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Dear

### **'WATERMARK' PROPOSAL, KENTFORD/RED LODGE**

Thank you for your email and attached letter dated 1<sup>st</sup> April about the 'Watermark' proposal.

The only definitive statement I can make about the Watermark proposal is that it is being promoted by private development interests, but is not proposed in the East of England Plan. In the rest of this letter I will outline what the East of England Plan does propose, and how the future procedures could affect the consideration of the Watermark proposal.

The East of England Plan is a draft 'regional spatial strategy', i.e. a plan for the whole of the six county areas that make up the East of England region. It recommends a development strategy for the region for the period 2001-2021. It gives a broad strategic framework to guide more detailed planning at local level (via 'Local Development Frameworks' (LDF), to be prepared by district councils) and does not propose specific schemes or sites, except for strategic transport improvements, and strategies for areas where it is necessary to consider major planning issues across two or more council areas. Elsewhere, the plan approaches the major issue of housing development only by means of recommending housing requirements for district council areas. For Forest Heath district, the Plan recommends provision of 6,400 dwellings for 2001-2021. [Policy H1, page 125.]

The Watermark proposal has been known to EERA for some time, but was not explicitly mentioned or proposed in the Plan principally because regional spatial strategies must not be site-specific, indicating instead only broad areas for development. We took the view that specific development areas should only be defined in a limited range of circumstances, for example:

- 1 Where there is a need to affirm the need for a major scheme already proposed in an existing development plan (e.g. the 'Northstowe' new settlement north-west of Cambridge);
- 2 Where the scale of development could exceed approximately 5,000 dwellings (e.g. North Weald, in Essex);
- 3 Where major development could straddle district/county boundaries.

By these measures, although Watermark could be a large development and locally significant, it is below the threshold set for a specific reference, and EERA has not directly considered the merits of the proposal.

To guide district councils in identifying sites below this threshold size, the draft East of England Plan sets a 'sequential approach' for the location of development. The Plan requires all councils to locate as much as possible of new development within existing urban areas, by means of development of 'previously used land', i.e. existing built-up land within towns. At regional level, at least 60% of development is required to come from this source. If further development is needed over and above this capacity, the Plan requires that 'sustainable urban extensions' be considered next, i.e. developments on the edge of a town, large enough to provide a full range of public services and infrastructure, employment, etc. Only when both these sources have been fully investigated and used does the Plan allow for development in 'sustainable transport corridors' (i.e. transport routes with good public transport as well as road access) or new settlements of a sustainable size (i.e. large enough to provide a full range of infrastructure).

Turning to the future process, the East of England Plan was published for public consultation from 8 December 2004 to 16 March 2005, and we are now analysing the public comments. The next step is for an 'Examination in Public' ('EIP' – a form of public hearing) to be held, to consider the draft East of England Plan. This will be organised by an Independent Panel who will prepare a list of policy issues to be debated, and invite a range of people and organisations to take part in it, representing a broad spectrum of views supporting, opposing, and advising on the content of the Plan. The EIP is due to start on 14<sup>th</sup> September 2005, and will probably run until the end of November. It will be held at Ely Maltings, Cambridgeshire. We have not yet been able to isolate comments relating to the Watermark proposal, so I cannot comment on any representations that may have been made either opposing or supporting it, or any comments made by Forest Heath DC. However, as a general observation I can speculate that, if there have been significant comments made about the proposal, it could be selected by the Panel as a matter for consideration at the EIP.

The key question in your letter is **"If there is a move to try and protect this area as part of the Country's heritage, are we be likely to have any support from the Regional Assembly"**. It is difficult to answer this question directly at this time, but you will see that EERA would seek to explain the approach to policy outlined in my earlier comments, and would wish to make sure that the Panel considered most carefully whether it would be justified to make specific reference to Watermark in the final form of the Plan, and more importantly, if it could satisfy all the tests set out in the Plan for location and provision of adequate infrastructure.

After the EIP, the Panel will publish a 'Panel Report' making recommendations to the Government on the draft Plan, i.e. recommending changes to the Plan. We expect this to be published during Spring 2006. If the Panel had decided that Watermark should be discussed at the EIP, it follows that their report might make some comments on the proposal, though at this stage it is impossible to speculate on what they might say about it.

Following this stage the Government will prepare 'Proposed Changes' to the Plan and publish them for public consultation. This will probably occur in mid/late 2006. If, for the sake of argument, the Panel recommended that Watermark should be included in the Plan, and the Government agreed with this recommendation, the Proposed Changes consultation would enable you and other people concerned about the scheme to object to the proposed change. The Government would have to consider all such public comments and ensure that they were properly addressed. Only after satisfying these requirements could the Government proceed to publish the final East of England Plan, probably late in 2006.

If, on the other hand, the Panel made no comments on Watermark, or did not recommend that it be included in the East of England Plan, there is still one more means by which it might be considered. If Forest Heath District Council considered that the scheme should be supported and wished to propose it in their LDF, they could do so, but would need to demonstrate that it conforms to the sequential approach embodied in the East of England Plan, and could provide a full range of public infrastructure. The LDF would itself be subject to full public consultation and objection processes before it could be approved.

I apologise for the length and complexity of this reply, and for the degree to which I have had to hedge some of my advice, but trust that you will appreciate that the consideration of the draft East of England Plan is at a very formative stage, and that my comments on Watermark are, of necessity, speculative. I hope, however, that you find this advice helpful.

If you do not have a copy of the draft East of England Plan, it is accessible via EERA's website at <http://www.eera.gov.uk/category.asp?cat=452>.

Yours sincerely,

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cc Cllr Sue Sida-Lockett