

WRITTEN SUBMISSION IN SUPPORT OF PREVIOUS REPRESENTATION

BRANTHAM REGENERATION AREA (MAIN MOD 25)

ALASTAIR McCRAW SEPT 2013

I believe that the inclusion of the 'Proviso D land' is neither necessary nor justified.

If the Core Strategy is to be considered sound it must meet the test of being likely to achieve its objectives. In respect of the Brantham Area these are stated as achieving a successful redevelopment/regeneration. The policy CS6a, in all its versions, states that that this is designed to achieve a balanced form of mixed use development to provide employment, an *appropriate* (my italics) level of housing and community facilities etc. BDC reject the 'Do Nothing' option, but this should not embrace the 'Do Something....Anything' option unless the policy has a demonstrable chance of success. This has not been demonstrated.

1. Despite not having been privy to any of the viability testing, it is still possible to make some observations on whether any development will be as mixed as described or implied. In some part viability can be measured and informed by a local population with long standing and direct experience of the issues and location.

Firstly this is a rather a remote site, the very historical reason for the original factory development. It is poorly served by both local and trunk roads. The A137 is a pretty poor sort of A class highway, winding with multiple choke points between Ipswich & Colchester. Access to dual carriageway is by a B road through East Bergholt to the A12, some 7 miles to the A14 at Whersted or a similar distance by minor roads to the A120. Secondly rentals at the proposed site are likely to be on the high side due to relatively higher costs involved with the site. Given that there are, and will be, a considerable number of other more attractive available locations for any prospective tenant to consider where all costs will be lower, I think the factory site is extremely unlikely to deliver the expected levels of occupation or employment. To underscore this, at the moment I believe tenants are actually leaving the site. The danger must be that this will end up as almost entirely a housing development, completely at odds with the strategic aim.

2. The obvious constraints have been covered in other submissions, but it is clear that Factory Lane would have to be widened. As existing properties front almost directly onto the road at Cattawade there must be consequences to residents, which I believe have not been discussed in public. I also doubt that that the sewage plant was built with enough spare capacity to accommodate an extra 600 houses. Improvements to the A137 are only given a cursory treatment by SCC in their statement ignoring the bottlenecks at each end of the village and Whersted. Any improvements would doubtless be very expensive and likely to create a period of chaos. As the Manningtree Railway crossing is dealt with by Essex CC & Railtrack, this seems to leave some key issues unexamined.

3. Policy CS2 proposed 1050 houses to be expected in the 10 Core & 43 Hinterland Villages during the period of the Strategy to allow for rural growth over many years. This site clearly does *not* fall into the category of this rural growth, a figure which equates to 19 houses/village by 2031.

4. Further Policy CS2 makes provision for 2,500 houses to be allocated to 4 categories. 2.7.1 explaining the table states that, due to scale and timing, home delivery for the Brantham site has NOT been factored in and should be treated as a housing 'windfall'. Since the Policy already

includes a 'windfall' figure of 1640 houses, it appears Brantham figures were never considered to be guaranteed. Although some delivery of homes was likely it was not necessary for the overall Strategy. It is unclear whether any Brantham housing would be included in the figure of 1640.

5. I think it plainly obvious that 600 houses being added to a housing stock of some 1040 within Brantham cannot be considered proportionate. Likewise, our facilities are 'relatively few....for the size of the population'. This has been covered in detail elsewhere. This is the difficulty with the, very late, 'bolt-on' of Option D. The implications and likely outcome of this Option are directly at odds with general principles described elsewhere within the strategy and specifically Option C, directly above it. The addition of Option D makes the Strategy incoherent and self contradictory. Although these likely outcomes are not directly stated (an issue in itself!) they can be demonstrated from other evidence within the Core Strategy Library. Specifically these are Docs. L18, J03, J04 & J05 which collectively describe these implications being considered at a very early stage.

6. The St Francis Group have in their hands an area equal to or larger than the entire existing village envelope. This should carry with it a degree of responsibility. The separate purchase of the Greenfield land of Proviso D was made some years ago and it is fairly apparent that this was in reaction to the discovery that the Brownfield site was in worse condition than anticipated. There are parts of the Brownfield Site which are capable of profitable development. The two strips north of Factory Lane come to mind here, as does much of the western end of the Factory site. It has been simply a great deal more profitable to push for the much easier Greenfield development. SFG, working in partnership with their associated company Demolition Services (Midlands) Ltd, describe themselves as Specialists in Remediation of Distressed Industrial sites. If they are unable to achieve profitable remediation, their speciality, why should Greenfield land outside a village envelope be sacrificed to provide additional profits? It seems likely that with a Greenfield strategy firmly in the minds of SFG they may have got somewhat fixed in their thinking.

7. The criteria for both Core & Hinterland villages in general and Branthams status as a Hinterland Village are clearly stated throughout the various iterations of the Core Strategy. Simply Brantham doesn't have the full range of services of a Core Village. It doesn't have a variety of other villages travelling to it for such services (as a hub). Rather Brantham itself uses such services in East Bergholt and Manningtree. It may be that at some point in the future the village gains these services. There is provision for a future review in that event. Until we do, we remain an under-served Hinterland Village.

8. Prior to the inclusion of Proviso D, the CS stated that 'a specific phasing period' was not considered appropriate. This may have made sense when just considering the brownfield land, but remained unchanged when the Proviso was added. In the unwelcome event of any Proviso D development, the 'brown' & 'green' must be clearly linked and phased. Otherwise the CS fails in its function to achieve regeneration and Brantham could be left with just the housing. Employment generation should be an early priority and some results should be apparent before the Greenfield land is touched. Subsequent phasing should be subject to discussion between Babergh, SFG & Brantham Parish Council.

9. Not only has the Public Consultation and engagement been poorly handled, until this year (after pressure from BPC), but the history of Proviso D itself is instructive. This was presented at a BPC meeting on Sept 4th, 2013 in a Q&A session with BDC. BDC advised me that they believe this to

be a matter for the Inspector. I believe it to be a matter for both BDC and the Inspector, but on their advice I present it here.

HISTORY OF POLICY CS6a & Option D (Greenfield Development) & OVERSIGHT OF SAME.

The main issue, and its implications concerning Brantham PC & the Village as a whole is the inclusion of Option D within the Main Mods to the Core Strategy. Simply 600 houses on top of 1050 is not viable or sustainable. My concern is in the history of Option D itself and how much examination it has received from the elected councillors of BDC.

Back in June, 2012 (Report M39/ 120614/120619) the Babergh DC Strategy Committee considered a report that stressed the use of Brownfield land over Greenfield. That report became the basis of the Core Strategy.

In September, 2012 a Consultation Statement (Report M100 & CS Library E12) stated that flexibility was needed to enable viability. The nature of that 'flexibility' was not stated in any of the documents of that time.

In October that report (M100) along with the previous Core Strategy (M39) was considered by first the Strategy Committee (121018) & then Full Council (121030).

Committee sent 5 recommendations to Council.

Recommendation 2 suggested that 2006 Local Plan village boundaries should be retained unchanged, BUT that new policy CS6 (Us!) provided for greater flexibility beyond these for **Identified Villages**. I can't find Brantham identified as such.

Recommendation 5 was sent forward, despite reservations of some members. This delegated authority to the Corporate Manager-Spatial Planning Policy to discuss, propose or agree in principle (in response to the Inspector) such changes as were necessary during the examination hearing. The Corporate Manager confirmed that members would be kept informed of progress and that **'in the unlikely event of MAJOR CHANGES being required,** there would be appropriate Member involvement.

Those recommendations were accepted and passed as Resolutions by Full Council on 30 October, 2012. No mention of discussion appears in the minutes (121030).

That was the last recorded meeting of either the Strategy Committee or Full Council on the matter of the Core Strategy. There has been no visible democratic oversight since. It went for Inspectors Examination.

The first mention of Option D, Greenfield development occurs in a Statement of Response to Matters Raised by the Inspector. A Statement of Common Ground (BDC 9b) between BDC and the land owners St Francis Group (SFG) amends Policy CS6a to include the possibility of the Greenfield development. *If this is granted SFG will withdraw their objections to the Plan.* This is reflected in the SFG Statement (SFG 9b) stressing Flexibility.

The idea of Greenfield development has not been stated on the public record until this time and is presented as though the financial viability question has only just come to light.

The Inspector at the 11th March, 2013 Examination then, quite correctly, rules that Option D is a **Major Modification** and further Consultation will be necessary.

In Late March SFG provide Further Evidence on Deliverability & Viability of Site Development (**Doc L18** in CS Library). This lays out a possible plan including 600 total houses, circa 320 on the Option D agricultural land. There is also the offer of Public Open Space, albeit next to a sewage works and an AOSNB where you couldn't build anyway. The area south of the railway line is to be a Natural Ecological Area, but full of concrete, tarmac and a bit of pollution.

And we're almost at the point of thinking that this is a response to changing economic circumstances. Policy CS6a is amended in the Main Mods document, complete with contradictory language from previous versions of the Core Strategy, and presented Post Examination.

The Core Strategy Library, however, shows **Document J03**, an Environmental Impact Survey carried out on behalf of SFG by Landscape Partnerships. This uses identical terminology as L18 (dated late March 2013) complete with maps that match in every detail. The survey began as a desktop exercise in Jan 2010, with fieldwork from March, 2010 to September, 2010. It's signed off by Landscape Partnership on 1st October, 2010. Instruction for this survey must have dated from late 2009 or thereabouts. Plainly this was not a NEW idea.

- Additionally Docs J04 & J05 (Appendices) dated August 2010, a report from PRC Architectural & Planning gives considerable detail of the plans for the same area. An interesting point is the Name of the Clients on the illustrations of the Appendices.
- These are Rivercove Ltd (Rivercove are, or were, an Isle of Man trust company purchased off the shelf for the purpose of the Site Purchase and development.) This trust links to a further trust (the Patrick James Kelly Settlement Trust). The beneficiaries of that are family members who are Directors, and in control, of St Francis Group and DSM Demolition Ltd.
- The other client is Babergh District Council.

Some questions arise:

A Major Change to the Core Strategy was added at a very late stage.

Should the Council have been aware? Some reservations were expressed.

Was there sufficient oversight and accountability/transparency?

Should they have been made aware? Was recorded feed back given to members as promised by the Corporate Manager.

How could the General Public and this Parish Council, the 'main stakeholders' have been aware of any such intention given the way the process has been handled?

By the time the Inspectors report is sent to Committee and then Council, more than a year will have passed. What sort of democratic process is that?

Plainly there was foreknowledge of the potential for Proviso D.

Modification 25 contains all the references to Proviso D. This Proviso and all references to it are Unsound. The sheer quantity of housing is not sustainable by a village of this size. A smaller number of houses on the Brownfield site would still represent a huge increase, 280 houses being a gain of 25%. This might, just, be sustainable although it is far in excess of what would be considered a proportionate figure.

In order to be viable, a considerable, and expensive, amount of improvement would need to be made to village streets, the A137, all village services, sewage, water and other facilities. Given that this would potentially involve, BDC, SCC, Tendring DC, Essex CC, Anglian Water, Railtrack & a long list of others, all facing budgetary constraints, I cannot see the necessary works being carried out.

A further viability question arises over upkeep of the proposed Open Area & 'Ecological Area'. No explanation has been offered as to how long term funding will or won't be supplied.

I also have concerns over whether the process has been entirely correct in all ways and whether this affects the soundness of this part of the Core Strategy.

Proviso D, and all references to it, should be removed completely from the Core Strategy.

Alastair McCraw, Brantham Parish Councillor

September 2013.

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