to a range of necessary physical and social infrastructure and producing a residual land value that will be sufficiently attractive for the land to come to the market and for much needed housing be delivered.
- 9.13 Part of the role of RSL is to broker site assembly and funding packages where “normal channels” are insufficient. On smaller sites the currently robust housing market does not appear to me to be at risk from being asked to help fund reasonably related and necessary facilities. The largest infrastructure projects will require substantial outside funding and seem unlikely to stand or fall as a result of failure of small development schemes to be viable when asked to contribute to other local infrastructure.
- 9.14 It is of course right that much needed development may not proceed if too much is asked of developers or landowners. If developers can demonstrate that a project would not be viable then implementation of the CS would be weakened by an intransigent Local Planning Authority. However, contributions can legitimately be sought where they are needed to compensate loss of or mitigate additional impact on infrastructure of whatever type from a particular development and meet the five tests set out in Circular 05/05. With the changes I propose, I find nothing in the wording of the CS that suggests unreasonable demands would be made.

Some additional points re Policy CP3:

- 9.15 I fully understand the Local Planning Authority’s concern that new development should not run ahead of new infrastructure. However they have accepted in a PC that the housing should not be phased beyond the end of the plan period. The final paragraph of the policy does not reflect the need to achieve a minimum of 6,500 dwellings by the end of the plan period. Its last three lines should be changed to properly reflect this.
- 9.16 A small but important point not picked up in the proposed changes is that “quality” in CP3 1 c needs the qualification “high” to aid clarity. I do not think it is necessary to refer specifically in a CS to the possible requirement for transport assessments and travel plans.

- 9.17 There is inconsistency between “facilitate the use of travel modes other than the private car” at bullet point 3 of Policy KP2 and “minimising the need to travel” at paragraph 3.1. The change to add the latter to point 3 of KP2 would strengthen the “Development Principles” in relation to national policy and meet test 6.
- 9.18 With the above changes I consider the CS would meet tests 4, 6, 7 and 9 and provide a sound basis on which to address the provision of infrastructure and accessibility.

10. HOUSING: POLICY CP8 (Matter 2): *Will the policy help deliver the required minimum number of dwellings in an appropriate mix of sizes and tenures?*

The Supply of Housing

- 10.1 The submission CS was sound in respect of specifying the minimum numbers of dwellings set out for Southend in the Draft Revision to RSS. Having decided to bring the CS in line with the Secretary of State's Proposed Changes to the Draft East of England Plan published in December 2006, the published PCs would substitute and distribute the increase to 6,500 dwellings therein. Changes will also be needed to the figures in the Monitoring and Implementation Framework at the end of Section 10 and at Strategic Objective 6.
- 10.2 All of Southend’s recent new housing has been on Brownfield sites, many of them quite small. Delivery in the period 2001 to 2006 has been well in excess per annum of the average needed to fulfil RSS minimum requirements – almost a third of the 6,500 dwellings in the RSS as proposed to be changed was delivered in the first quarter of the plan period. At 31 March 2006, sites with planning permission or where Planning Obligations are awaited amounted to over 1,900 dwellings or about a 6½ year supply against the residual requirement to meet the revised RSS figure. About another 6 months supply is available from sites where the principle of residential development has been accepted in the past. Even allowing for a small proportion of all these categories not being developed overall delivery appears likely to be very positive against the minimum RSS figures.
- 10.3 Specific allocations will be made in the Town Centre/Central Area and Seafront Area Action Plans. Otherwise in a wholly built up area where, with the exception of at Shoeburyness a high proportion of all redevelopment sites have been small scale it is not unsound to accept that there will be a heavy reliance on unidentified sites. There is no evidence that such sites are beginning to dry up and densities achieved have been high. Having queried whether there was any double counting of intensification sites within the three main geographical areas with those in the “intensification” category I am satisfied that is not the case.
- 10.4 As in many areas of the East and South East of England there are concerns about whether environmental and infrastructure capacity is being approached or exceeded. Avoidance of the former and ensuring that new development contributes where necessary to infrastructure requirements

are rightly safeguarded in CS policy. Should such “intensification” sites become scarcer, the Local Planning Authority and RSL as delivery agency are confident that the Town Centre and Central Area, the Seafront and Shoeburyness will step up a gear as the Action Area Plans for the former two come on stream. That appears a realistic expectation from the evidence I have been given.

- 10.5 For the 1400 dwellings identified for Shoeburyness, the availability of the New Ranges even at the end of the plan period cannot be relied upon, as the Local Planning Authority accepts. At March 2006 over half that number are not built, permitted or identified in the urban capacity study. Delivery has, like the rest of the Borough been running ahead of the required average annual rate but this is to a much lesser extent than in the other defined geographical areas and the “intensification” elsewhere categories. Sales of homes associated with the Garrison development have been slow and at cheaper prices compared to most other parts of the Borough. The area does however have the great assets of large public open spaces and the beaches, easy access to rail and bus services and some established employment areas. The existing built up area in this “far east” of the borough exhibits several social and economic indicators of needing regeneration. More housing here will support the wider objectives of better shops and leisure facilities and the Council and RSL are confident of potential for “intensification” supply there. As I have endorsed re the overall Spatial Strategy every opportunity should be taken to deliver further housing in this part of the Borough. Aiming for at least a further 840 dwellings in Shoebury in the 2006-2021 is very challenging.
- 10.6 I am not wholly persuaded that the residual requirement for Shoeburyness will be achieved without the New Ranges but I am confident that performance elsewhere will be met and very probably substantially exceeded, offering sufficient flexibility as required by test 9 if Shoeburyness does not perform as strongly.
- 10.7 I am therefore satisfied from the technical studies and subsequent evidence produced for me that there will be a five year rolling supply of housing to meet the minimum requirement of 6,500 dwellings to 2021.
- 10.8 The PCs amongst other things would make clear that the overall 6,500 dwellings to 2021 are not phased beyond the plan period of 2021 as required to comply with emerging RSS.

Housing Mix

- 10.9 Between April 2002 and March 2006, 66% and 80% of recent new housing supply has been respectively as 1 and 2 bedroom flats, of which Southend already has a higher proportion than other parts of Essex. That is not unusual in coastal towns. This trend appears likely to continue as further Town Centre and Seafront development comes forward. There is no evidence that the local housing market is saturated with such housing at present though there is some local concern about harm to the quality of the local environment resulting. Policy CP4 aims to safeguard the latter. The mix should be kept under review but I see no serious problem with what is likely to ensue.

- 10.10 There appears to be plenty of nominal capacity in the Town Centre/Central area but it is not known whether the market appetite will remain as strong for flats into the future. Should housing production struggle because of the lack of sites for more conventional family housing that should be addressed when the CS is reviewed. The CS does not wholly set its face against minor amendments to Green Belt boundaries should there be the necessary very compelling considerations that would clearly outweigh the presumption against inappropriate development. I do not find this CS unsound on likely housing mix considerations.

Affordable housing

- 10.11 The Borough’s Housing Needs Report (and its update) shows a substantial need for more affordable housing and there is clearly a significant need for Key Worker housing also as identified in the Key Worker Study. Whilst house prices are lower than in many parts of Essex, they are well above that readily affordable by many first time buyers. The Barker review highlighted the pressing need for more affordable housing; it was identified as a priority in the Prime Minister’s first public statement on 27 June 2007 and now in the Housing Green Paper.
- 10.12 The evidence base convinces me that there is a need for a lower threshold than the national indicative minimum of 15 dwellings and that 10 dwellings is appropriate as the usual minimum against which a formal proportionate contribution should be set out in the CS.
- 10.13 Because over half of housing completions in the 2001 to 2006 period were on sites below the Borough Local Plan threshold of 25 units there has been a very low delivery of affordable housing to date (6%) and if extant planning permissions are included this would rise only to 7%.
- 10.14 The Monitoring and Implementation Framework table for housing gives 30% as the overall target for affordable housing. The Borough Council accept that delivery of affordable housing under the provisions of Policy CP8 of the CS would probably achieve at best less than half the 35% target proportion of affordable housing for the region as a whole set out in Policy H3 of the Secretary of State’s Proposed Changes to the Draft Revision RSS.
- 10.15 A third of dwellings coming forward in Southend have been in the 1-9 size range, i.e. below the threshold of 10 at which the Policy C8 expectations/negotiated proportions of affordable housing would begin. Only 5% of recent development has been in the 10-14 dwelling range. Given the scale of need in the area the prospect of a site of 24 dwellings yielding only 2 affordable or key worker units seems much too unambitious to address this serious issue. Yet that is what paragraph 3a of both the submission CS and the PC implies. A site of 10 dwellings would also be expected to provide at least 2 units or 20% which is the same proportion sought for proposals of 25 to 49 dwellings (or 1ha or more). This lacks clarity or apparent logic and is also defective because “require” in the submission CS is contrary to national guidance. It would also be clearer to express the upper area threshold as 1.99ha to avoid ambiguity on whether a site of 2ha fell within the 20% or 30% threshold. These appear to me minor changes that I can require.

- 10.16 The PC more accurately reflects Circular 5/2005 in referring to “negotiations” for affordable housing. As a basis for that negotiation, it would be much clearer to express a simple “not less than 20%” for 10-49 dwellings (from 0.3ha up to 1.99ha sites) and that would make this part of the policy sound. In practical terms, bearing in mind the preponderance of <10 dwelling sites amongst those coming forward and the historically low number of dwellings from sites of 10-14 dwellings this would imply only a modest increase in the proportion of social rented and intermediate housing likely to be provided compared to the submission CS. However it would be a step in the right direction and be much more logical and clear.
- 10.17 It is of course right that the overall need is to deliver a minimum 6,500 dwellings and that unswerving insistence on providing for affordable housing in adverse market circumstances could prejudice that. The buoyant housing market of the last few years has however been delivering well above the annualised minimum rate to meet the RSS minimum. That may not continue indefinitely but under current conditions it seems unlikely to me that seeking the above proportions of affordable housing would hold back development that would otherwise proceed. Delivery of affordable housing through private development is the clear expectation of national and regional policy and there is no indication of that changing. Affordable housing will thus remain a factor in arriving at the residual price paid for land or in the profitability of a development.
- 10.18 The uncertainty in the CS about how and when the Borough Council will decide when to seek more than the above percentage is addressed in the PC and should be included.
- 10.19 The reference in the parenthesised section referring to sites of less than 10 dwellings or where it is not possible to cater for affordable housing on site implies that a contribution to affordable housing will be *required* rather than negotiated. That does not comply with national policy and the latter is clear that off-site provision needs special justification. The method of collecting contributions for off site provision is yet to be decided in the Planning Obligations and Vehicle Parking Standards DPD and it is thus premature to refer to “by way of a tariff and/or commuted sum”. That phrase should be deleted and “exceptionally” should be inserted between “where” and “it”.
- 10.20 I heard of other initiatives underway by the Borough Council as Housing Authority aimed at improving the area’s high proportion (15.5%) of private rented stock, where a third of the homes are below Decent Homes standard. It appears that a high proportion of the housing need established in the evidence base studies arises from people in unsuitable private rented accommodation and some of that unsuitability will be due to its condition. The improvements to that stock that other parts of the Borough Council are addressing will also go some way to reducing housing need. A robust approach to seeking on-site affordable housing or exceptionally by financial contributions to off site provision is however also essential.
- 10.21 The CS does not distinguish between the elements of “subsidised housing” in its definition of affordable housing in the Glossary and it includes low

cost market housing within affordable housing. In neither of those respects does it comply with PPS3. There was no evidence before me that low cost market housing has played any substantial role in meeting housing need in the Borough and officers made it clear that the aim has been and remains to provide social rented and intermediate housing for the most needy as well as key workers through this part of Policy CP8. What the CS calls Key Worker provision will fall within intermediate housing or social rented in the PPS3 nomenclature. This is an area where the CS as submitted or as in the PCs would not wholly comply with PPS3 but it is plain that the general thrust is working to the same goals. I was invited to regard the targets in policy CP8 as now applying to the new overall definition of affordable housing (including key worker housing) and to change the definition of affordable housing in the glossary to delete the reference to low cost market housing. I agree.

- 10.22 There is no PC to update the affordable housing target from 30% of housing supply by 2021 in the Draft Revision to the 35% in the Secretary of States Proposed Changes. Elsewhere I have supported the principle of the CS reflecting the Secretary of State's Changes. The larger schemes in the town centre may make this target closer to achievement at the end of the plan period but there is no evidence base to support the higher target being viable. It would be unrealistic to amend it.
- 10.23 The likely achievement of improved amounts of affordable housing is one of the attractions of the Green Belt release alternative Spatial Strategy. The other disadvantages of the latter however heavily outweigh it as a way forward for Southend.
- 10.24 It is the case that Section 10 of the CS does not clearly identify possible risks to housing delivery and what measures could be taken to overcome them. It does weaken the CS but the AMR monitors a wide range of housing indicators and would flag up serious problems with delivery. The CS has not had the benefit of a Housing Market Assessment, it does not set target numbers for intermediate or social rented homes and in some other respects it does not meet the detailed requirements of PPS3. It does however comply with its general thrust and would facilitate delivery of regional policy.
- 10.25 With the PCs and further changes I have described the policy can be made sound and meet tests 4, 7 and 9.

11. IMPLEMENTATION, MONITORING AND MANAGEMENT: POLICY CP9 (Matter 7): *Will this policy allow progress on the delivery of the CS to be recorded and adjusted as necessary?*

- 11.1 The Local Planning Authority has accepted in advancing the relevant PCs that the CS is deficient in the extent to which it answers questions such as who, how and when regarding the delivery, monitoring and management of the CS, especially regarding improvements to transport, flood defences and other necessary physical and social infrastructure. Neither does it set out identifiable risks to delivery on those matters.
- 11.2 The PCs to supplement the CS table after Policy CP9 with other tables, to include matters addressed under Policies KP1 (regarding flood defences) CP3 (Transport and Accessibility), CP6 (Community Infrastructure) and CP7 (Sport, Recreation and Green Space) would greatly assist in clarifying these types of questions. Columns in each table would identify the project, delivery authority, scheme description, related plan or strategy, dependencies, the degree of commitment/priority, funding/timing, risks and possible contingencies. Additional text to paragraph 11.5 would explain these tables and also refer to the monitoring of housing and jobs against indicators and targets as an integral part of the Southend Annual Monitoring Report, again adding necessary clarification.
- 11.3 I have referred in relation to Policy CP1 to the difficulties in accurately monitoring trends in jobs, which is not confined to Southend. If the Borough’s approach in using IDBR data is regarded as problematic then this is likely to be identified as such by DCLG. I find no reason to think it will undermine the Borough’s ability to judge how it is performing regarding the 13,000 net new jobs targets.
- 11.4 Monitoring of housing delivery, as shown in the AMRs is well developed including a housing trajectory. In addition to the records therein I also heard about work underway by the Borough’s Housing staff to achieve improvement of private rental stock where Decent Homes standard deficiencies are concentrated. The Borough Council may consider that a record of progress on same is worthy of inclusion in future AMRs.
- 11.5 The Policies CP1 and CP9 Framework tables together with AMR and the changes I support will put the Borough Council in an adequate position to respond to poor performance on the delivery of the CS in general and jobs and housing in particular.
- 11.6 With the PCs I have recommended (to Policy KP3 - a new point 5 and addition of new paragraphs 1.10 and 2.15 and amendment to Table 1) under “Omissions to the CS”, the CS would make the necessary more detailed reference to Renaissance Southend as the Urban Regeneration Company charged with delivering regeneration in the town.
- 11.7 Emerging from the Hearing session the Local Planning Authority invites me to recommend some other minor changes to give additional clarity about the monitoring and review process. The soundness of the CS will be assisted by the much clearer and updated version of paragraph 11.8 regarding the Review process for the CS.

- 11.8 The need to maintain an appropriate balance between housing growth and increased local jobs and improved infrastructure has been central to considerations throughout the Examination. As RSL was often at pains to point out, regeneration is not only a function of jobs and improved accessibility. The lift to the vibrancy of the town centre that may result from intensification there of suitable leisure, entertainment, education and other service uses will in addition to any new jobs aid wider regeneration and new housing can itself lift the image of the town. The CS does not contain a specific means to monitor and assess those impacts but that can be achieved through monitoring of the relevant Area Action Plan, together with the use of the additional tables in this section of the CS.
- 11.9 I have said above that the PC to Policy CP8 is needed to clarify that the phasing of the 6500 dwellings will not be extended beyond the plan period to ensure compliance with emerging RSS. Whilst the provision of many more local jobs and improved infrastructure are essential objectives of the CS I have also concluded elsewhere that "precondition" implies too rigid approach where emerging RSS now seeks only a better alignment. These changes will help ensure that there is not excessive emphasis on holding back housing growth if new infrastructure and the targeted increase in local jobs do not fully keep pace. I have concluded that the latter parts of Policy CP1 and CP8 need changing on this matter but on balance I have concluded that point 3 of CP9 as in the CS would remain sound on the above considerations.
- 11.10 With the above changes the Local Planning Authority will be able to tell whether the CS is delivering regeneration and growth in a sustainable manner and will be able to make the necessary adjustments. The CS would then meet Tests 8 and 9.

12. RENEWABLES AND SUSTAINABLE CONSTRUCTION (Matter 6): *Will the CS ensure these matters are adequately addressed in new development?*

- 12.1 Key Policy 2 Development Principles contains within its sub paragraph 11[a] the requirement for all development proposals "to demonstrate how they will maximise the use of renewable and recycled energy, water and other resources".
- 12.2 Supplementary Planning Document 1 Southend on Sea Townscape and Design Guide was adopted in June 2006 (in advance of any Development Plan Document). It contains 4 paragraphs on "Renewable Power Generation" and appendix 4 setting out options for same.
- 12.3 National policy in PPS22 as amplified by a Ministerial statement of June 2006 is that all planning authorities should include policies in their development plans which require a percentage of energy in new developments to come from renewables. A more challenging percentage than the 10% for on-site renewable energy now required in several plans should be set where feasible. The Secretary of State's Proposed Changes to the Draft Revision to the East of England Plan has similar aims for on-site and/or decentralised renewables.

- 12.4 I understand the Local Planning Authority’s view that they have not established an evidence base for what in the local context would be a feasible percentage. This and the wider issue of working towards carbon neutral and ultimately carbon positive development is indeed highly complex.
- 12.5 Where national policy is plain that 10% is not challenging enough however, the need for a local evidence base to justify that figure as a minimum is not compelling. I consider that the CS would not be sound in terms of national policy without a minimum target. I was not told of any particular local constraint that would argue for a local exception and it may be that the generally southerly aspect of the Borough with land rising slowly from the seafront would favour a higher percentage. Undoubtedly there may be some developments where scheme economics would not support incorporation of on-site renewables or where off site renewable generation may be more efficient. However it is for the CS to set a clear lead with the onus set on developers to show why they cannot or in the interests of carbon efficiency should not provide for on-site renewable energy.
- 12.6 Sub paragraph 11 of KP2 is a long and detailed section of the policy with 5 further subordinate paragraphs. The requirement to maximise use of renewables is somehow lost amongst other matters that include within sub-paragraph [a] ease of collection of renewable and recycled resources. The latter is an important design consideration but should be separated out from energy needs.
- 12.7 At the end of KP2 11[a] is the statement that specific criteria and requirements will be set out in subsequent more detailed DPDs. None of those listed in the LDS appear likely to do this and SPD 1 has already been issued and does not set out such a percentage.
- 12.8 “Maximise” in KP2 is not clear and national policy is plain. The principle in KP2 needs strengthening by including a minimum percentage and separating out into a separate sentence the collection of reusable and recyclable materials.
- 12.9 On sustainable construction, it is for the Building Regulations to set minimum standards for such matters and planning policies should not replicate those. Conventional construction methods were agreed as now at or very close to the limit of current technologies. The Code for Sustainable Homes will form the basis for future development of the Building Regulations on these matters.
- 12.10 Existing national policy states that Local Planning Authorities should promote energy efficiency in new homes. I am mindful that house builders consider they are being asked to fund an increasing range of things beyond what they may consider their core activities. Where those fully and fairly relate to the development proposed those are legitimate expectations. The direction of travel of government policy is clear and whilst the Code for Sustainable Homes is voluntary at present, it is essential that the CS leaves no doubt on this as a wider planning aim.
- 12.11 National policy on Climate Change is still emerging but it is clear that it will include consideration of how the location, siting and design of new

development can help reduce carbon emissions. The header of sub paragraph 11 (“include appropriate measures in design, layout, operation and materials”) and “a reduction in the use of resources including” at [a] would provide a suitable context, together with national policy to ensure that the reduction of carbon emissions is considered in new development. Section 3 of SPD 1 is also helpful on these wider considerations.

- 12.12 With the change in the Annex below I am satisfied that Policy KP2 will provide a sound strategic basis on these matters.
- 12.13 Policy CP4 (3) needs to be strengthened to “ensure” rather than “promote” design solutions that maximise the use of sustainable and renewable resources in construction and energy conservation. That is consistent with the “secure” used in Strategic Objective 15. It is for a subsequent LDD (or revision to SPD 1) to set a more ambitious target than a minimum 10% on renewable energy.
- 12.14 I see no conflict between SO15 and advice in Circular 05/05 Planning Obligations. Bearing in mind the Strategic Objectives are not intended to be in order of significance there is no need to advance SO15 up the list.
- 12.15 With the above changes the CS would provide a strategic basis for future development on these matters that is sound re test 4.

13. OTHER MATTERS

- 13.1 I do not intend to cover all the other topics raised in representations but there are some where changes are needed. There are also publicised PCs that I must address.
- 13.2 There are criticisms of Policy KP2 that it is too detailed and reads like a “general development control considerations” policy rather than a broad strategy. Many relevant policies of the Local Plan are saved but policy KP2 will offer helpful up to date guidance on Development Principles in advance of the Criteria Based Policies and Allocations DPD and other DPDs.
- 13.3 Some representors seek greater detail in the CS. It is for later DPDs to flesh out the strategy. My general view is that the supporting text of the CS is more detailed than necessary but not to the extent that it is unsound. The policies are also quite lengthy but with the changes I propose are soundly based.
- 13.4 One representor asks for a criteria-based policy to address a prison proposal. This is likely to be a rare proposal and if a specific policy is held to be needed for it, the Site Allocations and Criteria Based Policies DPD will be the place to do it. Meantime, Policy KP2 provides sufficient guidance.
- 13.5 A number of PCs relate to Policy CP6. Most are matters of amplification and would improve the CS. One aims to bring the “developer contribution” clause in line with Circular 5/05 but does not entirely succeed. I have changed it accordingly to add “would be adversely affected” in its second line. Amplification of the facilities where qualitative improvements would be sought in Policy CP7 would better reflect national policy. To aid cross

referencing incidental alteration from numerals to letters in Policy CP7 should be made as proposed.

- 13.6 Arising from representations not discussed at the hearings or elsewhere in my report, I support the PCs to address the following matters:
An addition to the Key Characteristics Table 1 to enumerate the number of Sites and Scheduled Ancient Monuments on the County Record;
Amend and update Table 2 regarding progress on the East of England Plan;
In bullet point 5 of Minerals Policy CP5 insert “and recycled” and amend the related core indicator target to “increase in production/capacity”;
To reverse the order of the last two sentences in Policy CP7 to aid clarity.
- 13.7 I am aware of no evidence base on casinos. If a large casino is proposed in Southend it should be assessed on its merits, not excluded by policy as in the PC. The existing wording at paragraph 4 of Policy CP1 is quite adequately defined for a strategic document in referring to “high quality”.

OVERALL CONCLUSIONS ON THE SOUNDNESS OF THE CORE STRATEGY

- 14.1 I have found the CS to be deficient in some regards in relation to the tests of soundness set out at paragraph 4.24 of Planning Policy Guidance 12, but these are not so great that they cannot be rectified by amendments to wording, to deliver the regeneration and growth that are so important to the future of Southend on Sea, bring it into line with national and emerging regional policy and to give it greater clarity. The publicised Proposed Changes mostly provide the basis for those changes and there are a small number of other changes I consider necessary. Those latter do not raise new matters and would not require further Sustainability Appraisal or further Community Involvement. With those changes the CS will then be fit for purpose in providing the strategic context for the Borough’s detailed Area Action Plans and other Development Plan Documents.

FORMAL RECOMMENDATION

- 15.1 Subject to the schedule of changes set out in the Annex below being made, I determine that the Southend on Sea Core Strategy Development Plan Document, submitted to the Secretary of State on 31 August 2006, satisfies the requirements of s.20(5)(a) of the Planning and Compulsory Purchase Act 2004 and the associated Regulations, is sound in the context of s.20(5)(b) and meets the test of soundness in PPS12 (paragraph 4.24). I therefore recommend that the Core Strategy be adopted under the provisions of s.23 of the 2004 Act.

Daphne Mair

INSPECTOR