

BABERGH LOCAL PLAN – CORE STRATEGY EXAMINATION

Main Modification 25 – Policy CS6A (Session to be held 25th September 2013)

Introduction

This statement sets out the response on behalf of the St. Francis Group in relation to the specific questions raised by the Inspector following the Examination in relation to Policy CS6A.

The key consideration in the regeneration of the Brantham Industrial Estate is the need for enabling development to ensure economic development objectives are met. There are no sources of public funding available to provide for regeneration and therefore there is a need for residential development to cross subsidise regeneration of the industrial estate.

Main Modification 25 and revisions to Policy CS6 will ensure the viability and deliverability of the Regeneration Area.

This statement has been prepared jointly by St Francis Group and Boyer Planning.

Inspector's Questions

1.0 Q1. *To what extent is inclusion of the Proviso D land now supported by evidence?*

1.1 To respond to this question an understanding of the following points needs to be clear:

- *the current condition of the industrial estate site;*
- *the economic aims for the industrial estate;*
- *the costs to achieve these aims; and*
- *the funding required to cover the costs.*

1.3 The entire site comprises an area of about 59 ha of which 38 ha sit within Flood Zone 3. The main site was formerly used for the manufacture of Plastics, cellulose mixing Pvc –Pu sheets, polymer coatings dating back to the late 1800s.

1.4 It has, as noted above, considerable historical contamination from the processes used which included the use of nitro cellulose-and has over the last 20-30 years plus suffered from and continues to suffer from vandalism and serious theft. Lack of investment in infrastructure over the greater part of the site has resulted in substandard buildings with concrete hardstandings to the majority as well as old machine pits, bases and tanks. The storm drainage infrastructure relied on a pumped clearance system on the peninsular which due to continuous vandalism and eventual theft of the master pump itself created major issues with storm water and pollution. Foul drainage was originally dealt with by an internal sewage farm which is no longer in operation.

1.5 It is against this backdrop that meetings commenced with Babergh DC in May 2009 to discuss the way forward. From this point on the focus has been on how to achieve the regeneration at a time when confidence and funding from any source was non-existent thus creating the need to cross fund and enable from within the St Francis land ownership.

1.6 The aim for the site had been laid out in Policy EM06 and in the Brantham Industrial Area Position Statement adopted in mid 2008. Whilst this noted the constraints that were evident, it acknowledged that investigations would be required to gain a clearer understanding as to what types and mix of development could viably be accommodated and delivered, the aims set out were as follows:

- *Retention and enhancement of existing employment uses and creation of new employment opportunities*
- *Creation of new employment land/floorspace*
- *Creation of public open space*

- *Enhancement of pedestrian and cyclist links and,*
- *Provision of appropriate level and type of residential development (as necessary to deliver other land uses and benefits) and community facilities.*

1.7 In order to deal with the above aims, the relevant works necessary to deal with the constraints on site as a minimum were costed:

- *Section 278 Highways /cycleway upgrade works from A137 to Factory Lane as well as improvements to A37/B1352 and A137/B1070 roundabouts* £385,000
- *Foul Pumping station, Rising Main and Storm storage and outfalls* £336,000
- *Contamination remediation and treatment to base site* £1,120,000
- *Demolition , Asbestos removal Hardstanding lift /Crush* £2,838,000
- *Utility and overhead power changes and reinforcement* £1,332,000
- *Peninsular clearance, stabilisation, landscaping* £380,000
- *On Site Roads and New Drainage to service individual Commercial Parcels* £928,000

Total £ 7,319,000

1.8 The above created the need to fund a base cost of £ 7,319,000 of enabling works. In the absence of the original enabling funding streams such as English Partnerships/ HCA and EEDA, various sources of external funding were explored by Babergh DC and Haven Gateway , including Growing Places Funding, TiF funding and also latterly the Rural Growth Fund none of which were forthcoming. It was concluded that the only source of funding would be the use of residential land values to cross subsidise the identified costs of achieving the aims for regeneration. The introduction of an appropriate level of housing was already envisaged in Policy EM06.

1.9 The impact of this however was that in introducing residential uses onto the brownfield land triggered an uplift in base costs due to the nature of the constraints, predominantly that of flood defence, as well as a secondary access. Such costs are as follows:

- Contamination remediation and treatment to base site increased (due to residential element thresholds being higher than commercial thresholds)by £480,000
- Second access relating to dry safe means of access/egress in Flood Zone 3 primarily £978,000
- Flood Risk Works, second defence, protected realigned main access £3,612,165
- Additional ground stabilisation and piling £500,000 to residential elements
- A saving on the onsite commercial infrastructure due to the residential infrastructure circa taking the infrastructure down to £300,000

1.10 The result of these additions and omissions is therefore as follows:

- Section 278 Highways /cycleway upgrade works from A137 to Factory Lane as well improvements to A37/B1352 and A137/B1070 roundabouts £385,000
- Foul Pumping station, Rising Main and Storm storage and outfalls £336,000
- Contamination remediation and treatment to base site £1,600,000
- Ground Stabilisation/Piling £500,000
- Demolition , Asbestos removal/ Hardstanding lift /Screen and Crush £2,838,000
- Utility and overhead power changes and reinforcement £2,050,000
- Second access relating to dry safe means of access/egress in Flood Zone 3 primarily £978,000
- Peninsular clearance, stabilisation, landscaping £380,000
- Flood Risk Works, second defence, protected realigned access £3,612,165
- On Site Roads and New Drainage to service individual Commercial Parcels £300,000

Total £ 12 ,979,165

1.11 It became apparent following modelling of residential quantum and assessment of the land available on the brownfield industrial estate land that the quantum of residential land revenue that needed to be generated in order to deal with simply the cost element above, setting aside operational cost, (funding, land , legals and return on Capital) was more than the land available on the brownland This land could only accommodate circa 270 -280 dwellings without conflicting with the commercial activities in place.

1.12 St Francis examined several scenarios including the following:

- Employment only (Plan 1);
- 100 dwellings on the industrial estate; and
- 100 dwellings together with third party land on the industrial estate.
- 270 dwellings on brownfield with employment (Plan 2).

1.13 As a consequence St Francis Group assessed the wider asset and identified a part of the adjoining greenfield land that would work practically and from an urban design perspective as well as being free of any additional cost constraints and an area that already contained the second access proposal.

1.14 A range of other scenarios were then examined which included the adjoining greenfield land and costs and revenue were identified and in discussion with Atlas and the District Council the range of scenarios was reduced to three for closer analysis as follows:

- 320 dwellings on adjoining greenfield land only with regeneration on the industrial estate (Plan 3);
- 465 dwellings on greenfield land and part of the industrial estate (Plan 3a); and
- 590 dwellings spread across the greenfield land and the industrial estate (Plan 4).

1.15 The results of the latter scenario was set out in the St Francis Group's previous submission to the examination dated 27th July 2013. An over view of five of the scenarios is set out in Core Document L32.

1.16 St Francis are now in the process of assessing the Section 106 and Navigus conclusions thus refining the costs and the alternative scenarios, focusing on the 320, 465 and 590 dwellings with a maximum of 320 dwellings on the greenfield Proviso D land. The outcome of this work will depend on the final negotiations as to Section 106 matters and affordable housing which is currently under review at present.

1.17 It is clear from the costings and process outlined above that in answer to the Inspectors Questions 1 and 6, **the evidence of the costs of dealing with the constraints alone clearly supports the need for the inclusion of the Proviso D land and also shows that all reasonable alternative options have been thoroughly explored.**

2.0 Q2. Are there any known constraints affecting Proviso D Land.

2.1 In response to this specific question we can confirm that there are no known constraints affecting the Proviso D land that have not been addressed.

2.2 In relation to access this is possible from Factory Lane and also from the proposed secondary access to the north east corner of the Proviso D land onto Brooklands Road. This is agreed in principle with the County Highway Authority. Further traffic modelling has been carried out and is currently being assessed by the County Highway Authority. Highways /cycleway upgrade works from A137 to Factory Lane as well as improvements to A137/B1352 and A137/B1070 roundabouts have been identified and allowed for in the costings tabled as well as a contribution for enhanced bus services to Manningtree rail station, although this relates to the whole scheme not just the Proviso D land.

2.3 Storm and Foul Drainage schematic design (CORE DOC JO6) and water supply have been assessed and both Anglian Water and the Environment Agency (CORE DOC J10) are agreed to the principles laid out in the strategy.

2.4 Full Stage 1 and Stage 2 Ecological Assessments have been carried out on the whole ownership (CORE DOC JO3) and identified no matters that are unable to be dealt with under good practice. The Report was carried out in late 2010 and the Stage 2 assessments are currently being updated in season.

2.5 There are no other known constraints that impact on the development of the Proviso D land that cannot be accommodated within the overall design.

3.0 Q3. Should development be included within the table of housing developments?

3.1 Modification 25 and new Policy CS6A provides a clear objective to achieve regeneration of the Brantham Industrial Estate and to make provision for adjoining greenfield land (Proviso D land) to come forward to enable such regeneration.

3.2 The evidence from the viability assessments undertaken to date advise that in order to achieve the regeneration objectives, and to include significant areas of public open space and new employment floor space, will require a maximum of about 600 dwellings. The technical evidence base and the viability assessments clearly show that regeneration, enabled by housing development on the Proviso D land, is deliverable within the plan period and the outstanding matter, which is subject to public engagement, is the amount of housing having regard to matters arising from Section 106 contributions.

3.3 We would agree with the local planning authority that, as there is no precise figure as to the number of dwellings that may be delivered at Brantham, for purposes of Policy CS2 and the table relating to number and distribution of new homes it should be excluded. However for completeness

it might be appropriate to include explanatory note that follows the table. We would suggest the following wording:

“Proposals for the regeneration of the Brantham Industrial Area, together with adjoining land, has been the subject of investigation to establish a viable and deliverable scheme of development that achieves economic enhancement as well as additional community facilities enabled by housing development. The viability assessments undertaken to date indicate that housing development both through redevelopment of the existing industrial area together with adjoining land would require a maximum of 600 dwellings. This will represent a windfall development opportunity that will assist the local authority in maintaining a flexible and deliverable 5 year housing land supply during the course of the plan period.”

4.0 Q4. Housing Figure for Core and Hinterland Villages

4.1 We would agree with the local planning authority that the Core and Hinterland Villages figure of 1,050 should remain within the housing supply table. It is important to provide balanced growth throughout the District and the provision of housing development associated with the villages would form an important part of a balanced approach to growth.

4.2 The Core Strategy needs to provide clear policy guidance to assist the preparation of the Site Allocations document and to provide certainty for the amount of housing that should be distributed between the Core and Hinterland villages. In the same way as the response to Question 3 above, we would agree with the local planning authority that housing development arising on the Brantham Regeneration Area should be considered as windfall development.

5.0 Q5. Scale of Development Proportionate to the Existing Settlement

5.1 The 2011 Census Parish population is stated as 2,566 with a total number of dwellings of 1,086.

In terms of numerical growth, provision of up to a maximum of 600 dwellings could be said to be disproportionate. However, the delivery of housing development would be phased in relation to the further provision of employment facilities and community facilities to support growth within the village.

5.2 The amount of development proposed on the Proviso D land in itself is proportionate both in terms of numerical increase in the number of dwellings (i.e. max of 320 dwellings) and in terms of the size of the physical development relative to the remainder of the village. The Proviso D land is well contained by existing built development on three sides and would not expand the village in a disproportionate manner.

5.3 Housing development on the industrial area represents redevelopment of brownfield land consistent with national policy objectives. Taken together with the Proviso D land it will be released in a phased manner commensurate with the provision of employment and community facilities.

5.4 The overall development of the Brantham Industrial area taken together with the Proviso D land will be undertaken in a way that assimilates with the existing village and the phased release of housing will ensure that commensurate improvement in existing community facilities can also be delivered and will themselves provide benefits to the existing community.

6.0 Q6. Loss of Open Countryside

6.1 We rely on our response in relation to Q1 above.

7.0 Q7. Is it appropriate that Brantham remains a Hinterland Village?

7.1 The delivery of regeneration enabled by housing development within the Brantham Regeneration Area is not dependent on the status of Brantham village as a Core or Hinterland Village. Our original representations in response to the Core Strategy indicated that Brantham may be defined as a Core Village and that remains our position.

7.2 Our reasons for this are that it functions as a Core Village because it provides, even in its current form, an important employment area serving the rural area. It is also provides a range of facilities that are relied upon by other rural villages.

7.3 It is our view that having regard to its existing facilities and relationship to surrounding rural area that Brantham should be defined as a Core Village.

8.0 Q8. Phasing of housing with Employment Development

8.1 St Francis Group have extensive experience of bringing forward regeneration of brownfield land. An example of their approach may be found on a site in Kidderminster where similar issues to that of Brantham were addressed. The planning permission and relevant example conditions are included within Core Document L33.

8.2 It is of course not unusual to attach conditions and include clauses within planning agreements to ensure that enabling development delivers regeneration benefits and community facilities in a manner that is phased with such development.

Q9. Extent of Public Consultation

9.1 The Core Strategy is intended to provide high level Policy framework to guide growth within the District and against which site allocations development can be made and planning applications determined with regard to the Core Strategy and other material considerations.

9.2 St Francis Group have always been clear that the principles of development at Brantham need to be based on technical evidence as well as analysis of viability to establish the amount of enabling development required to deliver key regeneration objectives. The consultation stages of the Core Strategy and its evolution to now form Modification 25 have followed required Regulations and representations have been received from the Parish Councils within the area and also other groups. This will be considered at the Examination.

9.3 Depending on the Inspector's report and progress of the Core Strategy it will be St Francis Group's continued intention to fully engage with the local community and work with the local authority on all matters relating to the development. In that regard the local authority have produced a Draft Community Engagement plan, which will form the basis of such community engagement.

Boyer Planning / St. Francis Group

September 2013