

# EDWARD GITTINS & ASSOCIATES

## PLANNING & DEVELOPMENT CONSULTANTS

THE COUNTING HOUSE, HIGH STREET, CAVENDISH, SUDBURY, SUFFOLK CO10 8AZ

EMAIL: info@egaplanning.com TEL: 01787 281 578

### NORTH ESSEX AUTHORITIES: STRATEGIC (SECTION 1) PLAN

### MATTER 8: SUSTAINABILITY APPRAISAL

### HEARING STATEMENT

Thursday 23 January 2020

---

1. This Hearing Statement is concerned with a single issue – whether or not the Additional Sustainability Appraisal (ASA) has satisfactorily addressed the shortcomings identified in the Inspector’s letter of 8th June 2018: Advice on Next Steps in the Examination. (ANSE).
2. The Inspector advised that the original SA failed to justify the chosen spatial strategy (ANSE paragraph 119). He suggested that, on the assumption that the NEA would wish to continue to include GCs among the options in any future SA, a course of action be followed in undertaking an ASA in order to address and rectify the shortcomings.
3. The Inspector’s suggested the ASA work sequence be divided into a preliminary stage and four further stages which are referred to in turn below with related comments.

***Preliminary Stage: Before embarking on further SA work, re-examine the evidence base for the GCs to be assessed especially in terms of viability, provision of transport infrastructure and employment opportunities in order to provide a sound basis to score them against SA objectives (ANSE paragraph 122).***

4. The suggested initial stage for re-examining the evidence base for the GCs has instead taken the form of assessing sites both for GCs and a large number of other strategic sites against 7 Principles (ASA Summary paragraph 3.2) rather than, as advised, confining the re-examination in the first instance to just the GC sites but with special attention to viability, provision of transport infrastructure and employment opportunities. The advised action required a large body of comparative SA work be undertaken for all the GC sites so that a ‘level playing field’ would be established prior to their consistent assessment alongside other strategies or sites which may or may not include GC options. The chosen course, however, resulted in 10 GC or strategic sites being rejected at a very early stage (ASA Summary paragraph 3.3) by applying the 7 Principles but having not been assessed against the evidence base. As a consequence, the discounting of these GC and strategic sites has not been appropriately justified as they have been ousted for various arbitrary reasons outlined in the ASA Summary Appendix 1: Table 2.

***Stage 1: Objectively compare individual GC site options at a range of different sizes. (ANSE paragraph 123).***

5. The need to justify the choice of scale for each of the proposed GCs has been a recurring theme in consultation responses. Faced with the preferred Section 1 GC projects with upper levels of housing ranging from 9,000 to 24,000 dwellings as well as “rival” projects to varying scales, the reasoning for the choice of scale for each individual GC needs to be explained and justified. Whilst the rationale for a lower threshold for GCs of 5,000 dwellings has been found to have been supported by adequate reasons (ANSE paragraph 118), the Plan envisages one of the GCs could be nearly 5 times that size. The increased scale over and above 5,000 dwellings and the range in magnitude of the 3 GCs needs to be justified in social, economic and environmental terms. By the same token, the operation of Principle 6 (a minimum of 2,000 homes) in selecting and discounting strategic sites is not adequately justified.
6. The ASA, however, provides no empirical evidence to inform on an optimum or sustainable size for GCs in excess of 5,000 dwellings and also there is insufficient information concerning the relevant performance of different scales of GC - either generally or site-specifically. The relative impacts of variously-sized GCs in terms of distance from the existing Large Towns is not adequately tested (eg: the largest GC - Colchester/Braintree Borders - being within only 5 miles of Colchester) despite there being issues and impacts in relation to transportation, retail, community services, self-containment and sustainability.
7. It is evident from this that the scale and location of the GCs proposed by the NEA (and further explored alongside other proposals by LUC) is defined by a series of individual projects without any contextual justification based on a pre-tested strategic distribution pattern for future growth. Indeed, the notational content of the Key Diagram at the end of the Section 1 Submission Plan (10.1 page 57) is not only rudimentary but also tendentious – with the bright red GCs highly prominent notwithstanding the main thrust and opening sentence of the Spatial Strategy in Policy SP2 stating:- “*Existing settlements will be the principal focus for additional growth within the plan period.*” The Plan’s spatial strategy is not adequately conveyed by the Key Diagram and it would be stretching things to claim that the Key Diagram represents an informative graphical depiction of a coherent spatial growth strategy for North Essex. The point is further emphasised if a direct comparison is made with the Key Diagram in my “Alternative Growth Strategy for North Essex”.
8. The ASA work has therefore not satisfactorily addressed the absence of a coherent strategic framework for distributing and testing major growth. In other words, the absence of a coherent spatial strategy to provide a justified context for the GCs, as well as a subsequent failure to justify the GCs in terms of their location and scale in the context of that spatial strategy, are fundamental defects that remain uncorrected.

***Stage 2: Give adequate reasons for taking forward or rejecting each of the GC options assessed (ANSE paragraph 124).***

9. With regard to the justification of the individual GC projects, the ASA paragraph 2.1 states:-

*“At the outset of the Additional SA work, LUC felt it was necessary not only to appraise alternative new settlement proposals, but also to consider alternatives to new settlements. The Inspector specifically requested that proportionate growth be appraised, and LUC felt it was appropriate to explicitly consider urban extensions as alternatives to new settlements, in order to provide a complete and comprehensive SA.”*

10. A list of “26 sites” follows in paragraph 2.2 which amalgamates the NEAs 3 GC sites with 23 further strategic sites.
11. This approach deviates from the process advised in the ANSE which was that the GCs should be assessed initially with the benefit of an updated evidence base and before the other spatial strategy options in order to help ensure that the assessment of the latter is appropriately realistic. (ANSE paragraph 124). In other words, test the GC options first and if they pass muster, move on to the next stage - the assessment of alternative spatial strategies – to include GCs if still justified. Instead, as noted in the Preliminary stage above, LUC have pursued a different course of action - conjoining the assessment of GC sites with other strategic sites, discounting some of the strategic sites (see ASA Summary – paragraph 3.3 and Appendix 1 : Table 2), and then re-amalgamating the GC sites with the remaining strategic sites in Table 3.1 : Spatial strategy alternatives.
12. Furthermore, the 11 sites listed in Table 3.1 West of Colchester and the 6 listed East of Colchester are individual sites and not spatial strategies. LUC have interpreted their task as principally testing the sustainability of individual sites rather than alternative spatial strategies – as is clear from Tables 4.1 and 4.2. The rationale appears to be that if a particular site secures favourable SA scores it is eligible for inclusion in the provisions of the Plan, whatever the spatial strategy is. By assessing individual sites rather than alternative spatial strategies, the cart has been put before the horse. The spatial strategy should be used to test the various spatial elements and it is unclear how any of these sites are compatible or otherwise with a spatial strategy as there is no clear exposition of what that spatial strategy actually is.
13. Turning therefore to the main question as to whether adequate reasons have been given for discounting certain of the GC options, these now include other strategic sites and are assessed against 7 defined Principles. However, evidence and opinion submitted in response to consultation on the ASA have pointed out the inadequacy of the reasons given for discounting sites and doing so in a perfunctory way and for reasons which could equally apply to the 3 large scale GCs. Langham Garden Village, for example, is stated to be “*an illogical northward extension of Colchester*” notwithstanding the fact that it enjoys much

the same relationship to Colchester as the Tendring Colchester Borders GC to the east – both being separated from the edge of Colchester by the Salary Brook valley. Langham Garden Village is also alleged to threaten the sensitive landscape of the Dedham Vale AONB notwithstanding its proposed development area being confined to land south of Park Lane - well away from the AONB boundary to the north on the opposite side of the A12. The process adopted to discount this and other certain potential sites is therefore highly arbitrary.

***Stage 3: Identify, justify and assess a selection of alternative strategies for the Plan area to include as a minimum:***

- ***Proportionate growth at and around existing settlements***
- ***CAUSE'S Metro Town proposal***
- ***One, two or more GCs (depending on the outcomes of the first-stage assessment. (ANSE paragraph 125).***

14. The ASA does not clearly establish a sensible range of alternative spatial strategies in addition to that being promoted in the Section 1 Plan. (As already noted, the focus throughout is primarily on “sites” rather than “strategies”). The Inspector’s bullet points above put forward three alternative strategies “*to include as a minimum*”, but there are other obvious spatial strategies as well that have not been evaluated such as:

- Satellite growth around the three largest towns of Braintree, Clacton and Colchester
- The Metro Town/Metroplan in association with Tendring Central GC
- Expanding nodal settlements within Transport Corridors
- Several smaller scale GCs; and
- Other forms of dispersal strategy in addition to “proportionate growth” based on a Settlement Hierarchy.

15. Such options, (either individually or cumulatively as put forward in my “Alternative Growth Strategy for North Essex”), represent obvious and potentially viable alternatives to the proposed large scale GCs. Why these alternative strategies were not added to the list of options in addition to LUCs inclusion of “urban extensions” is unclear especially as “urban extensions” already feature strongly in both the Section 1 and Sections 2 Local Plans.

16. The limited palette of options identified and tested restricts the credibility of the Plan. On the basis of the limited options considered by LUC, they conclude that: “*It is therefore not possible to come to a definitive conclusion that any one strategy, whether west of Colchester or east of Colchester, is the most sustainable option*” (ASA paragraph 5.8). That conclusion does not instil confidence in the spatial strategy proposed after consideration of only a narrow range of alternative sites/spatial strategies. It leaves open the question as to

whether this represents an appropriate sustainable strategy compared to other discounted and untested but otherwise potentially sustainable and viable strategies.

17. If a compelling case is to be made in favour of large scale GCs, the huge implications for such a major commitment dictate that this strategy must be tested alongside a range of reasonable alternative strategies. The relative costs of delivering infrastructure, not least the need or otherwise for an associated mass transit system, will be key in the ultimate determination of the most appropriate and deliverable strategy.

***Stage 4: Give consideration to the relationship between the SA of the Section 1 and Section 2 Plans to ensure between them they provide an adequate basis for the SA Adoption Statement that will be required for each of their Local Plans (ANSE paragraph 129).***

18. The absence of any coherent strategy emerging from the ASA, the still arbitrary and sometimes flawed justification for large scale GCs, and issues and uncertainty surrounding viability/deliverability accentuates the inadequacy of the Section 1 Plan as a basis for the Section 2 Plans. If one or more of the proposed GCs are rejected, it is likely that adjustments will need to be made to the Section 2 Plans – and such corrective action may have to await any redirection of the Section 1 Plan itself. Whilst any such delay has consequences and would be regrettable, it remains paramount that the Section 1 Plan fully supports and justifies the case for such heavy future reliance on GCs as the main focus for future growth in the long term. As things stand, the evidence currently available is too conjectural and uncertain to place heavy reliance on large scale GCs as a sound platform for the Section 2 Plans and as the cornerstone of a long term future planning strategy.

## **Conclusion**

19. The ASA work does not closely adhere to the sequence of work suggested by the Inspector as necessary to rectify the shortcomings of the original SA, is arbitrary in its selection of sites, does not explore sufficient reasonable alternative strategies, and has not adduced robust evidence to justify a sustainable spatial strategy incorporating large scale GCs.



**Edward Gittins**  
**Chartered Town Planner**  
**November 2019**