

**ADDENDUM
TO
PROOF OF EVIDENCE OF DR WENDY LE-LAS
CD76 / PPA1**

I consider it more fruitful to follow up certain points in the light of the discussions during the first week of this inquiry, rather than just read out the Summary contained in my original proof, CD76/PPA1.

1. With regard to CD 28, Housing Topic Paper No.2, the PPA would take issue with the phrase “*the principle of residential development has been established*”¹. It has not. Thus far, in terms of actual usage of the Ganges site, it has been in the hands of public bodies for institutional uses, and, as such was fairly self-contained. Yes, people have lived on site but *not* in private residences. The implications of the latter are very different and therefore it is not a foregone conclusion that such residential “*development will occur during the local plan period*”.

2. With regard to Appendix 2², the PPA disagree with the title “*Housing Commitments at April 2004*”. This is grossly misleading because the site has never been allocated for housing in any local plan, either extant or emerging³, and it is contrary to the definition provided on p.15, cited above which begins “sites on which there is no current planning consent”. When preparing my original proof, CD76/PPA1, I discussed the allocation of 325 houses with the officer who compiled Appendix 2. He said that it was acknowledged within Babergh DC that the 404 units were unlikely to materialise and as the application for 325 units had been tabled, it was a more probable option. This table is dated April 2004. The actual application for the 325 units did not go before the Development Committee⁴ until June 2005⁵. The PPA’s position is that there is no such thing as a “*Deemed commitment*”: sites are either committed or not: in this case not. It should not be in the same table as “Housing Commitments”.

3. At best there is outline consent for 404 retirement units first obtained in 1986 and then renewed in 1997. No reserve matters have been ever approved, nor are they likely to be because the footprint of the proposed development would interfere with the remains of the fort. Haylink have cited this proposal as their fall-back position should the current application be refused. This would be a very different housing mix⁶ from that proposed⁷ and have far less impact on the surrounding area in terms of traffic. However the PPA

¹ P.15, para 3.

² P.22

³ CD23 & CD24

⁴ Development Control Committee

⁵ CD87

⁶ CD2 para.5.11

⁷ CD72, para.4.44. The current application has four and five bedroomed homes as opposed to 391 one, two and three bed flats and 13 bungalows.

would question the practicality of this suggestion given that, in CD2, ES 2003, the applicant has stated:

...at an early stage in the research and preparation of the Master Plan proposals it became clear that in *planning and market terms, this no longer represented the most appropriate response to the regeneration of this site.*⁸

(emphasis added)

Haylink know that, should they submit an application in the future for the site proposed in 1997, it would be likely to be refused because of the newly discovered archaeological remains of the fort..

4. At the local plan inquiry the Inspector's mandate is to investigate *objections* to the plan. There were no objections to Ganges because the site did not appear on the Proposals Map - the obvious place to look - and there was no consultation on Housing Topic Paper 2 because it was a mere background paper to the Local Plan. Therefore it is highly likely that the Inspector did not question the inclusion of Ganges in the list. Unfortunately this had the effect of under estimating the total numbers of housing units to be sought by BDC during the local plan process.

5. However, with regard to the current inquiry, it is apparent that Haylink has chosen to stop the Marina houses being built whilst the future of Ganges is undecided because they control the access. Therefore Babergh DC could be short of 475 houses because the Local Plan Inspector was misled. The deficit amounts to 6.78% of the local plan total. Either this shortfall is so serious that the Local Plan Inquiry ought to be re-opened to enable other sites to come forward with which the Ganges site would compete, or the matter is so insignificant as to be left for other sites to emerge in due course. GO EAST is likely to adopt the latter course. It is important to note that neither option gives preference to the Haylink proposal. It has to be reviewed on its merits in terms of current government policy.

6. The Call-in letter from the Secretary of State⁹ requires information with regard to the conformity of the proposal to PPG3 in terms of sustainability. When Mr Cooper was leading Mr Derbyshire through evidence in chief, the figure of £3.9m in s.106 agreements was often mentioned. The PPA would not be so uncharitable as to think he was trying to *buy* planning permission, although, in their opinion, even that amount is inadequate.. However this sum of money is itself a measure of the extent to which the site is unsustainable because much of that money would be deployed in overcoming transport and other difficulties so that any future occupants could gain access to local services. Yes, there is supposed to be the public transport option but if public transport remains unused then s.106 agreements to this effect can be revoked after 5 years with the agreement of Babergh DC. As was said last week no one can *make* people use the buses.

⁸ Para.5.16

⁹ 25th July 2005, para.4

7. The amount of employment floorspace to be provided is the same for 325 and 500 houses which is curious. It makes the PPA wonder if they are viable for 325 houses. Either way it is unlikely that all 30 or so, of the new jobs in the B1 facilities will be taken by the new residents. The lack of demand for new commercial premises is in itself evidence of the unsustainability of the site. Detailed comment on employment has been supplied by Mr Steel in his Addendum.

8 Haylink, with admirable candour, have admitted that their real objective is the construction of 500 houses on this site. Under cross-examination it was admitted that this could be done by intensification. However, a development of 500 houses would compound the deleterious consequences of the development in terms of traffic and pressure on public services, as set out by other PPA witnesses. The current application is just “*a sprat to catch a mackerel*”.

9. To return to the Call-in letter, paragraph 4:

- The Ganges site is not included in the extant or emerging local plans;
- In the view of the PPA the Inspector was misled with regard to the suitability of Ganges for residential use.
- Given the “Deemed consent” the sequential approach was not adopted for Ganges. In any case Ganges is not previously used land within an urban area¹⁰, as was repeatedly stated by the County council last week.
- The token employment provision and the £3.9m required in s.106 agreements is itself a measure of the unsustainability of this site.

10. When the sustainability of the site was questioned by the Inspector, given that it would be designated as open countryside were it not for its history, the reply from Mr Derbyshire was that the proposal would facilitate the conservation of the historic structures of site. Whilst this might be the case, it is clearly not the *only* way of achieving this objective. Other applications could achieve this in totally different ways. If BDC compiled a development brief, as is usually done for sites like Ganges, then the upkeep of historic structures and public access would be some of the objectives. More important however, the brief would take into account the current infrastructure problems of the whole of the Peninsula, the potential effects of permissions granted but not yet built¹¹ and the needs of the Shotley villages, as set out in the Shotley Parish Plan¹². The people of the Shotley Peninsula want this previously developed site to be re-used but they would like to work with Babergh DC, and all the other stakeholders involved, and come up with options which would realise the true potential of the site without imposing deleterious consequences on the surrounding community.

¹⁰ CD36, para. 30

¹¹ CD76/PPA1, Map 1

¹² Ibid. Appendix 1