

# LIGHTWOOD STRATEGIC: MATTER 6 HEARING STATEMENT

## **NORTH ESSEX AUTHORITIES**

### **Shared Strategic (Section 1) Plan**

## **FURTHER HEARING SESSIONS**

### **Matter 6 (Transport and Other Infrastructure)**

**Thursday January 16<sup>th</sup> 2020**

#### **Issues**

- a) Is there sufficient certainty over the provision of necessary infrastructure to demonstrate that the garden community proposals in the Section 1 Plan are deliverable?**
- b) Has sufficient evidence been provided to demonstrate the viability and feasibility of the proposed Rapid Transit System [RTS]?**
- c) Does the Section 1 Plan make sufficiently clear requirements about the provision, timing and phasing of necessary infrastructure, and are those requirements justified?**

1) Lightwood Strategic note the Inspectors guidance in IED20 (paragraphs 12-13), that further written material will only be helpful if additional points are raised that were not covered in the representations on the NEAs technical consultation. Given the volume of material that the examination is having to process we understand the Inspectors desire for brevity and to avoid repetition.

#### **Road Funding and Programming**

- 2) We note that the initial questions raised under this sub-heading (**Q1-Q5**) are for the NEAs and Highways England to answer and that questions (**Q6-Q8**), for other participants, are drafted to enable a response to the initial answers of the NEA's and Highways England.
- 3) We therefore have nothing to add, at this point, to our representations on the technical consultation.

#### **Other Infrastructure and Phasing**

- 4) We note that first question question under this sub-heading (**Q9**) is for the NEAs to answer. Four questions then follow (**Q10-Q13**), which are open to all participants. Of these Lightwood's focus is on the following:

**13. (b) Should the Plan's policies require funding for key infrastructure to be committed before planning permission is granted for any of the GCs?**

- 5) Whilst we recognize that the sub heading to which Q13 is focused is 'Other Infrastructure and that there are separate sub-headings for Road Funding/Programming and RTS Infrastrure within Matter 6.
- 6) However, the Plan itself proposes policies in respect of phasing that we consider to be unsound. The Inspector's Interim Letter of June 2018 identified that the Part 1 Plan cannot be found sound without funding for key items of infrastrure being committed (RIS2 funding or the A120 @ £500m, HIF funding for the A12 @ £229m). To this we would also add that we do not observe that all the funding is available for the RTS, beyond the initial phase of works associated with TCBGC.

### **Rapid Transit System for North Essex**

- 7) We note that the NEAs have been asked to respond to the criticisms in each participant's technical consualiton responses and that participants will be able to reply to the NEA's response by December 16<sup>th</sup>.
- 8) On **Questions 14-15** we say that even if the costs were realistic, the necessary capital funding for even the most basic of systems has not been fully identified. The NEA's need to clearly set out how each section is to be funded. They should set out the expected contribution from the developers (as set out in the Hyas Viability work) and what is needed in the form of eternal funding. Further, even if the developers are able to provide some of the funding, the NEAs need to set out when this is likely to be collected. There will be a temporal gap between developer contributions being collected and the need for the RTS to be functioning. The rhetoric and expectation is that the RTS will function in the first year of housing delivery. This implies the need for forward funding. We do not observe that this has been secured, aside form in relation to HIF forward funding to connect TCBGC to Colchester. That nature of that funding (grant or loan) is to be discussed in Q8 (b and c) of Matter 7 on Viability.
- 9) On **Question 16**, regarding the revenue component of viability, we consider clarity is needed on the degree of patronage that is expected. EB/079 is opaque in this regard.
- 10) On the realism of the costs we note that they are not wholly realistic as they do not include land or structures. If third party land is needed then those third parties may effectivity have ransom strips, if that land is necessary to create a basic system. Are there routes, for each section, that could be wholly delivered using highway land.
- 11) **Question 17 (a-c)** poses questions of the bus-based service, and the funding of it, serving TCBGC, that cannot even be asked of the other two proposed garden communities. This reinforces that our observations in paragraph 8.
- 12) Regarding **Question 18**, the NEA's need to clarify what is meant by 'connecting services', in terms of their nature (driverless pods have been mentioned) and what type of connecting service is budgeted for in the Hyas viability appraisal.

- 13) **Question 19** asks whether the proposed phasing the RTS is realistic. It would seem that an RTS system (see our comments on Q21) can be implemented at TCBGC to align with the housing trajectory, but there can be less confidence in respect of WOBGC, which is programming to delivery housing at the same time, and where there is no funding in place. CBBGC has a longer lead in-time but again funding for the RTS between the site and Colchester, and also no certainty that Route 4, to Braintree, will ever be implemented.
- 14) **Question 20** refers to whether there is sufficient reassurance at a strategic stage of planning that it would be feasible in physical terms to construct the proposed RTS system. Given that what is proposed appears to simply be a high frequency bus service that uses the existing road network, then yes.
- 15) **Question 21** picks up on the absence of a commitment to an RTS section between CBBGC and Braintree town until after 2033. The chief implication is that CBBGC is not a suitable location for meeting needs that are generated within Braintree District within the plan period, especially give the concluding statements by LUC in the ASA, and the availability of other sustainable 'additional growth' locations with the district to 2033.
- 16) **Question 22** addresses the proposed nature of the RTS and might usefully be moved up the list of questions. The plain English definition of the proposed RTS is a high frequency bus service that will be reliant on existing road network beyond the master planned areas. Whilst there is scope for a segregated route with each garden community, onward connections to Braintree, Colchester and Stansted will be reliant on the existing highway and there can only be confidence in a low level of segregation. As set out in our response on the technical consultation, this mean that journey times will not be rapid and the term RTS is 'false advertising'. The speed of the service (whatever its frequency) will affect patronage, modal share, and therefore revenue assumptions.
- 17) We note the aspiration for the longer-term nature of the RTS, but aspiration is all that it is. Infrastructure funding, for even a basic service that would connect all the proposed GCs to higher order settlements, has not yet been secured and thus it is wholly speculative to even speak of a longer-term aspiration. The soundness of each the garden community proposals must be judged against the basic service that is on offer, the fact that it is not funded beyond TCBGC, the 'missing link' between CBBGC and Braintree town, and the nature of the connectivity that this will offer from each GC to higher order settlements. Presumably the segregated trackless tram concept will require taxpayer money, as there seems to be no 'item' in the viability appraisals for additional costs. We consider there is a significant mismatch between what the RTS was 'sold as' to the constituents of the plan area during plan preparation, and where the NEAs find themselves now. We seriously question the soundness implications for CBBGC.

### **Modal Share Study**

**23. Are the refined mode share targets set out at Figures 7-1, 7-2 & 7-3 of the Mode Share Strategy document [EB/080] justified by the evidence contained and referenced in that document?**

18) No, even the places referred that are said to be most similar to the proposed Garden Communities (e.g. Houten just south of Utrecht) are in fact very different. The mode share 'targets' are not justified as a realistic assumption of behaviour. This will impact on the viability of the RTS. Clarity is needed in the mode share assumption that have fed the revenue forecasts.

**24. Should these (or other) mode share targets be included as requirements of the Section 1 Plan's policies**

19) The reliance on the targets is first and foremost part of the NEAs soundness case for giving away the principle of development, at a specific scale, at each of the proposed garden communities in this particular Local Plan review process.

20) We are not sure how a Development Plan can 'require' behaviour. Being blunt if the proposed garden communities start on the basis of a basic RTS, and if behaviour is not as forecast, or as 'required', are the NEAS going to 'pull the plug' on future phases. Probably not. A target would only be useful if there was some mitigation mechanism or strategy linked to monitoring. If the garden communities are only sound on the basis of an assumed modal share actually occurring, and if outline consent is granted for the whole community, then that can't be undone.