

Additional Sustainability Appraisal

591 words, Inspector; 1391 Rayne Parish Council

While this Hearing Statement is formally being submitted by Malcolm Alsop on behalf of Rayne Parish Council, it should please be noted that the Parish Councils in the area have been working closely together (including fund raising for experts) and fully support the submissions of the others. It has, therefore, been requested that Malcolm Alsop refers to issues raised in the various Parish Councils' submissions here. The Parish Councils continue to work closely with CAUSE and to examine its submissions. They concur with CAUSE on its approach and continue to endorse its considered, well-researched and soundly justified views. Hence, the same or similar comments are not made in this Hearing Statement, which is kept short.

Rayne Parish Council reiterates that the North Essex Local Plan Technical Consultation portal is too complex and technical for people to use, understand and enable response. It is often very difficult, if not impossible to find even key documents. The 'Who Said What' search facility frequently requires prolonged effort to find responses made by others that might be of use to other interested people. This is another manifestation of the opacity of the plan-making and consultation process by the NEA.

Collectively, we have made known our concerns about the Sustainability Appraisal work that informs the Local Plan. These misgivings continue with the Additional Sustainability Appraisal. Not only have they been expressed through the conduit of the Examination process, but with Jeremy Owen of LUC who led the ASA work, during the NEA Additional SA Check and Challenge Workshop on the 29th March 2019, writing to him afterwards: *"The consensus from Friday, and made clear to you and your colleagues, is that the process is back to front"*.

Issues

Does the Additional Sustainability Appraisal [ASA] adequately address the shortcomings in the submitted SA that were identified in my post-hearing letter to the NEAs of 8 June 2018 [IED011]?

Does the ASA justify the selection of the preferred spatial strategy option for the Section 1 Plan?

Questions for all participants, including the NEAs

[In responding to these questions, would the NEAs please address the specific criticisms of the Additional Sustainability Appraisal [ASA] [SD/001/b] contained in the participants' consultation responses, including those from JAM Consult Ltd on behalf of CAUSE, and from Lightwood Strategic on behalf of Monks Wood.]

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1) (a) Is there adequate justification for the threshold of approximately 2,000 dwellings (ASA Main Report para 2.52) which was applied when selecting the strategic sites to be appraised at Stage 1 of the ASA?

No.

By inference, the threshold for what is 'strategic' differs between the 3 NEA in their allocations of the largest sites in the Section 2 Plans. In Braintree and Colchester, this would appear to be 1,000 dwellings, whilst in Tendring it appears to be 1,701 dwellings.

The strategic site selection process does not identify how sites are scored or what criteria are used.

(b) If not, what threshold should have been applied, and why?

It is for the NEA to justify the thresholds based on properly-assessed evidence.

2) Is the Stage 1 appraisal of alternative strategic sites based on sound and adequate evidence?

No.

General Observations Relevant to all Questions

The Inspector's Post-Hearing Letter (IED011) contains numerous references to deficiencies in the evidence base and which he emphasised in the most unambiguous terms was of critical importance (see for example, paragraphs 99, 122).

The ASA has an inadequate evidence base, relies too much on assumptions and judgements at the cost of the necessary objectivity and repeats the failings of past work by attempting to justify the unjustifiable.

Specific response to Q2.

It is common practice in SA to evaluate potential sites against identified Sustainability Objectives and to do so using consistent, uncomplicated and transparent scoring. No such evaluation has taken place.

The following admission at paragraph 2.98 of the ASA under 'Difficulties Encountered' not only answers Q2, but suggests that the evidence base this time round is not sufficiently improved upon from that dealt with in IED011.

Whilst the best available information has been used to inform appraisals, it was also necessary to make a wide range of assumptions relating to each SA objective, as described in detail above. For example, in relation to the historic environment, no specialist study of alternative strategic sites was available to inform judgements on the significance and sensitivity to large scale development of historic environment assets, including how their setting contributes to their significance. In other cases, detailed evidence only existed in relation to support the development proposals that are included in the Section 1 Local Plan, for example information on a proposed Rapid Transit System

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Network. Where there was a lack of evidence, this has been noted in the appraisals and reflected with uncertainty in the scoring.

3) Has the Stage 1 appraisal of alternative strategic sites been carried out with appropriate objectivity and impartiality?

No.

The deficiencies identified above inevitably have negative consequences for objectivity and compound the need for subjective judgement to levels beyond that acceptable in SA.

While developer material (such as appraisals) has sometimes but not always been considered, there appears to have been inadequate testing of veracity and reliability. One such example being in connection with the promotion of Andrewsfield airfield for development. Impartial assessment of the important considerations summarised in response to Q 12(b) below should properly have led to a very different suggested developmental outcome for in Andrewsfield.

4) Does the ASA give clear and justified reasons (including in Appendix 6) for selecting the strategic sites that are taken forward from the Stage 1 to the Stage 2 appraisal, and for rejecting the alternative strategic sites?

No, because of the foregoing.

In respect of scoring, too many sites achieve similar scores: assessed against numerous Sustainability Objectives, a much greater divergence of scores would ordinarily be expected.

There is no consideration of the important baseline situation pertaining to the capacity of existing infrastructure or the housing and employment need of the settlements. Furthermore, the evidence base has not been updated so as to incorporate material from the NEA Infrastructure and Phasing document published in July 2019.

5) In seeking to meet the residual housing need within the Plan period to 2033 (ASA Appendix 6, Principle 1), should the spatial strategy alternatives for the Stage 2 appraisal seek to provide land for:

a) 7,500 dwellings; or b) 1,720 or 2,000 dwellings (the residual requirement identified in Appendix 6, Table 1); or c) another figure?

It seems clear that the most defensible housing need to work with in this context is (b) 1720/2000 dwellings. It is hard not to conclude that the arbitrary buffer applied to reach 7,500 is an unsound addition given i) there is no evidence to support it as an appropriate buffer; ii) it appears rather conveniently sized in order ultimately to reach again the pre-chosen Garden Communities as an overall spatial strategy.

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6) (a) Is the allocation of residual housing need between West of Colchester and East of Colchester on a 2:1 ratio (ASA Appendix 6, Principle 3) justified by relative housing need and commuting patterns?

No – indeed this appears to be an artificial and incorrect distinction overlaid in order to fit with the pre-chosen spatial strategy; there is a “leap” made to justify the allocation rather than tying it back appropriately to relative housing need and commuting patterns.

(b) If not, what alternative spatial allocation of residual housing need would be justified, and why?

A spatial allocation which ties via appropriate consideration of the available data / evidence to the residual relative housing need and commuting patterns would indeed be the most appropriate place to start.

7) (a) Is there adequate justification (including in Appendix 6) for the selection of spatial strategy options to be appraised at Stage 2 of the ASA?

No. The foundations of the work appear too defective to enable the selection of spatial strategy options to be appraised at Stage 2.

(b) If not, what other spatial strategy option(s) should be assessed, and why?

8) Is there justification for basing the proportionate (hierarchy-based) growth spatial strategy options (West 2 and East 2) on different settlement hierarchies from those identified in the NEAs' Section 2 Plans?

No, because of the foregoing.

9) Is the Stage 2 appraisal of spatial strategy options based on sound and adequate evidence?

No, because of the foregoing.

10) Has the Stage 2 appraisal of spatial strategy options been carried out with appropriate objectivity and impartiality?

No, because of the foregoing.

11) Does the Stage 2 appraisal adequately and appropriately evaluate the spatial strategy options at both the end of the Section 1 Plan period and as fully built-out?

No, because of the foregoing, *inter alia*.

12) Does the ASA give adequate and appropriate consideration to:

(a) effects of overflying aircraft to and from Stansted airport?

No.

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They have been dismissed even though compendious tested evidence, including on behalf of the airport operator, demonstrates that the area site is adversely affected by its being under a flight path

(b) impacts on operations at Andrewsfield airfield?

The ASA ignores the significant enhancement in planning policy support for General Aviation airfields such as Andrewsfield, not least as manifest by new paragraph 104 in the NPPF.

As a general consequence, the NEA has not attended to its requirement to consider the future of any GA airfields in their plan making activities. Andrewsfield is of strategic importance within the national airfield network.

Two critical outcomes of this are that the NEA's plan-making would lead to:

- i. the loss of one of the premier pilot training schools in the country, an established source of employment and community hub; and
- ii. serious adverse effects on the development of innovation and technology in the aviation and aerospace sectors at a site in a key strategic location.

(c) impacts on heritage assets?

No, see response to Q2 on page 2 above.

(d) impacts on water quality?

No, not least because of inattention to the possible impact of sites not considered by the original SA.

(e) impacts on air quality?

The ASA contains very little consideration of the subject of air quality and no measuring of any kind, including on the effects of different sized settlements and traffic generated by them on air quality.

As a specific example of potential adverse effects, if Andrewsfield airfield closes, the loss of its protected airspace will mean that aircraft flying out of Stansted will be able to fly lower, meaning increased air pollution.

The overall consequence of the deficiencies of ASA with respect to considerations of impacts on air quality is that the requirements of the NPPF on air quality are nowhere near met.

13) Does the ASA give clear and justified reasons (including in the Main Report Conclusion and in Appendix 8) for selecting the preferred spatial strategy option and for rejecting the alternatives?

No. The ASA results are overall inconclusive and there is nothing in it or Appendix 8 which suggests that the chosen sites "pass" the key NPPF test of the chosen spatial

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strategy being the most appropriate of those considered. In particular the reasons to selecting the preferred spatial strategy and rejecting others in Appendix 8 are brief and poorly linked back to the – highly deficient – analysis within the ASA main report. We note, finally, that the Main report itself makes no site selection and this has unusually been left to the NEAs to overlay their views on – this is unfortunate as it only serves to further convey a sense of closed-mindedness and pre-determination.

14) Does the ASA provide all the information required by Schedule 2 of the Environmental Assessment of Plans and Programmes Regulations 2004 (as amended), including identifying:

(a) cumulative effects on the environment; and

No. It cannot do because of the deficiencies identified above.

b) measures envisaged to prevent, reduce and as fully as possible offset any significant adverse effects on the environment?

No. It cannot do because of the deficiencies identified above.