

North Essex Authorities

Matter 8: The proposed new garden communities – specific matters (policies SP8, SP9 & SP10)

The Tendring Colchester Borders proposed garden community (policy SP8)

21) What evidence is there to demonstrate that the Tendring / Colchester Borders proposed garden community is capable of delivering a total of 7,000 to 9,000 dwellings?

8.21.1 The Garden Communities Concept Feasibility Study (EB/008) undertook an analysis of the constraints and opportunities of the areas of search for the proposed garden communities. Volume 3 of this document EB/008 4/4 includes three potential development options for the Tendring/Colchester Borders Garden Community which had indicative housing capacities of between 6,611 homes and 11,409 homes at 30 dwellings per hectare.

8.21.2 Further, more detailed work has then been undertaken by the North Essex Authorities in the Concept Framework for Tendring/Colchester borders (EB/027). This includes an option of 8,000 homes within the area of search.

8.21.3 A Statement of Common Ground is being prepared between the Councils and the main promoter, Mersea Homes and this will confirm that all parties agree the proposed Garden Community is capable of delivering between 7,000 and 9,000 new dwellings.

22) Should policy SP8 refer to the need for a dual-carriageway link between the A120 and A133?

8.22.1 Policy SP8 (D. Transportation, Point 9) refers to the following:

- Primary vehicular access to the site will be provided via the A120 and A133.

The policy, as worded provides the necessary principles and requirements in the design, development and delivery of the garden community to enable the Strategic Growth Development Plan Document (DPD) for the Tendring Colchester Borders Garden Community to be progressed, and hence it is considered premature to specifically reference a 'dual carriageway' link in policy SP8.

8.22.2 The University of Essex in its representations, which were in the main very supportive of Garden Communities (S1.010/6162 and 6164), suggested that development of a link between the A120 and A133 should be made explicit within the plan.

8.22.3 The North Essex Garden Communities Access and Movement Study (EB/014) identified a number of potential policy interventions for the Tendring

Colchester Borders Garden Community based on the ethos of internalising journeys and encouraging active and sustainable modes of travel, along with a menu of potential highway interventions. The range of interventions in the study were based on a number of assumptions regarding development quantum (North Essex Garden Communities Feasibility Study EB008 1/4, 2/4, 3/4 and 4/4); trip rates; journey purpose; internalisation; trip distribution; mode of transport; and trip assignment.

- 8.22.4 The study identified a range of potential interventions, including highway interventions, which included an A120-A133 link road. The study recommended that the link road is initially provided as a single carriageway but with an additional carriageway grassed over outside of the junctions. Such an approach future proofs its capacity, but manages it in such a way that it does not over-encourage the use of cars, and neither does it allow the full capacity to be 'swallowed up' early in the Local Plan period. This will help cater for construction traffic, road access to development outlets and provide some relief to the A133 into Colchester associated with traffic from the University of Essex, Wivenhoe and Brightlingsea ultimately destined for or originating from locations accessed via the A12 or A120.
- 8.22.5 The provision of a second lane in each direction for the link road would then take place on the meeting of defined trigger points. The delay of providing this extra capacity will have encouraged the use of active modes and rapid transit alternatives as the default for a full range of internal and external journeys to the hinterland of the Garden Community.
- 8.22.6 In light of the above and the representation from the University of Essex, the NEA would wish the Inspector to recommend the following modification to policy SP8:

Add to end of D.9 Transportation –

Primary vehicular access to the site will be provided off the A120 and A133. Further road improvements will be designed as part of the masterplanning process to address both local needs and strategic movements between the A120 and A133.

23) Is it appropriate for policy SP8 to require provision of a country park along the Salary Brook valley incorporating Churn Wood?

- 8.23.1 The proposed country park is an integral part of the proposed Garden Community. It will serve a role in place making and act as a buffer between the new community and existing development. It will be multi-functional and will form part of the valuable open space serving both the new community and existing residents.
- 8.23.2 The inclusion of Salary Brook within a much larger country park has been an aspiration of the local community from the outset. The inclusion of Churn Wood allows a management plan to be put in place, which will ensure the

wood is properly protected and enhanced, ensuring that the principles contained in the North Essex Garden Communities Charter (EB/007) are met.

24) Should Salary Brook also be designated as a Local Nature Reserve?

- 8.24.1 17.1 hectares of Salary Brook are already designated as a Local Nature Reserve (LNR). It was designated in agreement with Natural England (then English Nature) in 1991.
- 8.24.2 Most of the land is owned by Colchester Borough Council (CBC). Recently Essex Ecological Services (EECOS), were commissioned by CBC to prepare a management plan for Salary Brook. This plan has reached draft stage and is due for completion in early 2018. During the preparation of the draft Salary Brook Management Plan, a discrepancy was noted between the area of Salary Brook that CBC believed was designated as an LNR and the area shown on MAGIC [interactive map showing natural environment designations (<http://www.magic.gov.uk/>)]. CBC will work with Natural England to resolve this discrepancy and to clarify the correct LNR boundary in early 2018 once the management plan is finished.
- 8.24.3 Salary Brook contains a diverse range of habitats including wetlands, broadleaf woodlands, scrub, old floodplain grassland, reed beds and amenity grassland. These diverse mosaic habitats support a number of protected species.
- 8.24.4 The Salary Brook river valley corridor constitutes an important urban wildlife area, allowing for a variety of informal countryside recreational pursuits close to a large urban population.
- 8.24.5 The Salary Brook Management Plan, once completed, will ensure that the more vulnerable species and habitats that characterise Salary Brook can be properly conserved and managed as part of a larger Country Park, which will meet the recreational needs of new residents from Colchester and the Tending Colchester Borders Garden Community.

The Colchester Braintree Borders proposed garden community (policy SP9)

25) What evidence is there to demonstrate that the Colchester / Braintree Borders proposed garden community is capable of delivering a total of 15,000 to 24,000 dwellings?

- 8.25.1 The Garden Communities Concept Feasibility Study (EB/008) undertook an analysis of the constraints and opportunities of the areas of search for the proposed garden communities. Volume 3 of this document EB/008 4/4 includes four potential development options for the Colchester Braintree Borders Garden Community which had indicative housing capacities of between 13,105 homes and 27,841 homes at 30 dwellings per hectare.

- 8.25.2 Further, more detailed work has then been undertaken by the North Essex Authorities in the Concept Framework for Colchester Braintree Borders (EB/026). This includes an option of 24,000 homes within the area of search. NEA are preparing statements of common ground with the landowners / option holders for the two largest parcels of land.
- 8.25.3 A Statement of Common Ground is being prepared between NEA and Icen Projects on behalf of Gateway 120, Cirrus and L&Q (S1 110/7119 and 7120) to confirm that land within their control can deliver around 16,000 homes.
- 8.25.4 A further Statement of Common Ground is being prepared between NEA and the second largest landowner/option holder, Crest Nicholson Operations Ltd; R F West Ltd & Livelands, represented by Andrew Martin Associates. This will confirm that all parties agree that land within their control can deliver almost 5000 new homes.
- 8.25.5 The North Essex Authorities therefore consider that there is appropriate evidence to demonstrate that the proposed Garden Community can deliver between 15,000 and 24,000 new homes.

26) Why were those figures increased from the earlier figures of 15,000 to 20,000 dwellings which appeared in the Preferred Options plans (June 2016)?

- 8.26.1 The Draft Local Plan 2016, policy SP9, set out that the Colchester Braintree Borders Garden Community would deliver an overall total of between 15,000 and 20,000 homes. This figure was based on the work undertaken in the Garden Communities Concept Feasibility Study (EB/008); in particular volume 3 shows four options for how the site could be planned. The range of 15,000 to 20,000 encompassed the two mid-range options in this document and was therefore considered to be an appropriate range at this stage.
- 8.26.2 Between the production of the Preferred Options (Draft Plan) in 2016 and the Submission Local Plan in 2017, further work was undertaken on assessing the development capacity of the site, this work culminated in the Concept Framework which was published in October 2017 (EB/026). This includes an option which accommodates 24,000 homes within the area of search. The North Essex Authorities therefore agreed that it would be appropriate to expand the range of potential homes provided for in the policy from 15,000 to 20,000 to 15,000 to 24,000. This range will be refined following further masterplanning work by the NEA which will include more detailed assessments of the constraints and opportunities within the area of search, including but not limited to the as yet undetermined routes of the A12 and A120. This work will be carried out as part of the Development Plan Document.

27) Will policy SP9 ensure that there are appropriate landscape buffers between the proposed garden community and nearby settlements?

8.27.1 Policy SP9 commits Braintree District Council and Colchester Borough Council to complete a subsequent site specific Development Plan Document for this garden community, which will include the detailed masterplanning of the site. This will need to respect the requirements of SP9 and show the disposition and quantity of future land uses and landscape parameters. This would include identifying where buffers will be provided between the garden communities and existing settlements.

8.27.2 The principle of providing buffers is set out in the strategic plan within policy SP9 point 1. The final paragraph states that “*Clear separation will be maintained between the new garden community and the nearby settlements of Coggeshall, Stanway, Easthorpe and Feering.*” Also, point 20 states “*Landscape buffers between the site and Coggeshall, Feering, Stanway and Easthorpe.*” Points 20 and 21 go on to include provision of buffers to other important assets in the vicinity relating to transport infrastructure and heritage and biodiversity assets.

8.27.3 Together these policy requirements ensure that the required buffers between the Garden Community and the nearby settlements, which will be defined by masterplanning, are contained with the site specific Development Plan Document.

28) Should policy SP9 give clearer guidance about the intended relationship between Marks Tey and Little Tey and the proposed garden community?

8.28.1 In point A1 of SP9 the policy makes clear that; “*the design of the new community...maximise the opportunities afforded through integration with the existing community of Marks Tey...*”

8.28.2 Later on the policy also states that there will be clear separation between the new community and other existing settlements, which does not include Marks Tey or Little Tey. Clearly, given the scale and location of the proposed Garden Community the relationship between the Garden Community and Marks Tey and Little Tey will be very different to the relationship of the Garden Community with the surrounding villages. As the policy states this relationship should be framed around integration rather than separation. It is therefore considered that the overall principle of the relationship between Marks Tey, Little Tey and the new community is broadly established within policy SP9 and that the detail of that relationship will be developed as part of the Development Plan Document.

29) Should paragraph B3 of the policy include reference to starter homes, for consistency with policies SP8 and SP10?

8.29.1. The North Essex Authorities confirm that B3 of policy SP9 should read as:

"A mix of housing types and tenures, including self and custom-build and ~~affordable housing~~ starter homes, will be provided on site..."

8.29.2 This will ensure consistency with the same section in policies SP8 and SP10.

The West of Braintree proposed garden community (policy SP10)

30) What evidence is there to demonstrate that the West of Braintree proposed garden community is capable of delivering a total of 7,000 to 10,000 dwellings?

8.30.1 The Concept Framework for the West of Braintree Garden Community (EB/012) has taken into account the constraints and opportunities identified for the site which were set out within the North Essex Garden Communities Feasibility Study volumes 1, 2 and 3 (EB008 1/4, 2/4, 3/4 and 4/4) and has produced three potential options for how the garden community could develop on land within Braintree District. The three options for development within that document have an indicative housing capacity of 9,000 homes, 7,900 homes and 9,300 homes. The 7,000 to 10,000 range contained in policy SP10 is therefore used to accommodate the options within the Concept Framework, whilst allowing for some flexibility at either end of the scale.

8.30.2 The 7,000 to 10,000 range will be refined following further masterplanning work by the NEA, which will include more detailed assessments of the constraints and opportunities within the area of search, including but not limited to the implications of minerals extraction at Broadfield Farm and the future use of Andrewsfield. This work will be carried out as part of the preparation of the West of Braintree Garden Community Development Plan Document.

8.30.3 The evidence base makes it clear that development of this scale is feasible and this is affirmed through the response (S1195/505) made to the Submission Local Plan by Andrewsfield New Settlement Consortium who represent the major land owners on the land within Braintree District.

31) Why were those figures reduced from the earlier figures of 10,000 to 13,000 dwellings which appeared in the Preferred Options plan (June 2016)?

8.31.1 Policy SP10 West of Braintree Garden Community of the Draft Local Plan in

June 2016 proposed that the site could deliver between 10,000 and 13,000 new homes. This was based on the work undertaken in the North Essex Garden Communities Feasibility Study of which Volume 3 Concept Options and Evaluation (EB008 4/4). This included two development options for the West of Braintree Garden Community. The options were developed noting the constraints that had already been identified and the commitments in the Garden Communities Charter (EB/007). The two options considered that with an average density of 30 dwellings per hectare they could include between 9,655 and 12,949 new homes. As such this was the range that was included within the 2016 Local Plan with the maximum end of the range including land within Uttlesford District.

8.31.2 Further work was undertaken on the potential of the Garden Community at West Braintree between the 2016 Draft Local Plan and 2017 Submission Local Plan and this included the production of the West of Braintree Concept Framework (EB/012), which undertook a more detailed analysis of the potential developable area and capacity of the site, in line with the Garden Communities Charter Principles set out in EB/007. The three options for development within that document only related to land within Braintree District and had an indicative housing capacity of 9,000 homes, 7,900 homes and 9,300 homes. The 7,000 to 10,000 range contained in policy SP10 is therefore used to accommodate the options within the Concept Framework, whilst allowing for some flexibility at either end of the scale.

8.31.3 The 2017 Local Plan SP10 policy wording was also amended as the Councils thought it was appropriate that whilst the potential for the site to go beyond the District border was referenced in the document, the Local Plan only relates to land within Braintree, Tendring and Colchester and so the total range of number of homes was specified as 7,000 to 10,000 (to be consistent with the ranges set out within document EB/012).

32) Should the West of Braintree proposed garden community be extended to include adjacent land in the Uttlesford District Council area?

8.32.1 The shared strategic Section 1 of the Local Plan (SDBDC/001) does not include Uttlesford District Council, due to differences in timing of the production of the Local Plans and the fact that the local authorities are in separate housing market areas. As such policy SP10 only relates to land within the Braintree District. However, supporting text in paragraph 8.12 notes the discussions and co-operation with Uttlesford District Council as it progresses with its own Local Plan.

8.32.2 Work to assess the entirety of the site within Braintree District and Uttlesford District Council areas was contained within the North Essex Garden Communities Feasibility Study and two potential options for this site were contained within the Volume 3 Concept Options and Evaluation (EB008 4/4 Pages 65 – 73). This included options with and without land in Uttlesford District.

- 8.32.3 Uttlesford produced a regulation 18 consultation Local Plan in the summer of 2017. The spatial strategy for that Plan included an extension of the West of Braintree Garden Community into Uttlesford, which is specifically detailed in policy SP8 – West of Braintree Garden Community on page 38 of the document. Uttlesford will be producing a regulation 19 Local Plan for consultation and submission in the early part of 2018.
- 8.32.4 Nothing in Policy SP10 prevents the new garden community embracing development within Uttlesford and this will be explored as part of the future Development Plan Document process if Local Plan progress within Uttlesford District allows it.

33) If so, what arrangements have been made for joint working between Braintree and Uttlesford District Councils to deliver the proposed garden community?

- 8.33.1 Braintree District Council and Uttlesford District Council have developed a strong working relationship as the consideration of the opportunity for a new Garden Community at West of Braintree has progressed. This relationship is set out in more detail on pages 7–9 of the Braintree District Duty to Co-operate Statement (SDBDC/005).
- 8.33.2 This is also reflected in the North Essex authorities' Statement of Common Ground with Uttlesford District Council (SCG011). This includes information on work which has been undertaken to date, including the preparation of a joint consultation exercise on the initial planning of the Garden Community and how work will progress if it is approved within the respective authorities' Local Plans.
- 8.33.3 If the proposed Garden Community is allocated in both Local Plans, then the local authorities involved are committed to developing a scheme which will be 'boundary blind'. This means that the settlement would be developed as a single cohesive community with the uses on the site placed where they are the most appropriate, not because of which side of a local authority boundary they fall in. An Issues and Options DPD (EB/036) has been produced jointly by both authorities and is currently the subject of a consultation period from the 13th November 2017 to the 22nd January 2018. This work has been accompanied by joint consultation events and communication.

34) What are the implications of any requirement for prior mineral extraction on the timescale for development at the West of Braintree proposed garden community?

- 8.34.1 Part of the West of Braintree proposed Garden Community is located within a Minerals Safeguarding Area as defined by the Essex Minerals Local Plan 2014 (MLP).(EB/037). A Minerals Resource Assessment (MRA) is required

to be undertaken to be compliant with Policy S8 – Safeguarding mineral resources and mineral reserves, of the MLP. Essex County Council as the Mineral Planning Authority (MPA) requires a MRA as early as practicable in order to inform a decision on whether prior extraction is required prior to the delivery of the Garden Community, or part of. This will be considered by the MPA in light of the requirement to avoid needless sterilisation as set out in NPPF (para 143). However, there is no presumption that the MPA will request that mineral resources, shown to be economically viable, should be extracted prior to the other non-mineral development. There may be other environmental or amenity constraints associated with the site, which reduce the practicality of extraction on-site. Phased prior extraction can ensure that indigenous mineral deposits can be used for the construction of the new development, reducing developer costs and reducing the vehicle movements required to bring mineral from elsewhere to the development site. Prior extraction and the potential to use the extracted material as aggregate for construction, will be considered during the preparation of the DPD and initial masterplanning stages of the proposed development.

Broadfield Farm

8.34.2 In addition, Broadfield Farm is allocated in the adopted Essex MLP for mineral extraction. A planning application is currently being considered by the Mineral Planning Authority (reference: [ESS/19/17/BTE](#)). Broadfield Farm is within the area of search for the West of Braintree Garden Community as the southern part of the site set out under policy SP10. The West of Braintree Concept Framework (EB/012) identified three potential different spatial options for the future development of the Garden Community post extraction, with potential use being either residential or green infrastructure use. The majority of the development at West of Braintree will take place post 2033 up until approximately 2050. If mineral development is permitted at Broadfield Farm, restoration will be phased and could support the planned West of Braintree Garden Community. These issues will be further examined through the preparation of the DPD, and the masterplanning process.

35) What are the implications of the West of Braintree proposed garden community for the future of Saling airfield (Andrewsfield)?

8.35.1 Andrewsfield is a former Second World War airbase, which is now run as a private airfield for a variety of flying and non-flying uses. It is operated by Andrewsfield Aviation Ltd who lease the land from a private landowner. The landowner has confirmed that the lease has a break clause, which can be triggered at any time and with the appropriate notice period the lease can be terminated and the land available for development if required. The landowner has confirmed that he is willing to terminate this lease, if appropriate.

8.35.2 Most of the airfield is located within Uttlesford District Council area with less than a quarter of the runway itself and some of the buildings on the site

located within Braintree District. In addition to the physical infrastructure there is also a take-off and landing zone at the bottom of the runway, which extends further into Braintree District.

- 8.35.3 The Concept Framework for West of Braintree EB/012 (pages 18 and 19) includes three options for how a garden community might develop within the area of search which include between 7,000 and 10,000 new homes and land for the facilities and open space that would be needed to support it and meet the requirements of the Garden Communities Charter (EB/007). Two of these options would likely require the closure of the flying facilities at Andrewsfield and one would not. However, in all cases there is likely to be the ability to retain existing buildings such as the bar/restaurant, which could be incorporated into the facilities and would support the new development as well as the existing community.
- 8.35.4 The masterplanning of the proposed new community will be considered as part of a specific Development Plan Document on the West of Braintree Garden Community and this will ultimately determine whether the Garden Community and Andrewsfield can exist together on this site.

36) How have any impacts from flight paths to and from Stansted airport on the West of Braintree proposed garden community been considered?

- 8.36.1 London Stansted Airport is located approximately ten miles to the east of the West of Braintree Garden Community. Representation S1260/519 from the Manchester Airport Group (MAG) the operator of Stansted Airport, has been made to the section 1 of the Local Plan. This response does not object to the principle of the garden community at West of Braintree (or indeed any other allocation in the Plan) but specifically in relation to this question suggests that; "*Specific reference should be made to established flight paths and affected proposed housing sites*".
- 8.36.2 The North Essex Authorities have considered the impact of flightpaths on the West of Braintree garden community by looking at the published data. This includes the noise preferential routes for aircraft departing from runways 04 and 22 and the actual data records of aircrafts arriving at the airport on runways 04 and 22 from a 4-day sample period in summer 2016. These are included in the evidence base (Ref). As can be seen from these, there are some routes over the West of Braintree Garden Community. The aircraft arriving on Runway 04 are those whose flight paths would cross the largest proportion of the West of Braintree site. The average daily arrivals from this direction are 39. Most are tracked at flying above 6,000 feet above sea level with some falling within the 3,000 – 6,000 feet above sea level range. Aircraft departing from runway 04 could impact on the southern edge of the Garden Community, with an average of 20 flights per day using this route, with flights generally at between 3,000 and 6,000 feet. Finally

the Clacton departure route from runway 22 has a small potential to impact on the very southern edge of the site. There is an average of 116 departures per day using this route, flying above 6,000 feet.

8.36.3 The North Essex Authorities therefore consider that the impact of the noise from arrivals and departures from London Stansted Airport on the West of Braintree Garden Community would not lead to unsuitable living conditions for the new residents. We appreciate the concerns of the Manchester Airport Group that these sites are located in established flightpaths; however we do not consider it appropriate to add reference to this within the Section 1 Local Plan. If this is necessary to address it may be more appropriate to do so in the site specific Development Plan Document.

37) Should policy SP10 refer to the need for an all-directions junction between the A120 and B1256/B1417?

8.37.1 Policy SP10 (D. Transportation, Point 8) refers to the following:

- Primary vehicular access to the site will be provided via the A120 and B1256.

The policy, as worded, provides the necessary principles and requirements in the design, development and delivery of the garden community to enable the Strategic Growth Development Plan Document (DPD) for the West of Braintree Garden Community to be progressed, and hence it is considered premature to reference a specific junction requirement in Policy SP10.

8.37.2 The North Essex Garden Communities Access and Movement Study (EB/014) identified a number of potential policy interventions at West of Braintree Garden Community on the ethos of internalising journeys and encouraging active and sustainable modes of travel, along with a menu of potential highway interventions.

8.37.3 The range of potential interventions in the Study were based on a number of assumptions regarding development quantum (North Essex Garden Communities Feasibility Study (EB008 1/4, 2/4, 3/4 and 4/4); trip rates; journey purpose; internalisation; trip distribution; mode of transport; and trip assignment. The Study identified a range of potential interventions, including highway interventions, which included a limited-movements junction for the A120 / B1256 New Western Junction, with passive provision for an all movements junction provided at a defined trigger post 2033.

8.37.4 As outlined in responses to Questions 30 and 31 the potential capacity of the West of Braintree Garden Community is not yet defined, and has an overall total of between 7,000- 13,000 homes. This has been informed by ongoing evidence base work taking account of constraints and opportunities for the site, as identified in the North Essex Garden Communities Feasibility Study

volumes 1, 2 and 3 (EB008 1/4, 2/4, 3/4 and 4/4) and the West of Braintree Concept Framework (EB/012). In addition, paragraph 8.12 of the Section 1 Local Plan notes that the emerging Uttlesford Local Plan (Regulation 18) is also considering growth on land adjacent to the land in the Braintree Local Plan, which could be incorporated into the West of Braintree Garden Community.

8.37.5 An Issues and Options Report to inform the site specific DPD has now been published for consultation in relation to the West of Braintree Garden Community, and includes a combined option with land located in Uttlesford District and a Braintree only option. As such, a definitive scale of the Garden Community cannot presently be defined and therefore it is premature to specify an all directions junction between the A120 and B1256/B1417.

8.37.6 As the DPD is progressed to 'Preferred Option' the specific garden community site boundary, its overall scale, and its phased delivery will be determined together with the appropriate transport infrastructure.