



North Essex Authorities (NEAs) Section One Shared Strategic Plan

Matter 8: Sustainability Appraisal

Further Hearing Statement

December 2019

Matter 8

Sustainability Appraisal

Issues

Does the Additional Sustainability Appraisal [ASA] adequately address the shortcomings in the submitted SA that were identified in my [the Inspector's] 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?

Opening statement from the North Essex Authorities

- 8.1 The Additional Sustainability Appraisal (ASA) was carried out by independent consultants LUC in response to the Inspector's criticisms of the original Sustainability Appraisal for the strategic Section 1 Local Plan for Braintree, Colchester and Tendring – the North Essex Authorities (NEAs). LUC was not involved in the original Sustainability Appraisal. In undertaking the ASA, LUC has sought to address all of the Inspector's concerns and the specific advice contained within his letter of 8 June 2018 in line with a methodology that was developed in consultation with examination participants and the Inspector himself.
- 8.2 In responding to the Inspector's Matters, Issues and Questions (MIQs) for Matter 8, LUC has prepared the response to those questions that relate the methodology, approach and the technical outputs of the ASA (Qs 1, 2, 3, 9, 10, 11, 12 and 14) and Officers from the NEAs have responded to questions that relate to the choices that were made in respect of the site options and spatial strategy alternatives that LUC were asked to assess (Qs 4, 5, 6, 7, 8 and 13) i.e. in the NEAs' capacity as the plan-making authorities.
- 8.3 It is noted that a number of respondents to the technical consultation have made criticisms of the ASA on the basis of: the level and detail of evidence relied upon in undertaking the appraisal; the weighting given to certain sustainability objectives when appraising different options; the approach taken to scoring options against the sustainability objectives and the assumptions made in doing so; and both the site options and spatial strategic alternatives that were appraised, discounted or put forward at different stages of the appraisal process. LUC and the NEAs have sought to respond to these criticisms as appropriate through their responses to the MIQs, but in doing so there are some overarching principles to bear in mind:
- i) The ASA has been prepared to respond directly to the Inspector's concerns about the original Sustainability Appraisal and is, in effect, an addendum to that original work.
 - ii) The ASA represents a high-level appraisal of strategic options which relies on a proportionate level of evidence that is appropriate for the stage of the plan-

making process the NEAs have reached and that provides a reasonable level of detail to inform decision making.

- iii) The purpose of Sustainability Appraisal (and this ASA) is to identify the potential significant environmental, social and economic effects of different options to inform the decisions of the plan-making authorities (in this case the NEAs) in determining the most appropriate strategy for growth through the Local Plan. It is not designed to determine the most appropriate strategy – that is a decision for the plan-making authorities taking a variety of factors, including the findings of the Sustainability Appraisal, into account.
- iv) Whilst a Sustainability Appraisal is required to assess reasonable alternatives in order to inform the decision making process, it is not required nor expected to assess every conceivable alternative, every potential site option or every conceivable permutation or combination of sites.

8.4 There are numerous suggestions by respondents to the technical consultation for how the ASA could have been approached differently, whether that be in relation to the number of homes required, the minimum size of site to be assessed, the application of the sustainability objectives or the choice of options for assessment. Different stakeholders have made suggestions that, understandably, reflect their varying interests in growth in North Essex – whether they are promoting certain alternative sites or strategies, campaigning against the current Garden Community proposals or seeking to defend their particular community, currently unaffected by the strategy in the Section 1 Plan, against the possibility of further major development under an alternative approach. Unsurprisingly, some of the suggestions put forward by some parties would conflict with the suggestions of others.

8.5 The ASA prepared by LUC and the choices of site options and spatial strategy alternatives put forward by the NEAs are considered to represent a sound appraisal, based on proportionate evidence that considers a reasonable series of alternatives. It addresses the Inspector's concerns about the earlier work and, whilst it does not (on its own) provide a definitive conclusion on the most appropriate option for inclusion in the Local Plan, it provides sufficient information to enable the NEAs to make an informed decision. It demonstrates that the strategy in the Section 1 Plan, proposing three Garden Communities in the locations set out in the submitted Plan, is an appropriate strategy. When other factors are taken into account, the NEAs can demonstrate that this is also the most appropriate strategy when considered against reasonable alternatives.

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

Response prepared by LUC.

- 8.1.1 The Inspector recommended that the first stage of the Additional SA (ASA) work should be to *“carry out an objective comparison of individual Garden Community site options at a range of different sizes”*. In his letter to the NEAs of June 2018, the Inspector accepted a threshold of 5,000 dwellings for the Garden Community options considered by the original SA. At the outset of the Additional SA work, LUC felt that in order to provide a comprehensive appraisal of alternatives it was necessary not only to appraise alternative new settlement proposals, but also to consider alternatives to new settlements including further urban extensions.
- 8.1.2 Although the Inspector concluded that a minimum threshold of 5,000 dwellings is appropriate for a Garden Community, urban extensions need not be of such size because they would not represent stand-alone development, but expansions of existing urban areas. Therefore, it was necessary to determine a threshold for urban extensions both for comparison with Garden Community alternatives, and to be of sufficient scale to be considered ‘strategic’ in accordance with the role and purpose of the Section 1 Local Plan.
- 8.1.3 The submitted Section 1 Local Plan is clearly presented as a strategic plan and one of its main purposes is to *“highlight the key strategic growth locations across the area...”* (para 1.13, fourth bullet). It is therefore reasonable to set a threshold to define what is meant by a ‘strategic’ growth location and for this threshold to be above the dwelling capacity of sites provided for by the non-strategic Section 2 Local Plans (approximately 1,700 dwellings); a threshold of 2,000 dwellings was selected on that basis.
- 8.1.4 Objections have been received suggesting that the role of the Section 1 Local Plan versus the Section 2 Local Plans is falsely presented, in that the two documents were not set up to deal with strategic sites and non-strategic sites. This is not correct as is clearly demonstrated throughout Chapter 1 of the Section 1 Local Plan, and as explicitly stated in the fourth bullet of para 1.13, as described above. The capacity of strategic sites must, logically, be greater than that for non-strategic sites. The threshold of approximately 2,000 dwellings for strategic sites was informed by the number of dwellings in the non-strategic Section 2 Local Plans, and on that basis is considered to be properly justified.

Question 2

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

Response prepared by LUC.

- 8.2.1 The Stage 1 appraisal of alternative strategic sites is based on sound and adequate evidence that is reasonable in the context of the strategic nature of the Section 1 Local Plan.
- 8.2.2 The approach taken and evidence sources used are detailed in paras. 2.8-2.49 and Tables 2.2-2.7 of the main ASA Report. Key components of the evidence used included information on:
- The relationship between the three authorities and further afield in terms of commuting patterns.
 - The existing transport network, including public transport.
 - The distribution of existing services and facilities within the three NEAs, including employment areas, town centres and local centres.
 - Key environmental assets in the NEAs such as best and most versatile agricultural land, biodiversity sites and historic assets.
 - Other factors that could act as a constraint to development, such as flood risk, air pollution and noise corridors.
 - Site information forms to confirm what could be provided on strategic sites.
- 8.2.3 The approach and evidence used for the ASA is typical and common to SA work undertaken elsewhere by LUC and other SA practitioners, and has resulted in a large number of Local Plans being found sound at examination and subsequently adopted.
- 8.2.4 Objections have been received that the ASA work should have been carried out following the gathering of further evidence as recommended by the Inspector, specifically in relation to viability, the provision of transport infrastructure and employment opportunities. In practice, the ASA was undertaken in tandem with the collection of this evidence base. Throughout the ASA process, the NEAs kept LUC informed of progress on the other evidence-based studies, and their findings, which helped to ensure that the ASA reflected the latest evidence, for example in relation to infrastructure provision. The conclusions of the ASA are informed by the final form of the further evidence.
- 8.2.5 Some objections contend that the ASA is flawed because the additional evidence on viability dealt only with the NEAs three preferred sites, rather than all the alternatives, or that there is no differentiation or weighting attributed to cost of mitigation and viability. It was not practical or feasible for all the alternatives to be subject to viability studies in the same detail as those carried out for the NEAs three preferred sites. It was for this reason that each of the parties putting forward alternative sites were asked by the NEAs to validate the proposed make up of development on their sites

and to confirm that these would be viable and deliverable. These statements were taken in good faith and on the reasonable assumption that land would not be promoted for development that is neither viable or deliverable. The information provided was sufficient to allow comparison of sites through the ASA process.

- 8.2.6 Concerns have been raised by objectors regarding the complicated approach of the ASA, in particular the split between stages 1a, 1b, and 1c, questioning the merits of stages 1a and 1b. Chapter 2 of the ASA Report describes the ASA methodology in detail, including the stages involved. Stages 1a and 1b in effect provided initial building blocks to enable the evaluation of effects in Stage 1c of the process. The work undertaken by LUC is considered appropriate and proportionate to the purpose and level of detail of the Section 1 Local Plan. Given the large amount of data involved in the production of the ASA it was not possible or practical to provide all the information in an open access format.
- 8.2.7 Some objectors maintained that the Stage 1 assessment criteria do not consider how well any new settlement will perform in the first few years following delivery, for example in relation to footfall to support a local shop, the lack of existing community activities on site, the need to subsidise bus services, and that secondary schools and health centres would only be delivered once 4,500 homes have been built. It is recognised that this is a potential issue for all strategic scale development, whether new settlements or large urban extensions, and is reflected in the review of research on urban form presented in Appendix 3 of the ASA Report. The assessment of the sites takes place at 2,500 dwellings which is the size that all of the sites are assumed to be able to reach at the end of the plan period (2033) and the total site capacity (if this is different). It is understood that there may be a period of establishment for strategic sites, however this is considered likely to apply to all sites. Paragraph 2.7 of the additional SA report sets out that the services and facilities that can be provided according to the final site capacity are anticipated to be delivered as they are needed, i.e. through up-front, temporary provision or with additional capacity being added in steps as it is required. For example, a site with a final capacity of 5,000 dwellings was assumed to be capable of providing a new secondary school (exceeds 4,500 threshold in Figure 2.17) and that provision was assumed to take place in stages so that new, onsite school places are available throughout the life of development. The exception to this was the provision of primary health care facilities which was assumed to only take place once the threshold number of homes has been reached.
- 8.2.8 Concerns were raised in relation to the use of walking distances, rather than cycling, and the use of straight-line distances. Walking rather than cycling distances were used because this is the most common form of sustainable travel and is therefore a useful reference point for assessing sustainable accessibility. While cycling was not specifically addressed, it is considered unlikely that cycling distances would have materially changed the findings of the ASA. At the strategic scale, straight-line distances enable reasonable conclusions to be drawn about accessibility, and significant barriers to walking were taken into account in the Stage 1c assessments. Questions were raised regarding the consideration of walking distances with respect to new facilities provided as components of strategic sites, using the example of

secondary schools, which it was contended can only be established through masterplanning. It is considered reasonable at the strategic scale to assume that a site that includes one or more new secondary schools offers the potential for these to be located within walking distance of new homes, which allows for comparison with those strategic sites that do not provide for secondary schools.

- 8.2.9 Similarly, an objector maintains that it is unreasonable to assess strategic urban extensions (and hierarchical growth) based on walking alone since this ignores external cycling connectivity and the role of regular public transport and the importance that national policy places on these, resulting in an incomplete Stage 1 assessment. In fact, the ASA takes into account modes other than walking in the Stage 1 assessment, and specifically makes a distinction between shorter journeys and longer journeys, including accessibility to public transport. The same objector states that the frequency and key destinations of services at bus stops should have been considered. Proximity to bus stops was not differentiated but bus services, including routes and frequencies, are relatively easy to adjust, particularly to respond to changes in demand. There is no inadequacy in the evidence base in this regard.
- 8.2.10 Also with respect to transport, concerns were raised that the ASA does not adequately cover the effect of development on the transport network. The role of the ASA is to consider the effects of the Local Plan and its reasonable alternatives on the environment, social and economic factors, rather than specifically on the transport network (which is covered by other evidence base studies). The ASA does, however, consider likely travel patterns in order to assess the effects of the Local Plan against the SA objectives. In particular, existing commuting patterns from the vicinity of strategic sites informed their appraisal against SA objective 7 with respect to longer journeys in Stage1c, as well as the Stage 2 appraisals of related spatial strategy options.
- 8.2.11 Concerns were raised whether the lack of rail capacity is given sufficient weight. The ASA refers to challenges with respect to rail capacity, both as part of the methodology, but also highlights the issue in para 4.43 of the ASA Report.
- 8.2.12 An objector questioned why the ASA did not take into account the performance of existing centres, and the potential effects of strategic sites on the existing centres. Another objector states that SA4 (Vitality and viability of centres) and SA5 (Economy) do not acknowledge the role that SUEs can play in supporting existing centres. The effects of strategic development on existing centres is difficult to predict. SUEs can sometimes be some distance from town centres with access via the existing road network. Other strategic sites that are not SUEs may offer good connections to existing town centres (e.g. by the proposed RTS). Para 6.9 of the ASA acknowledges that the effects on existing town centres are difficult to predict.
- 8.2.13 Reference is made by an objector to the lack of criteria in the ASA relating to settlement separation. The ASA considered impacts on the landscape under SA Objective 14, which includes the potential impacts upon settlement character and on the Strategic Green Gaps proposed in the submitted Section 2 Local Plans.

- 8.2.14 Concerns were raised regarding the uncertainty in some of the assumptions and appraisal work. Whilst it would be ideal to be able to be definitive about the effects of development, given the strategic level nature of the ASA process and the Section 1 Local Plan, it is inevitable that there will be an element of uncertainty in relation to some of the effects identified. That uncertainty is not specific to any particular strategic site option or spatial strategy option since the method was designed to base appraisals of these options on evidence that was available for all options. A greater element of certainty can only be achieved at the more detailed masterplanning or EIA level, which is beyond the scope of a strategic assessment. The use of uncertainty acknowledges this and is attached to scores of likely effects based on the information available.
- 8.2.15 Objections state that the evidence regarding primary care provision is unclear. In response to the consultation on the method scoping statement, the North Essex and Mid Essex Clinical Commissioning Groups (CCGs) provided the NEAs with a formula for calculating the need for primary health care. From this, it was assumed that a Primary Care Spoke could be delivered within a development of at least 4,500 dwellings, that a Primary Care Hub could be delivered within a development of at least 8,500 dwellings, and that a Community Hub could be provided within a development of 21,000 dwellings. This is set out in the twelfth bullet of para 2.34 of the ASA Report. According to the CCG formula, sites under 4,500 capacity will not have sufficient critical mass to support primary care facilities.
- 8.2.16 An objector maintains that access to employment should not have been measured by whether there is an employment site within walking distance but should have taken into account the full range of jobs available at each employment site, using floorspace as a proxy. Whilst this could have been done, the approach used, which is commonly adopted in SAs and was in accordance with the Method Scoping Statement, was helpful in distinguishing current differences between the strategic sites, as is shown in the final column of Table 3.1 in the ASA Report.
- 8.2.17 A number of consultees questioned the ambitious public transport assumptions associated with the Garden Communities. The ASA relied on the evidence prepared by specialist transport consultants commissioned to carry out studies in this respect, which is a reasonable and justifiable approach to adopt.
- 8.2.18 An objector states that Stage 1a/1b focused on the risk of harm to designated landscapes. It goes on to state that this is not a distinguishing factor between the locations tested. Paragraph 3.130 of the ASA informs the reader that for Stage 1c, information within local landscape character and sensitivity assessments undertaken by the NEA's was utilised, and that applying the SA assumptions to this evidence base, Stage 1c found that all strategic sites, at all the scales tested have the potential to achieve a significant adverse impact on the landscape. They assert that this is too blunt and opaque, and the reasoned justification for converting the evidence base to the scoring is not adequately presented, and that there is no recognition of the fact that a site of 21,000 homes, by its sheer size must have a greater negative landscape impact than a site of 2,000 homes, even if the land is of comparable sensitivity. The character and sensitivity assessments prepared by NEA officers were

used to inform the assessment of effects against SA objective 14 (Landscape), and this was applied consistently across all sites. The identification of the significance of the effect was based on the sensitivity of the landscape, rather than the scale of the site because all of the site options appraised are strategic in scale and considered to have the potential for a significant effect on a sensitive landscape. The SA does not, however, suggest that smaller strategic sites would have an identical effect to larger ones (all else being equal). Para 4.53 of the ASA Report explicitly acknowledges that larger scale development is more likely to generate a greater sense of change in character of the North Essex landscape. Other objectors also comment on the approach to appraising the effects on the landscape, but all effects were scored in a consistent way using the evidence base provided.

8.2.19 A number of objectors question whether the ASA properly and consistently appraises the effects of alternative strategic sites on biodiversity. In some instances, for example in relation to NEAGC3, it is contended that the risk of harm ratings are questionable. Another objector states that protected species records should have been taken into account. The approach and evidence base used to determine the risk of harm and the significance of effects is set out in Chapter 2 of the ASA Report. At the strategic scale, it is common practice in SA to use habitats rather than individual species as the indicator of biodiversity value for use in SA, and the use of Impact Risk Zones, and proximity criteria are commonplace in SA. It is considered that this approach is proportionate and capable of identifying the potential for significant effects on biodiversity. Natural England specifically raises the potential for harm to Marks Tey Brick Pit SSSI in relation to development at NEAGC2 and other alternatives, plus potential routes for the RTS. Marks Tey Brick Pits SSSI is addressed in the ASA for all relevant strategic sites, and it is specifically acknowledged in relation to the RTS in para 4.41 of the ASA Report.

8.2.20 Concerns raised in relation to the treatment in the ASA of overflying aircraft to and from Stansted airport, the operations at Andrewsfield airfield, heritage assets, water quality and air quality are addressed under Question 12 of Matter 8.

Question 3

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

Response prepared by LUC

- 8.3.1 One of the main shortcomings of the original SA of the submitted Section 1 Local Plan identified by the Inspector was its objectivity, with his letter stating that: *“the authors of the SA report have generally made optimistic assumptions about the benefits of the GCs [Garden Communities], and correspondingly negative assumptions about the alternatives, without evidence to support many of those assumptions”*.
- 8.3.2 In light of those comments new consultants were instructed to take forward the sustainability appraisal work. The approach to the ASA was designed from the outset to directly address this shortcoming, including by:
- Making explicit all assumptions about what is expected to be provided on strategic sites and whether this is expected to be at the end of the Plan period or once developments are fully built, as well as the basis of those assumptions (see in particular paras 2.43-2.48 of the main ASA report and Figure 2.17, as well as the Site Information Forms in Appendix 4 of the ASA (which also served to confirm these assumptions with site promoters).
 - Assessing every strategic site against the same framework of SA objectives, supporting questions, and detailed criteria (see Table 2.7 of the main ASA report).
- 8.3.3 All of the evidence sources used to inform the ASA were from independent sources, such as national data sets, or from evidence studies commissioned by the NEAs in the normal way of plan-making. The only evidence base provided directly by the NEAs was with respect to landscape (SA objective 14). The Site Information Forms (Appendix 4 of the ASA Report) were prepared by the NEAs but were provided to the site promoters for checking prior to their use in the ASA.
- 8.3.4 Although there was close working between the NEAs and LUC to help frame and inform the ASA process, all judgements are those of LUC. At no point was LUC asked to alter their assessment of effects of any of the alternative sites.
- 8.3.5 As a result, it is considered that the appraisal of alternative strategic sites was carried out with appropriate objectivity and impartiality.
- 8.3.6 A number of objectors claim that the ASA has not been approached with an ‘open mind’ or as a retro-fitting exercise. For the reasons set out above, this is not the case. In terms of deciding the most appropriate combination of strategic sites and spatial strategy to take forward, this is the decision of the NEAs, informed by the ASA and

other evidence available. The purpose of SA is to inform decisions, not to make them.

- 8.3.7 Some objectors note that the ASA was undertaken after the preparation of the spatial strategy, but this does not undermine the purpose or value of the exercise, which is to consider how well the preferred strategy performs against the reasonable alternatives, prior to adoption of the Section 1 Local Plan. It is not unusual for further SA work to be undertaken to inform the examination process at the request of the Inspector, as is the case for North Essex.
- 8.3.8 A concern was raised regarding the colour coding of scores, in particular that where an uncertain effect is identified it is colour coded to the potential effect which could, the objector argues, be misleading. The colour coding reflects the anticipated effects and uncertainty is identified in relation to certain assumptions as set out in table 2.7 of the ASA report. Where it is possible to identify the likely effect it is colour coded accordingly. Where it is not possible to identify either positive or negative effects, it is considered appropriate to provide these with a different colour, in this case, grey. The colour coding is set out at paragraph 2.38 onwards. This is common practice in SAs and is considered the most transparent way of presenting the scoring.
- 8.3.9 An objector suggests that the sites to the east of Colchester were mostly centred around the same location, and do not constitute genuine alternatives but alternative scales for the same Garden Community or urban extension. This is not the case. Five alternative sites to NEAGC3 immediately to the north and east of Colchester were subject to ASA (of which only two predominantly overlap the NEAGC3 location), and a further five more distant alternatives to the east of Colchester were subject to ASA. The assessment has been carried out with appropriate objectivity.
- 8.3.10 A further criticism relates to the consideration of sites at different capacity options, with no geographic extent relating to them. The extent of sites under each capacity option was not available on a consistent basis for all reasonable alternatives, therefore this was not possible. However, it is considered that the findings of the ASA are sufficiently robust and consistent to inform judgements of the relative performance of each site.
- 8.3.11 Some objectors claim that some sites are given more favourable consideration than others against the SA objectives. For ease of reference, these are listed below, together with LUC's response:

Respondent	Summary of comment	Response
Lightwood (ID 1198924); Comment ID SA210.	SUE1 is assessed as less positive under SA7 than the GCs, this fails to take account of potential public transport enhancements and other benefits of this site.	SUE1 is assessed with similar effects as the GCs in relation to SA7 'shorter journeys', however it is assessed as having fewer beneficial effects in relation to 'longer journeys'. This reflects the evidence base

		available to the SA consultants at the time, which demonstrates that a rapid transit system could be provided to the GCs but not SUE1. The assessment reflects the fact that the longer journeys are more likely to be undertaken by sustainable modes for sites where people are closer to stops on rapid transport services or rail services.
CAUSE extra	In relation to Monks Wood, it is surely complete nonsense to suggest, as in 3.106, that a larger site will have less exposure to noise pollution, yet the additional SA states that, "In general, slightly more positive effects are anticipated at the two highest capacities". The inherent noise effects of urban areas (not to mention construction for very many years) referred to in paragraph 3.90 appear to have been ignored.	The comment in paragraph 3.106 of Appendix 5 (detailed stage 1 results) refers to the assessment against SA3 as a whole, rather than just noise. The effects of urban development and construction are referenced throughout Appendix 5.
Edward Gittins & Associates (ID 898207); Comment ID SA238	The LUC evaluation considers that Tendring Central (VE5) cycle paths would be at the "maximum preferred" walking distance. Even allowing for the fact that few people will walk to a cyclepath, there will be a high level of connectivity to the Village Centre via a network of cyclepaths and footpaths and all the residential areas will be interconnected.	The distance from the site to cycle paths is included at stages 1a and 1b as an indicator of potential sustainability. The stage 1c assessment is made on the assumption - if confirmed in the Site Information Forms - that an integrated network of walking and cycle infrastructure would be provided as part of each strategic site.
Edward Gittins & Associates (ID 898207); Comment ID SA238	The masterplan for Tendring Central (VE5) does not support LUC's findings for Access to Services, which	The commenter has not taken account of the SA methodology which sets out that stage 1a takes account

	<p>found that the site would be within unacceptable walking distance to GP surgeries/health centres, primary or middle schools, secondary schools, further and higher education facilities, local centres and town centres and railway stations. The masterplan includes a Village Centre and Health and Education Campus to accommodate a health centre and a primary and secondary school.</p>	<p>of existing infrastructure only.</p> <p>The stage 1c findings for VE5 indicate that at capacity of 4,500 dwellings, the site is able to support a new health centre and secondary school. This is based on information from the North Essex CCG and Essex County Council and is considered to be more independent and robust than the masterplan.</p>
<p>Mr Neil Gilbranch (ID 1007940); Comment ID SA36</p>	<p>In relation to ALGTC6, there is an inconsistency in the scoring. It is stated that site ALGTC6 is one of a limited number (or the only one) that is within “preferred walking distance” of a rail station. Yet this doesn’t appear to be evident in the scoring or conclusions. This type of inconsistency will mean that sites that could deliver smaller scale development and that could offer significant value to existing local communities will not be considered.</p>	<p>Site ALGTC6 is identified, along with 4 other sites, as being within the ‘preferred maximum’ area for the purposes of Stage 1a of the ASA.</p>
<p>Crest Nicholson, Operations Ltd, RF West Ltd, Livelands and Davinf G Sherwood (ID 1226649); Comment ID SA136</p>	<p>There is also inconsistency in relation to the comparative assessments of ALGTC6 and NEAGC2 in Table 1.7 – Stage 1a and 1b assessment findings for risk of environmental harm. For example, ALGTC6 is assessed as having ‘medium’ flood risk areas, yet NEAGC2 is judged to be ‘low’ flood risk area. This cannot be right given that ALGTC6 forms part of NEAGC2 and the latter has</p>	<p>Comparatively, a greater proportion of ALGTC6 is identified as a high risk flood zone, as it is a smaller site. NEAGC2 is considered to be at lower flood risk as there is greater opportunity to avoid the areas of greatest flood risk within the site.</p>

	other additional areas subject to flood risk	
Mr Greg King, Stebbing Parish Council (ID 876815); Comment ID SA257	Figure 3.21: Exposure to noise pollution from roads and railways, states that ALTGC2 (Land East of Silver End), NEAGC1 (Land West of Braintree) and SUE4 (Land South of Haverhill) are specified as posing a risk of low harm. SUE1 (Land at Halstead) and ALTGC3 (Monks Wood) present a medium risk of harm. Whereas SUE3 (Land South East of Braintree) and VE1 (Land at Kelvedon) are all said to present a high level of harm. SPC would seriously question the finding that NEAGC1 (Land West of Braintree) pose a low level of harm, given that the site's close proximity to the very busy A120.	The assessment of sites in relation to risk of harm to noise is consistent with the methodology set out in Chapter 2 of the ASA Report.
Persimmon Homes Essex (ID: 1227487); Comment ID SA247.	Site ALTGC7 is large enough to justify the provision of a new health centre facility, or expansion of existing facilities. Although ALTGC7 scores as unacceptable in the stage 1b assessment. It is considered that residents would be able to use public transport in order to access medical facilities using sustainable transport.	According to the formula provided by North Essex and Mid Essex Clinical Commissioning Groups , site ALTGC7 is not large enough to warrant the provision of a health centre within the site.
Lightwood (ID 1198924); Comment ID SA210.	In relation to SA3, there is no explanation as to why the GCs score better over the longer term than the SUEs.	Table 2.7 sets out that sites which are over 4,500 units in scale are, in accordance with information from the North and Mid Essex CCG, able to provide greater opportunities for enhanced access to healthcare. These sites, and sites which the

		stage 1a assessment finds to be within a desirable or acceptable distance of an existing primary healthcare facility are likely to have more positive effects than other sites. This is reflected in the scoring.
Mrs Jo Beighton-Emms (ID 1226941); Comment ID SA125	In relation to SA3, when making the comparison between NEAGC3 and the CAUSE metro sites it is not recognized that they are all capable of offering open spaces and access to walking and cycling. However 2 of the metro sites (Alresford and Gt Bentley) are within walking distance of a doctors surgery. But this does not lift their rating over NEAGC3 which will not have any health care provision until way beyond the plan period (around 2040).	The existing GP surgeries at Alresford and Great Bentley are reflected in the scoring of these two sites, which score more positively than NEAGC3 within the plan period.
CAUSE extra JAM	CAUSE sites have been scored down because of the current frequency of trains being regarded as inadequate and it has been assumed that the scale of the development would not enable the frequency of the trains to increase. Evidence to support the assumptions made and the significant down-scoring is not provided.	This statement is incorrect as all the CAUSE sites have scored ++? for 'longer journeys' against SA7 (Sustainable travel) in Stage 1c of the ASA, which is the highest score for all the sites.
Mrs Jo Beighton-Emms, Wivenhoe Town Council Clerk (ID 1226941); Comment ID SA125	In relation to SA6, presumably ALTGC07 does badly because of its adjacency to Bullock wood. However the same adjacency exists with NEAGC3 and multiple ancient woodland sites. As	Bullock Wood is a nationally designated SSSI. Para 3.147 explains that, although ALTGC7 does not intersect with Bullock Wood, potential negative effects are judged to be significant rather than minor. A

	<p>this site intersects with six local wildlife sites including ancient woodlands like Home Wood and Church Wood. So why does it get a more favourable rating? VE5 and ALTGC8, ALTGC9, and ALTGC10 and NEAGC3 are currently all in open countryside or agricultural land, so we question why do they get different ratings?</p>	<p>judgement was made to adjust the score because development of ALTGC7 would uniquely completely isolate an SSSI from surrounding habitats and associated ecological networks, given that the western boundary of the SSSI already adjoins Colchester urban fringe and development is already permitted to the north of the SSSI. The effects are significant negative with uncertainty (--?) as the development proposal may include mitigation to reduce or overcome negative effects.</p>
<p>Mrs Jo Beighton-Emms, Wivenhoe Town Council Clerk (ID 1226941); Comment ID SA125</p>	<p>In relation to SA7, building at ALGC8/9/10 and NEAGC3 will all increase congestion on the A133. Additionally, it is highly unlikely that new residents will make the modal shift numbers predicted to use a bus and also the new bus services will not be available until too late in the plan period to result in such strong scores. There are also currently no jobs on any of these sites and no significant new opportunities coming forward. C1, C2 and C3 are all on a train line and are all within existing communities that support a degree of employment. These sites should be scored higher to reflect this.</p>	<p>Table 3.9 of the ASA Report shows that the ASA scored C1, C2 and C3 as significant positive with uncertainty (++) for longer journeys, whereas ALTGC8, ALTGC9, ALTGC10 and NEAGC3 all scored minor negative with uncertainty (-?).</p>
<p>Mrs Jo Beighton-Emms, Wivenhoe Town Council Clerk (ID 1226941); Comment ID SA125</p>	<p>In relation to SA12, ALTGC10 and NEAGC3 are not near the flood zone but are currently on permeable</p>	<p>Neither ALTGC10 nor NEAGC3 scored positively in relation to flood risk.</p>

	land. How can building on either site reduce the flood risk.	
Mrs Jo Beighton-Emms, Wivenhoe Town Council Clerk (ID 1226941); Comment ID SA125	In relation to SA15, all the land in NEAGC3 is grade 1 agricultural land. Areas within the metro plan are a mixture of grade 2 and 3. There is no obvious distinction between sites with regard to mineral deposits. But the preferred site (NEAGC3) scores more favorably.	The scores for these sites are consistent with the method set out in Chapter 2 of the ASA Report, which has been applied consistently to all sites.
Haverhill South Land Consortium (ID 1198833); Comment ID SA116	The SA incorrectly states that larger sites can generate greater levels of investment than smaller sites. For example, small development sites around Haverhill (such as SUE4) support the provision of rapid transit system between serving Haverhill.	It is accepted that smaller sites can contribute and provide levels of investment sufficient to secure new infrastructure, however this is on a cumulative basis. Larger developments have the opportunity to attract garden communities funding, for example, subject to meeting certain requirements, which is not available to smaller developments.
Bellway Homes Ltd (ID 873654); Comment ID SA77	Witham as a settlement offers a wider and better range of retail, leisure, education, employment and transport services and facilities, than either Halstead or Kelvedon. Therefore growth near Witham is likely to be more sustainable than around those other lower order settlements and cannot be simply assumed to produce the same or similar SA results.	The ASA took into account both existing services, facilities and employment as well as new services, facilities and employment that would be delivered with the new development in a consistent way and in accordance with the Site Information Forms.
Professor Jane Black (ID 1148020) Comment ID SA39	In relation to SA1 and East 5 (VE5), all sites receive significant negative effects	The score for SA objective 1 (Community cohesion) for VE5 is in accordance with

	<p>for the effect of development upon existing residents. Tendring Central would be located in a very rural area so far fewer existing inhabitants would be affected than for the other alternatives. As there are few facilities for such residents as there are, they might welcome some of the amenities available in a new community.</p>	<p>the methodology set out in Chapter 2 of the ASA Report.</p>
<p>Haverhill South Land Consortium (ID 1198833); Comment ID SA116</p>	<p>The assessment under SA1 should recognise that the development of SUE4 will sit beneath the ridgeline, and therefore effects identified will be less negative than stated.</p>	<p>The score for SA1 (Community cohesion) has been carried out in accordance the methodology set out in Chapter 2 of the ASA Report. This approach is considered reasonable and proportionate to the appraisal of a strategic plan. Changes in local character will be experienced by the existing community from multiple locations and in multiple ways, not just in terms of views from the existing settlements.</p>
<p>Haverhill South Land Consortium (ID 1198833); Comment ID SA116</p>	<p>The assessment under SA3 of site SUE4 does not recognise that healthcare facilities have been provided at the consented North East Haverhill site, and could also be provided at the southern side of Haverhill.</p>	<p>The score for SA3 (Health) has been carried out in accordance with the methodology set out in Chapter 2. By itself, the proposed development for SUE4 does not meet the thresholds for a healthcare facility set out in the formula provided by the North and Mid Essex CCG.</p>
<p>Edward Gittins & Associates (ID 898207); Comment ID SA238</p>	<p>The analysis and findings of the work on access to services is not reliable enough to inform and compare spatial strategies. Whilst the findings as they</p>	<p>Table 3.1 is based on existing access to services and facilities, rather than what may be delivered as a result of development of a strategic site.</p>

	<p>appear in Table 3.1 probably do endorse LUCs conclusion that there is little to choose between the spatial strategies, it is submitted that the true position based on the Masterplan is that Tendring Central would out-perform most if not all the other options put forward.</p>	
<p>Professor Jane Black (ID 1148020); Comment ID SA39</p>	<p>In relation to SA8, site NEAGC3 receives a positive score in relation to shorter and longer journeys. There is insufficient evidence to support these ratings given and it is likely that there will be increased congestion overall.</p>	<p>Table 3.9 of the ASA Report shows that site NEAGC3 receives an uncertain minor negative score (-?) for longer journeys, which is recorded under SA7 (Sustainable travel).</p>
<p>Andrewsfield New Settlement Consortium & Countryside Properties (ID 1226215); Comment ID SA146</p>	<p>ANSC and CP disagree with the scoring of the Sustainability Appraisal assessment that development of the WBGC (ref. NEAGC1) would result in high risk of harm to heritage assets, or high impacts to best and most versatile agricultural land. Site specific evidence has been submitted by ANSC towards the BDC and UDC Local Plan to demonstrate that the WBGC can be implemented without causing significant harm to heritage assets where appropriate mitigation measures are taken (see ANSC and CP development vision and master plan, September 2019), and that the WBGC does not represent the highest grade of best and most versatile agricultural land.</p>	<p>In order to ensure that each site was appraised objectively and consistently, each site was appraised using the same method, to the same level of detail, using the same evidence base. This resulted in the score given in the ASA Report for NEAGC1. In order to ensure objectivity and independence, it was not appropriate to rely on masterplans and other documentation provided by site promoters, given these were not available for all sites, and that these have not been subject to independent scrutiny.</p>

<p>Mr Greg King, Stebbing Parish Council (ID 876815); Comment ID SA257</p>	<p>In relation to Table 3.4, NEAGC1 is recorded as having the 20th lowest impact amongst the 23 sites assessed. The validity of this is questionable given the extremely high number of listed buildings contained within Stebbing and Andrewsfield Airfield which is of significant importance in terms of military heritage.</p>	<p>The assessment sets out that whilst 45.88% of site NEAGC1 is within 500m of designated heritage assets (see figure 2.7), a greater proportion of the sites listed above this in table 3.4 are within 500m of designated heritage assets.</p>
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Question 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?

Response prepared by the NEAs.

8.4.1 Yes. Tables 2 and 3 in Appendix 6 to the ASA give clear reasons for either taking forward or not taking forward strategic sites assessed in the Stage 1 appraisal into the Stage 2 appraisal to then be tested in different combinations as spatial strategy alternatives. Because the Stage 1 appraisal resulted in many of the site options performing similarly against the sustainability objectives, the NEAs in their capacity as the plan-making authorities and through the deliberations of their professional officers have had to exercise planning judgement in advising LUC which options to carry forward into the second part of the assessment. As explained in the commentary above Table 2, the main reasons for discounting certain sites from Stage 2 related to:

- a) a lack of evidence to suggest there are reasonably deliverable proposals being advanced through the plan-making process;
- b) a lack of evidence to demonstrate that they are reasonable options in practical planning terms;
- c) sites overlapping or forming part of a larger site that is being carried forward into Stage 2 (and that therefore do not require testing separately in Stage 2); and/or
- d) following responses to the engagement with site promoters, it was decided to merge certain sites together (i.e. carrying forward the 'merged' version into Stage 2).

8.4.2 In discounting or carrying forward sites into the Stage 2 appraisal, the NEAs were also mindful of the seven overarching principles that any spatial strategy ought to comply with in order to generate a manageable number of reasonable alternatives.

Discounted sites (Table 2)

8.4.3 We note that some representations question the approach the NEAs have taken in Table 2 to discounting some of the sites (particularly from parties promoting those sites) and these points are addressed, as appropriate, as follows.

Site ALTGC1 – Land West of Braintree

8.4.4 As explained in Table 2, this site represents a portion of the NEA's proposed West of Braintree Garden Community with the capacity to deliver 2,000 homes. No party, neither the NEAs nor any independent site promoters are advocating a scheme of

just 2,000 dwellings in this location and there is consequently little benefit in testing any spatial strategy alternatives that include a 2,000 unit version of proposal. Instead, NEAGC1 in its entirety has been assessed, albeit with an option (West 4a) that proposes just 5,500 homes at West of Braintree, Monks Wood and the Colchester/Braintree Borders.

ALTGC2 – Land East of Silver End

- 8.4.5 Croudace Homes object to the exclusion of land at Silver End from the Stage 2 appraisal suggesting that the proposal could accommodate between 1,800 and 2,500 dwellings – not taking into account land to the west of the village that could provide a further 700 homes. They say major new infrastructure could be funded by major s106 contributions from a small number of strategic new settlement allocations as the same needs for strategic investment would arise from a larger number of more dispersed allocations reaching the same total numbers of dwellings. They argue that contributions could be attained through CIL or by pooling s106 contributions from all allocated sites.
- 8.4.6 Table 2 explains that the site tested under ALTGC2 would be an eastern extension to Silver End as opposed to stand-alone settlement proposal and that it could accommodate 2,500 dwellings. Croudace Homes' proposal, which has only emerged through consultation on the ASA and is not the subject of representations on the Local Plan at the formal consultation stages, could add a further 700 homes albeit on separate land to the west. To be considered as a strategic option, the site would have to be considered in combination with site ALTGC2 which was not carried forward into the State 2 proposal for the reasons given in table 2.
- 8.4.7 The proposals incorporate the route of the A120 (Options D/E) and a grade-separated junction on the A12 as the primary access. The site is discounted from inclusion in Stage 2 of the assessment on the basis of its limited scale (acknowledging now that the inclusion of Croudace Homes' site would increase capacity) and its interdependence on Silver End which is defined as a Second Tier larger village in the settlement hierarchy for Braintree and, beyond that, Witham (for services and infrastructure including secondary education). Notwithstanding this, delivery would still be reliant on the new A120 route and clarity on any new junctions.

Sites ALTGC4, (5) & 6 – Marks Tey

- 8.4.8 Sites ALTGC4, ATGC5 and ALTG6 each form portions of the Site NEAGC2 i.e. the NEA's proposed Colchester Braintree Borders Garden Community around Marks Tey. Between the Method Scoping Statement stage and the ASA, sites ALTGC4 and 5 were merged to form one combined site on the basis that was no desire from the relevant landowners to sub-divide the land into separate schemes. The merged ALTGC4/5 (north of the A12) and ALTGC6 (south of the A12) were tested separately as part of the Stage 1 appraisal to enable the impacts of different versions/phases of a major development in the Marks Tey area to be considered. Table 2 explains that instead of selecting either ALTGC4 or ALTGC5 for inclusion in the Stage 2 appraisal,

the full Garden Community site NEAGC2 would be assessed at different scales – 21,000 dwellings and 5,500 (the latter of which is tested in Option West 4a alongside equivalent sized Garden Communities West of Braintree and at Monks Wood).

- 8.4.9 The representations submitted by Crest Nicholson Operations Ltd, RF West Ltd, Livelands and David G Sherwood who are promoting site ALTGC6 south of the A12 argue that ALTGC6 should have been carried forward to the Stage 2 assessment independent of NEAGC2 and thus tested, in its own right, in combination with other site options. They suggest that this site could come forward for development independently of ALTGC4 and the wider Garden Community proposal in the event that the government withhold HIF funding for the A12 re-alignment. The issues around HIF funding and the amount of development that might or might not be able take place around Marks Tey without it are the subject of responses to the Inspector's Questions under Matter 6. Naturally, such decisions will influence the way the overall development is designed and phased, but for the purposes of the ASA, the NEAs are satisfied that the approach taken to combining ALTGC4 and ALTGC6 into NEAGC2, with a smaller-scale version of NEAGC2 tested as part of Option West 4a, is appropriate.

Site ALTGC8 – East of Colchester Option Two

- 8.4.10 Table 2 explains that site ALTGC8 which effectively lies between the railway line and the A137 is not being actively promoted by any landowning party, unlike the adjoining site (ALTGC7) to the north which is being promoted by Gatesby Estates and, in part, by Persimmon Homes and is thus more likely to be a deliverable option – particularly as it is better related to the existing urban area. There are also concerns about achieving suitable road access (with Bromley Road or direct access from the A120 being the only conceivable options) and achieving a development of significant dwelling capacity that is also sensitive to the undulating landscape around the valley of Salary Brook. Wivenhoe Town Council appears to be the only body challenging the NEA's decision to discount this particular site from Stage 2 of the assessment and there is no objection from landowners or developers. The objections that have been received to the NEAs discounting this site relate to the road access and deliverability, arguing that it is accessible from two arterial roads and could, if need be, be acquired through CPO powers.

Sites ALTGC9 & 10 – East of Colchester Options Three and Four

- 8.4.11 Sites ALTGC9 and ALTGC10 effectively form the northern and southern halves of Site NEAGC3 i.e. the NEA's proposed Tendring Colchester Borders Garden Community and were included in the Stage 1 assessment to determine whether or not a smaller Garden Community in either the southern or northern portion of the area might be a more appropriate alternative to the full Garden Community proposal which straddles both areas. Table 2 explains that neither of the two options alone are likely to be a desirable development as they would not facilitate or incorporate the full A133/A120 link road. The government has now awarded £99million of HIF funding to deliver the link road and RTS on the basis of a 7,500 home scheme which would require development to take place across both areas of land.

ALTGC11 – Langham Garden Village

- 8.4.12 Table 2 explains that Langham Garden Village was not being actively promoted by its original proponent (having not been the subject of representations at publication stage) and, in any event, was considered to be an illogical northward extension to Colchester that would breach the strong defensible boundary formed by the A12 Colchester Bypass and that it would threaten the sensitive landscapes of the Dedham Vale AONB crossing the Essex/Suffolk border. We note that Edward Gittins has revived the Langham proposal as part of his Alternative Growth Strategy for North Essex and that he has revised it from the original proposal of some 4,000 dwellings to a smaller scheme of 1,000, which brings it below the 2,000 home threshold applying to strategic scale development for the purposes of the ASA.
- 8.4.13 Mr. Gittins rejects the NEAs' reasons for discounting Langham Garden Village in Table 2 as being inadequate in terms of their brevity and content and argues that, whilst smaller, it is little different to the Tendring Colchester Borders Garden Community. He suggests that the Tendring Colchester Borders Garden Community represents an illogical eastward extension of Colchester, breaching the strong defensible boundary of the Salary Brook valley. He also argues that the allegation of harm to the Dedham Vale AONB is far-fetched given that no development was proposed north of Park Lane and that the AONB lies some way to the north to the east of the A12.
- 8.4.14 In response, Colchester has seen significant growth in recent years which has been contained to land south of the A12 which does act as a strong defensible boundary to the more rural areas to the north. Whilst the proposal does not extend all the way to the AONB, it would bring urban development closer and increase the threat of future encroachment – something that is prevented by containing development to the south of the A120. The Tendring Colchester Borders Garden Community, in contrast, contains development to the south of the A120 and enables more direct links to the University of Essex and whilst it breaches the current boundary provided by Salary Brook, it provides greater opportunity for green walking and cycling routes into Colchester which would be more difficult to achieve to the north due to the hard separation caused by the A12. Furthermore, there is more certainty around the deliverability of Tendring Colchester Borders Garden Community (strengthened by the award of HIF funding for the link road and RTS).
- 8.4.15 A level of development appropriate to the village of Langham is already proposed in Section 2 of the Colchester Local Plan which reflects its position within the Colchester settlement hierarchy. Any further development at Langham, of the scale suggested by Mr. Gittins is best considered through the Section 2 Plan or a future review.

SUE3 – Land South East of Braintree

- 8.4.16 Table 2 explains that site SUE3 to the south east of Braintree overlaps with site SUE2 and that, of the two, it is SUE2 that is considered to be the most logical extension to Braintree that would better accommodate growth within the remainder of

the plan period to 2033. It is SUE 2 that therefore features, either in whole or in part, within some of the proportionate growth options, or as a strategic urban extension in its own right. For the purposes of the ASA therefore, Site SUE3 has effectively been merged with SUE2 and the more southerly land within SU3 is more likely to form part of an option where larger number of homes are required than can be accommodated by SU2 alone, for example Option West 2.

SUE4 – Land South of Haverhill

- 8.4.17 Table 2 explains that the settlement of Haverhill (or at least the vast majority of the built settlement) actually lies outside of the Braintree district and that the land south of Haverhill (Site SUE4), whilst falling within Braintree, is in the extreme north west corner of the district and does not comply with the principle of developing along the A120 or A12 corridors – i.e. the key transport corridors that link the three North Essex Authorities and that provide part of the logic for a jointly-prepared strategic Section 1 Plan. It also explains that any strategic development would have to take place in cooperation with West Suffolk Council (within which the majority of the existing settlement of Haverhill lies) and that the plan making timetables for the two authorities are not aligned.
- 8.4.18 The site promoters of SUE4 submitted representations arguing that the NEA's rationale for discounting it from Stage 2 appraisal is flawed, suggesting that the ASA is being 'retro-fitted' to support the NEA's preferred strategy as set out in the submitted Plan; the principle of directing growth towards constrained road corridors (i.e. the A120 and A12) is flawed; attempts have been made to open a dialogue with Braintree and West Suffolk Councils but without avail; and the site within Braintree could come forward for 2,500 homes without any reliance on West Suffolk.
- 8.4.19 In response to these arguments, the NEAs firstly do not accept the ASA has been retro-fitted to support their preferred strategy and LUC's response to Question 3 explains how the assessment has been carried out in an objective and impartial manner – in line with the Inspector's advice in letter IED11.
- 8.4.20 Secondly, there is a clear logic in seeking to direct growth towards strategic transport corridors where the potential for inward investment is greatest and where development can bring opportunities to address current constraints or pressures. These transport corridors enable the functional economic market area and connect the three authorities' housing and employment markets which provide the logic for a cross-boundary strategic plan.
- 8.4.21 Thirdly, whilst the land in question might be within Braintree district and outside of the administrative area of West Suffolk, the impact of a 1,800 to 2,500 home development close to the boundary and close to the settlement would undoubtedly transcend the administrative boundary and would be subject to the legal duty to cooperate between the two relevant authorities. If there were a mutual desire to support such a development, it would be best pursued through cooperation between Braintree and West Suffolk through proposals in Section 2 of the plan, or a future review, as opposed to an allocation in a strategic Section 1 Plan.

Site VE2 – Land at Coggeshall

8.4.22 Table 2 explains that the option of growth at Coggeshall was envisaged to incorporate a group of village extensions that, together, could accommodate 2,000 homes. However, because one of the larger sites within the group has obtained outline permission it is essentially already a 'commitment', the residual capacity of the remaining sites fall below the 2,000 home threshold of a strategic proposal for the purposes of the ASA. Further development around Coggeshall, aside from the Monks Wood proposal, is therefore best considered as part of Braintree's Section 2 examination.

Site VE4 Weeley Garden Village

8.4.23 This proposal originates from a collection of sites around the village of Weeley that had been considered for a strategic development by Tendring District Council at the preferred options stage of its Section 2 Local Plan in response to the possibility that the objectively assessed housing need for housing might have been as high as 600 dwellings per annum, as opposed to the 550dpa that has since been confirmed as sound by the Inspector. In the higher growth option, Tendring were proposing developments totally 1,405 dwellings over three areas of land to the east, north and west of the village with an expectation that they would be developed in a strategic and coordinated manner to provide the necessary infrastructure at the appropriate times. That proposal was by far the most contentious in the emerging plan, attracting a significant level of local objection and when 550 dpa was confirmed as the requirement for Tendring at publication stage, the sites east and north of Weeley were deleted from the plan, leaving one allocation of 280 homes on greenfield land to the east which has since obtained outline planning permission.

8.4.24 The landowners for the land west of the village (south of Colchester Road and west of Bypass Road) has twice applied for planning permission for 228 homes on part of their site, but these applications were refused by the Council for being contrary to the emerging plan and for failing to adequately deal with the cumulative impacts on transport and other infrastructure in a comprehensive manner and failing to address appropriate environmental mitigation. Further to this, developers Taylor Wimpey submitted an entirely separate application for a 380 dwelling scheme with employment premises on land to the north west of the village (north of Colchester Road) which fell outside of the land proposed for development at preferred options stage which was again refused by the Council for failing to deal with cumulative impacts in a comprehensive manner. The representation from Rose Builders (the developers for the 280 consented homes to the west of Weeley) indicates that, as a fall-back from the current Garden Communities proposal, they control the land north of the village which could come forward as part of a garden village proposal. That proposal would still fall some way short of the 2,000 dwelling strategic site threshold for the purposes of the ASA.

8.4.25 The approach from the various landowning bodies around Weeley has been to progress sites independently through the planning process, either through Local Plan representations or separate planning applications with limited regard and seemingly

limited appetite to work together to achieve a coordinated approach to growth. There is consequently very little evidence to suggest that a garden village, in the way originally envisaged for Weeley, could be delivered; and thus the NEAs have not carried VE4 forward to the Stage 2 of the appraisal. Rose Builders' proposal for additional housing north of the village is best dealt with through the examination of Tendring's Section 2 Plan.

8.4.26 That said, the concept of major growth around Weeley has not been dismissed from Stage 2 of the appraisal altogether. The alternative 'version' comes in the form of site C3 in CAUSE's Metro Plan concept which has been tested as a spatial strategy option in its own right, following the specific advice of the Inspector. Whilst VE4 would have involved development mainly around the northern part of the village, CAUSE's proposal involves land within an 800 metre circle of Weeley railway station, which takes in a considerable amount of land to the south.

8.4.27 We note that Wivenhoe Town Council and the Wivenhoe Society curiously object to the exclusion of VE4 Weeley Garden Village from Stage 2 and perhaps even more curiously advance Metro Plan as the most sustainable of the strategy options (despite potentially placing up between 700 and 2,000 homes on their doorstep at nearby Alresford). Objectors have also noted that there should be no issue with multiple ownership as CPO powers could be used to acquire land if necessary. Despite this, the NEAs are satisfied that a strategic growth option for Weeley has been tested, in combination with other alternatives, as part of the Metro Plan concept and there is consequently no need to have also carried VE4 and the serious questions over its deliverability forward into Stage 2.

Included sites (Table 3)

8.4.28 The sites that were carried forward into the Stage 2 appraisal are set out in Table 3 in Appendix 6 of the ASA, with reasons for their inclusion. Some objectors argue that a wider variety of sites should have carried into Stage 2 to provide more alternatives to the Garden Communities; however the NEAs believe that the sites that were carried forward do represent a reasonable set of alternatives to test in combination as different spatial strategy options. It is noted that there are some objections to the reasons for including certain sites in Stage 2 and these are addressed, accordingly, as follows:

ALTGC3 Monks Wood

8.4.29 The NEAs note CAUSE have made representations directly in objection to Lightwood Strategic's alternative Garden Community proposals for Monks Wood and its inclusion in the Stage 2 spatial strategy alternatives. The NEAs have however followed the Inspector's specific advice to test Monks Wood, at a scale envisaged by its promoters, in combination with other options.

ALTGC7 Land at East of Colchester Option One

8.4.30 Table 3 explains that the site is being actively promoted by Gatesby Estates and is effectively an urban extension to north east Colchester which, from the air, would appear to be a natural extension to the town and a reasonable alternative to test for the area east of Colchester.

C1, C2, C3, C4 CAUSE Metro Plan

8.4.31 We note some objection to the Metro Plan concept and, in particular, the inclusion of Weeley as one of the settlements earmarked for potential growth as part of that proposal. Table 3 explains that the Inspector specifically required Metro Plan to be tested as a spatial strategic alternative and it therefore features in Stage 2 of the appraisal. As required by the Inspector, LUC have engaged with CAUSE to understand the potential scale and nature of the concept and how it is anticipated to be delivered in spatial terms on the ground.

NEAGC1, 2 and 3 – Garden Communities proposed in the submitted Section 1 Plan

8.4.32 These sites are the Garden Communities as currently proposed in the submitted Section 1 Plan and which have been carried forward into Stage 2 of the appraisal process to enable them to be tested against a number of spatial strategy alternatives.

SUE1 – Land at Halstead

8.4.33 Table 3 explains that some of the land in question could form part of an urban extension to Halstead – one of the ‘Towns’ in the settlement hierarchy for Braintree. Whilst, like Haverhill, the relationship with the A120 (or A12) growth corridor is weak in comparison to many of the other options, it is being actively promoted as part of the plan making process and has some merit in respect of the proposal to deliver a bypass.

SUE2 – Land East of Braintree

8.4.34 This site represents an eastward urban extension to the town of Braintree which is being actively promoted as part of the plan making process. This location has the potential to accommodate a strategic level of development which could be increased for longer-term growth through the inclusion of the adjoining site SUE3.

VE1 – Land at Kelvedon

8.4.35 Development at Kelvedon is the subject of a considerable amount of local objection, but Kelvedon is in a strategically important location on the A12 corridor with mainline train access and, as a location, is worthy of testing in combination with other options.

VE5 – Tendring Central Garden Village

8.4.36 Tendring Garden Village is being promoted by Edward Gittins as part of his alternative spatial strategy for North Essex. A major development in the Frating/Great Bromley area is not a new proposition and has been considered by Tendring District Council on a number of occasions in the past due to its strategic location at the interchange of the A120 and the A133. It is considered to be reasonable alternative to the Tendring Colchester Garden Community, with some similar characteristics, for testing in the Stage 2 appraisal.

Question 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?**

Response prepared by the NEAs.

- 8.5.1 The spatial strategy alternatives for the Stage 2 appraisal are right in seeking to provide land for 'a) 7,500 dwellings' for the period to 2033.
- 8.5.2 The Section 1 Plan, as submitted, is what is being examined. In line with the figures in Policy SP3, the Plan as submitted sought to make provision for a minimum increase in housing supply of 43,720 dwellings across the three authorities over the 20 year period 2013 to 2033 and the contribution from Garden Communities to that figure was expected to be 7,500 homes (2,500 in each of the three locations). Therefore in seeking to assess spatial strategy alternatives to the three Garden Community proposals and for those alternatives to be comparable in terms of housing delivery, they should also be capable of delivering 7,500 homes in total up to 2033. The remainder (and the majority) of the minimum 43,720 housing requirement for 2013-2033 was dealt with at a more local level by each of the three authorities separately through the policies and proposals in their Section 2 Plans – taking into account different sources of supply including sites with permission (commitments) and actual completions since 2013.
- 8.5.3 Taking actual completions in the period 2013-2017, the expected contribution from commitments, Section 2 housing allocations and any windfall allowances (but excluding any expected future contribution from Garden Communities), Braintree's Section 2 Plan, as submitted, (see Policy LPP 17) made provision for 13,121 in the period 2013-2033, Colchester's Section 2 Plan made provision for 15,142 (see Policy SG2) and Tendring's Section 2 Plan (Policy LP1) makes provision for 10,751 dwellings – a total of 39,014; some 4,706 short of the total housing need. When the 7,500 expected from the three Garden Communities are included in the figures, the NEAs' Local Plans, as submitted, make provision for 46,514 homes in total which, against a requirement of 43,720, is an over-allocation of 2,794 – or 6%.
- 8.5.4 Principle 1 in Appendix 6 of the ASA states that *“As a basic principle, any spatial strategy alternative should, as a minimum, meet the objectively assessed housing need for housing North Essex for the remainder of the plan period to 2033 plus a reasonable level of flexibility (as is currently the case) to guard against the prospect of certain sites not coming forward for development when expected – whether that is through a strategy that identifies sites for the plan period only, or a strategy that*

identifies larger strategic sites that will deliver homes both within the plan period and beyond”.

- 8.5.5 The submitted Section 1 and 2 Plans for the three authorities are, together, consistent with this principle and it is therefore sensible to expect any reasonable spatial strategy alternative to 1) meet the minimum objectively assessed housing need and 2) incorporate a level of flexibility to guard against the prospect of certain sites not coming forward for development when expected.
- 8.5.6 In the time that has passed since the submission of the Plan in October 2017, there have been significant changes in the three authorities’ respective housing supply positions resulting from the grant of residential planning permissions on sites both in line with, and as departures (often on appeal) from the authorities’ respective proposed Section 2 planning policies. The NEAs, through the suggested amendments, have also revised their expectations for housing delivery at the three Garden Communities in the period to 2033 from 7,500 to 5,910 through reductions to the figures for the Colchester/Braintree Borders Garden Community and the West of Braintree Garden Community. These amendments are of course subject to the Inspector’s agreement following the examination hearings.
- 8.5.7 The figures in Table 1 of Appendix 6 were designed to give a broad indication of the updated housing supply position in 2018, taking into account significant changes in the three authorities housing supply positions. The table thus provided 1) an updated ‘residual requirement’ that, as a minimum, would need to be addressed through additional site allocations to ensure the objectively assessed housing need of 43,720 is met; and 2) an indication as to where, between the three authorities, that residual requirement lies and thus how it might be reasonable to expect any alternative spatial strategy to reflect relative housing needs in line with Principle 3 (see response to question 6 below). Table 1 showed that since the submission of the Plan in 2017, the shortfall of 4,706 (minus Garden Communities) had been reduced to around 2,000 (or 1,720 using the ‘unrounded’ figure). Therefore in adding the 7,500 homes proposed through the Garden Communities, the level of flexibility effectively rises to around 5,500 homes – or 13%. Taking the revised figure of 5,910, the flexibility would be approximately 4,000 homes – or 9%.
- 8.5.8 As the subject of the decreasing residual housing requirement has been raised in several representations as well as the Inspector’s question, the NEAs consider it appropriate to update the figures to reflect the position at 31st March 2019 and to provide specific up to date figures as opposed to the rounded ‘indicative’ figures in Table 1 in Appendix 6 of the ASA – thus providing a more definitive position to guide discussions going forward. See Table 1b below.

Table 1b – Residual housing requirement calculation 31st March 2019

District	Objectively assessed housing requirement 2013-2033	Actual dwelling stock increase 2013-2019	Dwellings expected 2019-2033 from existing planning permissions, Section 2 allocations and windfall sites.	Residual requirement 2019-2033 for which additional allocations are required.
Braintree	14,320	2,451	12,292	-423
Colchester	18,400	5,942	12,183	275
Tendring	11,000	2,854	8,375	-229
TOTALS	43,720	11,247	32,850	-377

8.5.9 The updated definitive figures now show that since the submission of the Plan in 2017, the increases in actual housing completions and sites obtaining planning permission are such that sufficient land can now be identified through allocations in Section 2 Local Plans to meet the full objectively assessed housing need requirement for North Essex of 43,720 (2013-2033) with an over-allocation of 377 dwellings – or 0.9%. The under-provision in Colchester is more than met by the over-provision in Braintree and Tendring. However, each local planning authority is expected to meet objectively assessed need within its own boundary.

8.5.10 The NEAs note that some objectors are arguing that the changing housing supply position means that allocations in the authorities' respective Plans should seek only to make provision up to 2033; that the reduced (now eliminated) residual requirement means that the ASA should assess options to deliver fewer homes and/or incorporate smaller sites; and that the Garden Communities are no longer required – at least for the period to 2033. Some are suggesting that the NEAs should revert to the Inspector's 'Option 1' which would allow them to proceed with the adoption of Section 1 without Garden Communities and proceed to Section 2 examinations on the understanding that there would be review of the plan within 2 or 3 years to deal with longer-term provision.

8.5.11 Whilst, on the face of it, it is perfectly understandable for objectors to make this argument in light of their opposition to Garden Communities, the NEAs do not agree with it for a number of reasons:

1. The rapid change in the housing supply position even in the relatively short passage of time since the submission of the Plan demonstrates that housing delivery can fluctuate significantly during the course of a plan period. Depending on a variety of factors, delivery can deteriorate just as quickly as it might improve and it remains prudent to incorporate sufficient flexibility into the supply to guard, as best as possible, against such fluctuations.

2. Whilst the NEAs are confident that the housing allocations in their Section 2 Plans can be robustly defended through their respective Section 2 examinations and that they are deliverable and can bring forward the number of homes being indicated, there are no guarantees that all sites will deliver in the manner currently envisaged and therefore an element of caution should be applied. Many of the Section 2 allocations, like the proposed Garden Communities, are the subject of unresolved objections which will need to be addressed, through the Section 2 examination process in due course.
3. The NEAs strongly believe, in line with Principle 1, that any spatial strategy alternatives should 1) meet the minimum objectively assessed housing need and 2) incorporate a level of flexibility to guard against the prospect of certain sites not coming forward for development when expected. An over-allocation of just 377 (0.9%) homes across three authorities (or even 1,720 or 2,000 taking the original Table 1 figures) is therefore extremely vulnerable to changes in housing market conditions or non-delivery on certain sites and could easily lead to under-supply in the middle to latter part of the plan period and the need for the authorities to consider departures to the Plan to make up for any shortfall. This is even more likely following changes to the NPPF and the introduction of the Housing Delivery Test.

8.5.12 A significant number of the sites that have obtained planning permission since the submission of the Plan (and which have helped to eliminate the residual housing requirement) have done so on appeal and in an unplanned manner contrary to the determination of the relevant local authority. Many appeals have been allowed because the relevant authority has been unable to demonstrate a five-year housing supply and/or has not been able to apply sufficient weight to the policies in the emerging Plan while it remains unadopted and delayed through the examination process. 'Planning by appeal' on an unplanned, piecemeal and speculative basis is exactly what the NEAs are trying to combat by seeking to embrace the plan-led system, getting a plan in place and working together to develop long-term proposals for comprehensively-planned sustainable growth.

8.5.13 Given the above concerns, the NEAs still believe it is right to test spatial strategy alternatives with the potential to deliver 7,500 homes in the remainder of the plan period to 2033. This figure is directly comparable to the contribution of housing growth expected from the Garden Communities in the submitted Plan and would ensure that a healthy level of flexibility is incorporated into the Plan. When added to the -377 surplus in Table 1b above, 7,500 homes (giving 7,123) would represent approximately 16% flexibility on top of the total 43,720 requirement.

8.5.14 16% is not an unreasonable level of flexibility given that the National Planning Policy Framework (NPPF), in both the 2012 and 2019 versions, requires authorities with a record of persistent under delivery of housing to incorporate a 20% buffer into their ongoing five year housing supply (moved forward from later in the plan period). Braintree and Tendring are both projected to be classed as '20% authorities' due to historic under-delivery. If insufficient flexibility is incorporated into the Local Plan from

the start, it will be very difficult for any of the authorities to maintain a five year housing supply in the middle to latter part of the plan period or to bring 20% forward from later in the plan period to guard against the risks of under-delivery.

8.5.15 For the reasons given above, the NEAs say that 7,500 for the period to 2033 homes is the right level of development that spatial strategy alternatives for the Stage 2 appraisal should seek to provide land for.

Question 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?

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

Response prepared the NEAs.

- 8.6.1 In response to a), yes the 2:1 ratio indicated in Principle 3 is justified – so long as it is applied in a flexible manner and not too rigidly or prescriptively.
- 8.6.2 Principle 3, as set out in Appendix 6 to the ASA, is there to ensure that any spatial strategy alternative reflects, in broad terms, the relative housing need and commuting patterns in different parts of the combined North Essex area, and are therefore reasonable options. If this broad principle were not followed, it would lead 1) to a number of unreasonable or difficult to justify options being carried forward into Stage 2 of the assessment that do not reflect relative housing need and commuting patterns and 2) result in an unmanageable number of permutations of sites having to be tested in combination with one another – many of which would have not reflected relative housing needs and commuting patterns.
- 8.6.3 Given that many of the sites performed similarly against the sustainability criteria at Stage 1, to seek to test every conceivable combination of sites without establishing some high level principles, such as Principle 3, would have led to a completely unmanageable task that would yield very little benefit in drawing out any meaningful conclusions to inform the preparation of the Plan. By dividing the combined area into 'west' and 'east', it at least allows for the strongest options to the west to be combined with the strongest options to east, reflecting relative housing needs and commuting patterns, to determine logical and reasonable combinations for testing.
- 8.6.4 Geographically, the urban area of Colchester lies in the centre of the combined area with the predominantly rural area of Braintree District and the western part of Colchester Borough to the west extending inland towards Uttlesford; and the predominantly rural area of Tendring to the east extending to the coast. Unless all future development is to be contained within the boundaries of the existing built up areas (which the allocations in the three authorities' Section 2 Plans demonstrate is not possible), any spatial strategy alternative will need to utilise undeveloped greenfield land that falls either within the area west of Colchester or the area to the east.
- 8.6.5 The two areas are different in their objectively assessed housing needs and very different, geographically, in their accessibility to different opportunities for work – which is reflected in part in the calculations that have informed the different housing need figures. The objectively assessed housing need for Tendring (550dpa) which dominates the area east of Colchester is much lower than that for Colchester

(920dpa) and Braintree (716dpa) – in fact Tendring’s need represents just 25% of the need of the combined area. On that basis, it would not be unreasonable to suggest that the west to east ratio should be 3:1 as opposed to 2:1. However, for Colchester to meet its objectively assessed housing needs going forward, there is very limited scope to expand eastwards without crossing into the Tendring district, given that the administrative boundary runs closely along the eastern edge of the Colchester built up area. Without expansion into Tendring, Colchester would need to meet the vast majority of its future needs through developments to the west and therefore not fully addressing needs that might arise from households being generated on the eastern side of the town.

- 8.6.6 If one takes the objectively assessed housing need for Colchester (920dpa) and suggests, very crudely, that half should be met to the west of the town and half should be met to the east, then the total requirement for the west would be 1,176dpa (Braintree’s 716 plus west Colchester’s 460) and the total requirement to the east would be 1,010dpa (Tendring’s 550 plus east Colchester’s 5460) – meaning the need to the west is still marginally greater than to the east. However, given that more of Colchester’s villages are located to the west of the town than to the east, it would be reasonable to expect that Colchester’s need will be greater to the west and that simply splitting 920dpa down the middle would not be reflective of the reality of need which, in turn, suggests that a west to east ratio of 2:1 is likely to be more reflective of the need.
- 8.6.7 The approach taken in the commentary under Principle 3 was to take the ‘indicative’ residual housing requirement of 2,000 homes (attributable to Braintree and Colchester), deduct it from the 7,500 planned for through Garden Communities to identify 5,500 homes worth of flexibility and to then distribute that 5,500 on a 33%:42%:25% split between Braintree, Colchester and Tendring to reflect their relative housing needs (and their relative share of the over-provision). It then took the total 7,500 figure, split the Colchester proportion into two and distributed one portion to the west and one portion to the east to give a total 4,450 to the west and 3,050 to the east. It then goes on to conclude that a 2:1 ratio, as already implied by the Garden Community proposals in the submitted plan, is broadly reflective of objectively assessed housing need and *“it would therefore follow that any strategy that deviates significantly from this 2:1 ratio does not reflect the evidence of housing need”*.
- 8.6.8 The updated Table 1b provided in response to Question 5) above now shows the definitive position in respect of the residual need up to 2033 which now shows a surplus of provision through Section 2 Plans in Braintree and Tendring and a relatively small shortfall in Colchester, which together represent a slender over-supply. Notwithstanding this, the NEAs argue that it is right to test spatial strategy alternatives for around 7,500 homes and that a 2:1 west to east ratio, if applied in a flexible manner, is an appropriate way of ensuring any alternative reflects relative housing need and commuting patterns.
- 8.6.9 Objections have stated that jobs are spread across the region and that new employment could be concentrated in depressed areas. As explained above,

economic factors and the potential for employment and commuting are incorporated into the objectively assessed housing needs figures for the three authorities and do help to demonstrate that employment is stronger to the west of Colchester than it is to the east. Notwithstanding the housing needs figures, it is clear from the geography of the two areas that the opportunities for commuting are stronger to the west of Colchester (with closer proximity to London, Chelmsford, Stansted and other locations to the west, north and south) than to the east as Tendring is essentially a peninsular where commuting patterns are essentially dominated by the area's close relationship with Colchester and where most commuters will inevitably bypass or travel through Colchester to commute any further west. It is not reasonable to assume that Garden Communities will be entirely self-contained and by mitigating potential longer distance commuting, a more sustainable outcome is sought. It is therefore reasonable to assert that any spatial strategy alternative directing more development to the east, than to the west of Colchester is not reflective of the relative commuting patterns and access to employment opportunities.

- 8.6.10 The commentary under Principle 3 also quotes the Inspector from paragraph 114 of his 8th June letter where he says: *“it is difficult to see the logic of assessing Monks Wood as an alternative to [the Colchester/Braintree Borders Garden Community] CBBGC and to [Tendring/Colchester Borders Garden Community], but not to [West of Braintree Garden Community] WoBGC, when appraising combinations of three GCs”*. Whilst it is noted that some objectors have suggested that this quote has been misinterpreted by the NEAs, the logic that the Inspector has expressed is, in the NEA's view, very much in line with the approach taken in the ASA. The Inspector says it is difficult to see the logic of assessing Monks Wood (a proposal within the district of Braintree) as an alternative to CBBGC which is most closely related to Colchester, and TCBGC which is mostly within Tendring – and the NEAs completely agree, particularly with the latter; and this supports the approach in the ASA which is to test and compare site options to the west and separately test and compare site options to the east (rather than considering west and east options as direct alternatives) and then combine the strongest options from the west and east to form a series of reasonable spatial strategy alternatives.
- 8.6.11 In conclusion, the concept of dividing the combined North Essex Area into west of Colchester and east of Colchester and testing spatial strategy alternatives that, in broad terms, allocate residual housing need between the west and the east on a ratio of 2:1 is a reasonable approach that 1) ensures all alternatives reflect, broadly, the relative housing need and commuting patterns; and 2) provide a sensible framework for deriving a manageable number of reasonable alternatives for testing.

Question 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?

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

Response prepared by the NEAs.

8.7.1 In response to a), the selection of spatial strategy options for appraisal in Stage 2 of the ASA follows a clear rationale which is informed both by the specific advice of the Inspector in his 8th June 2018 letter, the ideas, arguments and factors discussed with stakeholders at the 29th March 2019 check and challenge workshop and then justified by the seven overarching principles set out in Appendix 6 to the ASA.

The overarching principles

8.7.2 Principle 1 is to meet the residual housing need within the plan period with a level of flexibility (as explained in more detail in our response to Question 5). All of the selected spatial strategy options meet this principle as they aim to accommodate sufficient land to deliver around 7,500 homes in the period to 2033 – a directly comparable level of growth to that proposed in the submitted Section 1 Plan through Garden Communities.

8.7.3 Principle 2 is to test the alternatives that were specifically suggested by the Inspector in his 8th June 2018 letter which included proportionate growth at and around existing settlements; CAUSE's Metro Town proposal; and one, two or more Garden Communities (depending on the outcomes of the first-stage assessment). All of these alternatives can be identified in one or more of the options selected for appraisal at Stage 2 of the ASA. Proportionate growth is tested through Options West 1, West 2, East 1 and East 2; Metro Plan is specifically tested through Option East 6; and there are various options tested that would involve one, two or more Garden Communities as summarised below.

- Options that involve no Garden Communities: West 1, 2, 7 or 8 combined with East 1, 2, 4, 5 or 6.
- Options that involve one Garden Community: West 9, 10 or 11 combined with East 1, 2, 4, 5 or 6; or West 1, 2, 7 or 8 combined with East 3.
- Options that involve two Garden Communities: West 3, 5, or 6 combined with East 1, 2, 4, 5 or 6; or West 9, 10 or 11 combined with East 3.
- Options that involve three Garden Communities: West 3, 5 or 6 combined with East 3.

- Options that involve four Garden Communities: West 4 (or 4a) combined with East 3.

- 8.7.4 Principle 3 is to reflect relative housing needs and commuting patterns in any alternative strategy. The approach that has been taken, which involves assessing alternatives separately for the area west of Colchester and for the area to the east (justified in more detail in our response to Question 6) ensures that all the selected options do take relative housing needs and commuting patterns into account because they all, in broad terms, envisage a greater proportion of development being directed to locations to the west of Colchester (where the objectively assessed housing need is greater and where access to key commuting corridors is stronger) than to the east (where they are weaker). The west/east split also enables a proportionate number of reasonable alternatives to be tested, enables the most appropriate option from the west to be combined with the most appropriate option from the east to create the most appropriate strategy overall; and allows (as demonstrated above) various options for none, one, two or more Garden Communities to be tested, in line with the Inspector's advice.
- 8.7.5 Principle 4 is to ensure all alternative strategies are coherent and logical, requiring there to be a strategic rationale or logic behind any option. All of the options selected for Stage 2 of the assessment have a logic which can be categorised broadly into 'proportionate growth in and around existing settlements' (West 1, West 2, East 1 and East 2); 'strategic urban extensions' (West 7, West 8 and East 4); 'one, two or more Garden Communities' (West 3, 4, 5, 6, 9, 10 and 11 and East 3); or 'development focussed on key transport nodes' (East 5, East 6 and most of the other options).
- 8.7.6 Principle 5 is to ensure all alternative strategies are reasonable in respect of evidence available to show whether or not there is reasonable likelihood of delivery and a genuine appetite for bringing a scheme forward within the plan period. This includes the delivery or strategic infrastructure required to enable access to the development. With the exception of the proportionate growth options and Metro Plan (where it has been exceptionally assumed that there is a reasonable prospect of delivering the minimal allocation some means by 2033), all of the sites and combinations of sites carried forward into Stage 2 are being actively promoted either by the NEAs or by third party landowners and developers.
- 8.7.7 Principle 6 states that, with the exception of the proportionate growth scenarios, all strategy options assume that sites are capable of delivering a minimum of 2,000 homes within the remainder of the plan period up to 2033. A threshold is required to ensure that the number of alternative are reasonable and result in a justifiable spatial strategy based on a proportionate level of evidence. The NEAs note that there are some objections to the 2,000 home threshold and these are addressed in LUC's response, on behalf of the NEAs, to Question 1. With the exception of Options West1, West 2, East 1 and East 2, all of the options comply with this principle.
- 8.7.8 Principle 7 is that all alternative strategies must deliver social infrastructure i.e. early years, primary & secondary schools, youth centre provision, open space, bus

services, local centre facilities, healthcare facilities and community meeting spaces. It is assumed that spatial strategy alternatives will comply with this requirement either through on-site provision where the ability to provide local infrastructure above the 2,000 threshold is a key sustainability benefit) or through financial contributions towards the delivery of infrastructure off-site (Note: exception for proportionate growth options that distribute development across a number of potentially smaller sites).

The selected spatial strategy options

- 8.7.9 Table 4 in Appendix 6 to the ASA sets out the 17 spatial strategy alternatives that have been carried forward into Stage 2 of the appraisal – 11 of which lie to the west of Colchester and 6 of which lie to the east.
- 8.7.10 Options West 1 and 2 and Options East 1 and 2 represent the two ‘proportionate growth’ scenarios for each area, the formulation of which are explained in more detail in the NEA’s response to Question 8 as well as the specific commentary for each option in Appendix 6 of the ASA.
- 8.7.11 Options West 3 and East 3, when combined, represent the strategy in the Section 1 Plan as submitted, involving three Garden Communities in the locations currently envisaged. Objectors counter that the rapid transit system and model shift is not demonstrated, this has been discussed in question 3, but broadly sustainable travel been considered on the same basis as all other alternatives.
- 8.7.12 Option West 4 involves three Garden Communities to the west of Colchester including the current proposals for West of Braintree and the Colchester/Braintree Borders and the Lightwood Strategic’s alternative proposal at Monks Wood. Sub-option 4a tests smaller versions of West of Braintree and Colchester/Braintree Borders alongside Monks Wood – each at a capacity of 5,500 homes. If combined with Option East 3, the overall strategy could, in theory, include four Garden Communities.
- 8.7.13 Options West 5 and West 6 both test alternative options for having two Garden Communities to the west of Colchester – one with Monks Wood alongside the Colchester/Braintree Borders GC and one with Monks Wood alongside the West of Braintree GC. Option West 7 involves no Garden Communities to the west of Colchester and instead involves strategic urban extensions to the east of Braintree and at Kelvedon.
- 8.7.14 Options West 8, West 9, West 10 and West 11 each involve one garden community to the west of Colchester combined with lower levels of proportionate growth (following the hierarchical approach) around other settlements. West 8 proposes a strategic urban extension to Halstead and West 9, 10 and 11 each propose just one of the three Garden Community alternatives (West of Braintree, Colchester/Braintree Borders and Monks Wood respectively).

8.7.15 Option East 4 is the Colchester North-East Urban Extension which is being advocated by Mr. Marshall and promoted, in part, by Persimmon Homes. Option East 5 is the Tendring Central Garden Village being promoted by Edward Gittins, and supported by others, as part of his alternative spatial strategy. Option East 6 is CAUSE's Metro Plan concept which involves development being focussed on land around Alresford (C1), Great Bentley (C2), Weeley (C3) and Thorpe le Soken (C4) railway stations.

Alternative options being promoted

8.7.16 In response to b), the NEAs consider that the selection of spatial strategy option for the Stage 2 assessment are appropriately justified.

Question 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?

Response prepared by the NEAs.

- 8.8.1 The vast majority of housing development that has taken place since 2013 and that is expected to take place within the remainder of the plan period to 2033 will have been achieved through growth within and on the edge of existing settlements. The Inspector specifically requested that further proportionate growth around existing settlements be tested as an alternative to the NEA's strategy of promoting three Garden Communities and a number of objectors have suggested that the residual housing requirement to 2033 could be easily and more sustainably met through a continuation of this approach and that, consequently, there is no need to consider stand-alone settlements such as Garden Communities in the current plan period.
- 8.8.2 To test proportionate growth around existing settlements through the ASA, the NEAs developed two models for generating proportionate growth scenarios. The first is a 'percentage-based' approach which simply requires all defined settlements across the three authorities' areas (irrespective of their relative position in the authorities' settlement hierarchies) to expand their housing stock by roughly 18% from current 2019 levels – discounting the growth already expected from commitments (sites with planning permission) and allocations in the NEAs' respective Section 2 Plans. In taking a percentage-based approach, larger settlements would logically accommodate a larger number of dwellings than smaller settlements – which is broadly what would be expected in any sustainable distribution of growth between existing settlements. However, due to the high number of rural settlements in North Essex, particularly to the west of Colchester, the blanket 18% approach would still result in a high proportion of the additional growth being directed towards smaller and less sustainable settlements.
- 8.8.3 The second model is a 'hierarchy-based' approach that directs a larger proportion of the growth to the larger, more sustainable settlements, in the higher tiers of the authorities' settlement hierarchies and smaller proportions to the smaller, less sustainable settlements in the lower tiers – again including the growth already expected from commitments and Section 2 allocations. Again, it results in a distribution of growth that prioritises larger settlements but unlike the percentage-based approach, the amount of growth directed to smaller settlements is essentially limited to that which is already consented or specifically allocated through the Section 2 Plan. This approach is more in line with the approach the NEAs took within their respective Section 2 Local Plans, which each identify settlement hierarchies and direct higher levels of growth to the largest and most sustainable settlements.
- 8.8.4 For both proportionate growth scenarios, developments are not limited to sites above the 2,000 dwelling threshold applied to other alternative strategies because, in reality, a proportionate growth scenario will bring forward a combination of different sized

sites based on the size of each settlement – as can be seen through the allocations in each of the authorities' respective Section 2 Plans.

- 8.8.5 Although the NEA's Strategic Housing Land Availability Assessments (SHLAAs) indicated that the overall volume of land in each district was capable of accommodating 7,500 additional dwellings, this data was not broken down by settlement, so both proportionate and hierarchical scenarios have assumed that sites will be available and deliverable in each village. Although some locations are relatively constrained due to the proximity of sensitive ecology and landscape, there were no 'show stoppers' such as greenbelt or designated wildlife sites identified.
- 8.8.6 In applying the hierarchy-based model, the NEAs sought to apply a consistent approach by seeking to 'combine' or 'unify' the three respective settlement hierarchies – appreciating that the approaches to settlement hierarchies in Section 2 Plans are different, reflecting the characteristics and circumstances that are relevant to each area. The three hierarchies are subject to being confirmed as sound through the Section 2 examination process however the general thrust of each hierarchy is considered to be in line with national policy in that larger, more sustainable settlements are found in the higher tiers and smaller, less sustainable settlements are in the lower tiers.
- 8.8.7 Each of the NEAs has a different hierarchy approach. The Braintree Section 2 Plan sets out a four-tier hierarchy with the 'Towns' of Braintree, Witham and Halstead at the top, followed by 'Key Service Villages', 'Second Tier' settlements and then 'Third Tier' settlements. Colchester's Plan has a three-tier hierarchy with the urban area of Colchester on its own at the top, followed by 'Sustainable Settlements' and then 'Other Villages', which are not proposed for any growth in the Section 2 Plan. For Tendring, the hierarchy has four tiers with 'Strategic Urban Settlements' including Clacton and Harwich at the top, followed by 'Smaller Urban Settlements', then 'Rural Service Centres' and finally 'Smaller Rural Settlements'.
- 8.8.8 In seeking to create a unified hierarchy, which is necessary for the purpose of generating a hierarchy-based growth scenario across North Essex, a five-tier hierarchy emerged which sought to classify settlements in relation to their size, strategic location and transport connections, existing employment and service provision and their comparability within the three authorities' separate hierarchies. The 'best fit', in the NEAs' view, was the following:

Table 2: Unified North Essex Settlement Hierarchy

Braintree	Colchester	Tendring
Tier 1		
Braintree	Colchester	-
Tier 2		
Witham Halstead [Both 'Towns' in the Braintree hierarchy]	-	Clacton Harwich [All 'Strategic Urban Settlements' in the Tendring hierarchy]
Tier 3		
Kelvedon/Feering Hatfield Peverel [Two of the five 'Key Service Villages' in the Braintree hierarchy (excluding the proposed Garden Communities)]	-	Frinton/Walton/Kirby Cross Manningtree.Lawford/Mistley Brightlingsea [All 'Smaller Urban Settlements' in the Tendring hierarchy]
Tier 4		
Coggeshall Earls Colne Sible Hedingham [Three of the five 'Key Service Villages' in the Braintree hierarchy]	Abberton and Langenhoe Boxted Copford and Copford Green Chappel and Wakes Colne Dedham Eight Ash Green Fordham Great Horkesley Great Tey Langham Layer de la Haye Marks Tey Rowhedge Tiptree West Bergholt West Mersea Wivenhoe [All 'Sustainable Settlements' in the Colchester hierarchy]	Alresford Elmstead Market Great Bentley Little Clacton St. Osyth Thorpe le Soken Weeley [All 'Rural Service Centres' in the Tendring hierarchy]

Tier 5

Bures Hamlet
Cressing Tye Green
Finchingfield
Great Bardfield
Great Yeldham
Rayne
Silver End
Steeple Bumstead
Ashen
Audley End
Belchamp
Otten
Belchamp Otten
Belchamp St Paul
Belchamp Walter
Blackmore End
Black Notley
Bradwell
Bulmer
Bulmer Tey
Castle Hedingham
Colne Engaine
Cornish Hall End
Cressing
Foxearth
Gestingthorpe
Gosfield
Great Maplestead
Great Sailing
Greenstead Green
High Garret
Helions Humpstead
Lamarsh
Little Maplestead
Little Yeldham
Nounsley
Panfield
Pebmarsh
Ridgewell
Rivenhall
Rivebhall End
Shalford
Shalford Church End
Stambourne Chapelend Way
Stambourne Dyers End
Stistead
Sturmer
Surrex
Terling
Tilbury Juxta Clare

Aldham
Birch
Dedham Heath
Easthorpe
East Mersea
Fingringhow
Great Wigborough
Layer Breton
Little Horkesley
Messing-cum-Inworth
Mount Bures
Peldon
Salcott
Wormingford

[All 'Other Villages' in the Colchester hierarchy].

Ardleigh
Beaumont Cum Moze
Bradfield
Frating
Gread Bromley
Great Holland
Great Oakley
Ramsey Village
Tendring District Council
Thorpe Station & Maltings
Thorrington
Weeley Heath
Wix
Wrabness

[All 'Smaller Rural Settlements' in the Tendring hierarchy]

Toppesfield White Colne Wethersfield White Notley Wikham St. Paul [All 'Second Tier' and 'Third Tier' settlements in the Braintree hierarchy]		
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8.8.9 In the hierarchy-based scenario, the settlements in the unified Tier 4 and Tier 5 settlements are not expected to accommodate any additional growth over and above existing commitments and Section 2 housing allocations. Tier 4 and 5 settlements (between them) are already anticipated to accommodate around 6,000 homes.

8.8.10 It is Tiers 1, 2 and 3 of the unified hierarchy where the proportionate approach results in additional land allocations being made and it is within these three tiers that all of Braintree's 'Towns', all of Tendring's Strategic and Smaller 'Urban Settlements' and the largest Urban Area of Colchester are found, along with two of Braintree's five 'Key Service Villages'. The categorisation of settlements in the unified hierarchy corresponds fairly neatly with the different categories in the authorities' respective Section 2 hierarchies, with two exceptions: 1) the division of Braintree's towns between Tier 1 (including Braintree) and Tier 2 (including Witham and Halstead); and 2) the division of Braintree's 'Key Service Villages' between Tiers 3 and 4, with Kelvedon/Feering and Hatfield Peverel in Tier 3 and Coggeshall, Earls Colne and Sible Hedingham in Tier 4.

8.8.11 The reason for splitting the towns is that Braintree and Colchester are by far the largest settlements and it would not be appropriate to include Witham and Halstead within the same tier as either Colchester or Braintree, as the size and level of existing employment and service provision varies considerably.

8.8.12 The reason for splitting the Key Service Villages is that Kelvedon and Hatfield Peverel have what is considered to be a good level of services and facilities and are better locations in respect of mainline rail services and the A12, which is reflected in Braintree's Section 2 Plan where significant growth is already proposed. Coggeshall, Earls Colne and Sible Hedingham are, in contrast, considered to align more with the 'Sustainable Settlements' and 'Rural Service Centres' in Colchester and Tendring's respective settlement hierarchies.

8.8.13 The alternative to using a unified hierarchy, which is suggested by some objectors, would have been for each authority to search for sites to meet their respective objectively assessed housing needs (plus an element of flexibility) around the settlements in their own individual areas only; applying their individual settlement hierarchies and a traditional 'sequential approach' to finding sites. This is essentially the approach that all three of the NEAs have already applied in the preparation of their respective Section 2 Plans. To identify land to deliver a further 7,500 homes in such a way, and applying a 33%:42%:25% split between Braintree, Colchester and

Tendring (to reflect their relative housing needs), there would be a requirement of 2,475 for Braintree, 3,150 for Colchester and 1,875 for Tendring which is broadly 2,500; 3,000 and 2,000. Applying a traditional hierarchical or sequential approach to meeting these requirements in each of the authorities separately would require Braintree, Witham and Halstead to be the initial focus for growth in Braintree District; Colchester Urban Area to be the initial focus in Colchester Borough and for Clacton and Harwich to be the initial focus for growth in Tendring.

- 8.8.14 For Braintree District, the towns of Braintree, Witham and Halstead are already expected to deliver nearly 8,000 homes between them to the end of the plan period to 2033 through existing planning permissions and Section 2 site allocations, with approximately 5,100 at Braintree (mainly through expansion to the north and south, 2,100 at Witham and 600 at Halstead). To accommodate an additional 2,500 homes around these settlements would bring about similar issues raised in relation to Option 'West 2' which envisages major expansion to the east of Braintree and lesser (but still significant) levels of additional growth for Hatfield Peverel and Halstead. The next tranche of search would be the Key Service Villages of Kelvedon/Feering, Hatfield Peverel, Coggeshall, Earls Colne and Sible Hedingham which, between them, are already expecting to accommodate some 1,800 homes through existing consents and Section 2 allocations.
- 8.8.15 For Colchester Borough, the main urban area of Colchester is already expected to deliver around 10,000 homes up to 2033 through existing planning permissions and Section 2 site allocations (mainly through expansion to the south and around the western periphery). To find sites for a further 3,000 homes would require the Council to consider eastward expansion into the Tendring District which is already tested (for 2,500 homes) through the ASA through Option East 4. The next tranche of search for Colchester would be the 'Sustainable Settlements' which include, amongst others, the existing settlements of Tiptree, West Mersea and Wivenhoe which are more environmentally sensitive and less capable of accommodating significant housing growth in a sustainable manner above existing consents and allocations. These three settlements also have adopted (Wivenhoe) and emerging neighbourhood plans (Tiptree and West Mersea). An option that allocates significant additional housing growth on the edges of these settlements would not be reasonable as it would undermine the neighbourhood planning process.
- 8.8.16 For Tendring District, the Strategic Urban Settlements of Clacton and Harwich are already expected to deliver some 4,000 homes. To find suitable land to deliver a further 2,000 homes would be severely problematic. Harwich is physically and environmentally constrained by the coast, flood zones and various environmental designations and coastal landscape sensitivities which significantly limit the potential for urban expansion. Clacton is constrained by the coast, but to a lesser extent than Harwich, which is why 3,000 of these 4,000 homes are expected to come forward on sites on the inland periphery of Clacton which is considered to be the limit of what is both physically achievable and what is realistically deliverable given the weaker housing market conditions in comparison to Colchester and Braintree. The next tranche of search for Tendring is the 'Smaller Urban Settlements' of Frinton/Walton/Kirby Cross, Manningtree/Lawford/Mistley and Brightlingsea – all of

which are coastal, all of which are affected by significant physical and environmental constraints and all of which are already expected to deliver their maximum contribution of growth for the period to 2033 – amounting to some 2,300 homes. The next tranche is then ‘Rural Service Centres’ which are already, partly through appeal decisions, expecting to accommodate substantial increases in housing stock which are arguably ‘disproportionate’ in respect of the existing settlements with most of the villages expecting between 200 and 300 additional homes up to 2033. Alresford is one of these villages and is the subject of an emerging Neighbourhood Plan.

- 8.8.17 Whether applying a unified approach or an individual district-by-district approach to generating a hierarchical growth option for testing, similar issues and concerns in respect of sustainability will arise in each of the three authorities and the assessment is likely to generate similar outputs under the proportionate growth scenarios. Whilst it is conceivable that the authorities could accommodate 7,500 (or a smaller number) of additional homes through more growth at existing settlements (accepting that some settlements will have more capacity to do so than others), a continuation of this approach whichever way it is considered brings with it a number of problems that can be avoided by adopting a more focussed approach to achieving comprehensive growth which utilises strategic-sized sites of 2,000 or more homes, which could (but does not necessarily have to) be in the form of Garden Communities.

Question 9

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

Response prepared by LUC.

- 8.9.1 The Stage 2 appraisal of spatial strategy options is based on sound and adequate evidence that is reasonable in the context of the strategic nature of the Section 1 Local Plan.
- 8.9.2 The Stage 2 appraisals of spatial strategy options that included strategic sites appraised in Stage 1 were informed by the results of the Stage 1c appraisals of those component strategic sites and, as such, was based on the evidence used in Stage 1c, including information on:
- The relationship between the three authorities and further afield in terms of commuting patterns.
 - The existing transport network, including public transport.
 - The distribution of existing services and facilities within the three NEAs, including employment areas, town centres and local centres.
 - Key environmental assets in the NEAs such as best and most versatile agricultural land, biodiversity sites and historic assets.
 - Other factors that could act as a constraint to development, such as flood risk, air pollution and noise corridors.
 - Site information forms to confirm what would be provided on strategic sites.
- 8.9.3 The appraisal of the spatial strategy options was carried out on the basis of the descriptions set out in Appendix 6 of the ASA Report, as provided by the NEAs. This included information on the rationale underpinning each spatial strategy option, the number of homes to be expected to be delivered both within the plan period and when fully built-out, and the assumptions relating to employment provision, and strategy-specific infrastructure. This provided a reasonable basis for coming to judgements in the ASA.
- 8.9.4 With respect to the proportionate growth alternatives, or those alternatives where a strategic site was combined with an element of proportionate growth, the evidence base developed to inform the ASA of strategic sites was utilised, to inform the assessment of potential effects. However, because the specific location of development allocated under the proportionate growth spatial strategy alternatives was not defined, these assessments relate to more general effects likely to arise from development at the relevant settlement and were therefore subject to greater

uncertainty, as set out in the relevant commentary. The ASA for these alternatives was based on clear descriptions of how much development would go to each settlement, which provided a reasonable basis for coming to judgements.

- 8.9.5 Paras 2.78-2.80 and Table 2.10 of the main ASA report and Appendix 6 of the ASA document the main evidence sources used and assumptions made when assessing the spatial strategy options in relation to each SA objective.
- 8.9.6 In response to objections that have been raised with respect to sites being selected for inclusion in Stage 2 that were not considered capable of delivering RTS in Stage 1, the purpose of Stage 2 was to consider and appraise sites that when brought together as a coherent strategy would be able to deliver infrastructure in a way that would not be possible when considering each site in isolation.
- 8.9.7 A number of objectors question the reliance placed on the delivery of the RTS to inform the judgements in the ASA. For example, one objector states that, despite the uncertainties that the ASA Report acknowledges in para 4.17 with respect to the delivery of RTS in the Garden Community options, the ASA goes on to give strong positive weight to travel considerations in its appraisal against SA objective 7 (Sustainable travel). Another objector claims the benefits of the RTS are overstated, given that it will be delivered after car journeys become embedded, and that there has been insufficient modelling to support the RTS proposals. The adequacy of the evidence base to support the RTS proposals is being examined under other Matters. For the purposes of the ASA, it is reasonable for the ASA to rely on the evidence and professional views on specialist transport consultants in coming to judgements. The uncertainty is clearly acknowledged in the ASA Report.

Question 10

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

Response prepared by LUC.

- 8.10.1 One of the main shortcomings of the original SA of the submitted Section 1 Local Plan identified by the Inspector was its objectivity, with his letter stating that: *“the authors of the SA report have generally made optimistic assumptions about the benefits of the GCs [Garden Communities], and correspondingly negative assumptions about the alternatives, without evidence to support many of those assumptions”*.
- 8.10.2 The approach to the ASA was designed from the outset to directly address this shortcoming, including by:
- Making explicit what is expected to be provided by spatial strategy options and whether this is expected to be at the end of the Plan period or once developments are fully built, as well as the basis of those assumptions (see in particular paras 2.73-2.77, Table 2.9, and Figures 2.20-2.37 of the main ASA report as well as Appendix 6 of the ASA).
 - Assessing every spatial strategy option against the same framework of SA objectives, supporting questions, and detailed criteria (see Table 2.10 of the main ASA report).
- 8.10.3 All of the evidence sources used to inform the ASA were from independent sources, such as national data sets, or from evidence studies commissioned by the NEAS in the normal way of plan-making. The only evidence base provided directly by the NEAs was with respect to landscape (SA objective 14). The Site Information Forms (Appendix 4 of the ASA Report) were prepared by the NEAs but were provided to the site promoters for checking prior to their use in the ASA.
- 8.10.4 Although there was close working between the NEAs and LUC to help frame and inform the ASA process, all judgements are those of LUC. At no point was LUC asked to alter their assessment of effects of any of the alternative spatial strategies.
- 8.10.5 A number of objectors question some of the scoring of the spatial strategy alternatives in the ASA. While objectors may disagree with some of the scoring, all spatial strategies were appraised on a consistent and objective basis using the assumptions described above and in the ASA Report.
- 8.10.6 As a result, it is considered that the appraisal of alternative spatial strategies was carried out with appropriate objectivity and impartiality.
- 8.10.7 Many of the issues raised by objectors in relation to the objectivity and impartiality of the ASA process have been addressed in the response to Question 3.

Question 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?

Response prepared by LUC.

- 8.11.1 The ASA provides an adequate and appropriate appraisal of the spatial strategy options at the end of the Section 1 Plan period and when fully built out, the results of which are summarised in Chapter 4 of the main ASA report and detailed in Appendix 7.
- 8.11.2 The overall method followed by the ASA is consistent with that suggested to the NEAs by the Inspector, i.e. an initial stage involving objective comparison of individual (GC) site options at a range of sizes, followed by a second stage assessment of alternative spatial strategies based on combinations of site options that survive the first stage, plus CAUSE's Metro Town proposal and proportionate at and around existing settlements.
- 8.11.3 In line with the Inspector's suggestion, the ASA appraises the alternative spatial strategies both within the Plan period (i.e. to 2033) and when fully built out (no specified end date, but likely to be several years, if not decades, beyond the end of the Plan period). It is accepted that this made direct comparisons between the alternative spatial strategies difficult because some (e.g. proportionate growth) will be delivered by 2033, whereas others that include major strategic sites will continue well beyond 2033 and this is fully acknowledged in the ASA Report (e.g. at the introductory paragraph of Chapter 4).
- 8.11.4 One objector states that it is common practice for short term to be for a period of 1-5 years, medium to be 5-10 years and long term to be 10 years+. That objector queries why 2 years, 10 years and beyond plan period has instead been chosen. The objector considers there to be confusion in that the sites have been sub-divided based on different dwelling capacities but the methodology fails to demonstrate what capacity can be delivered at each site in the short, medium or long term. The result of this flaw, they argue, is that the deliverability of sites within different timescales cannot be compared, and the potential for any slippage through, for example, the delivery of infrastructure has not been considered. They also consider that the commentary also fails to consider the timescale of deliverability other than by the end of the Plan period or beyond the Plan period. In carrying out the ASA it became apparent to LUC that it is was more helpful and appropriate to consider the effects of delivery of the alternative spatial strategies in terms of two time-scales: the effects within the plan period; and the effects when fully built-out. Within the plan period can therefore be considered to equate to the short and medium term, and beyond the plan period to be the longer term. In the context of a strategic plan that is seeking to deliver development over several decades, this is considered to be sufficient to identify the significant effects and compare alternatives.

Question 12

Does the ASA give adequate and appropriate consideration to:

- (a) effects of overflying aircraft to and from Stansted airport?
- (b) impacts on operations at Andrewsfield airfield?
- (c) impacts on heritage assets?
- (d) impacts on water quality?
- (e) impacts on air quality?

Response prepared by LUC.

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

8.12.1 The potential effects of the noise of overflying aircraft to and from Stansted airport are relevant to strategic site NEAGC1 (West of Braintree GC) and were assessed at Stage 1c, as documented at para. 3.1173 in Appendix 5 to the ASA. The assessment made reference to noise maps designed to provide a description of the noise impact of the airport on its surroundings, both maps showing existing noise levels and forming part of the current Noise Action Plan for Stansted^[1] and those showing predicted noise levels in the Environmental Statement accompanying the 2018 planning application for airport expansion^[2]. None of the relevant noise contours^[3] depicted in these noise maps intersect the area of site NEAGC1, therefore adverse effects were ruled out for the strategic site and for spatial strategy options that include it. Since effects were assessed as negligible, none are recognised in the spatial strategy options that include strategic site NEAGC1.

8.12.2 An objector notes that Runway 4 at Stansted is used regularly and has “numerous 3000-5000ft arrival flight paths and 4000-7000ft departure flight paths which pass directly over the proposed West of Braintree site”. It is accepted that departures from Runway 4, in particular, pass over NEAGC1 at heights of 3,000-6,000 ft.^[4] The same objector cites Government guidelines and draft guidelines that highlight the potential for aviation noise impacts from overflight below 7,000 feet of densely populated areas. Again, it is accepted that such a potential exists but as set out in the SA and above, noise mapping evidence indicates that the areas near to the airport affected by aircraft noise do not include NEAGC1.

(b) impacts on operations at Andrewsfield airfield?

8.12.3 Potential impacts of development proposed by the Section 1 Plan on Andrewsfield airfield are relevant to strategic site NEAGC1 (West of Braintree GC) and spatial strategy options that include this strategic site. These were assessed at Stage 1c, as documented in Appendix 5 to the ASA at para. 3.1154 (in relation to loss of community facilities at the airfield), para. 3.1172-3.1173 (in relation to aircraft noise), and at para. 3.1204 (in relation to potential adverse effects on the historic environment).

- 8.12.4 The NEAs have confirmed that development of NEAGC1 would be compatible with continuation of flying activity at the airfield in terms of operational safety and the ASA therefore concludes that development would not, therefore, result in loss of flying and community facilities and the related amenity.
- 8.12.5 The ASA identifies the potential for adverse aircraft noise effects on future residents of NEAGC1 and recommends that any allocation policy for NEAGC1 requires development proposals to carry out EIA in relation to the effects of aircraft noise on future residents and to implement appropriate site layout, landscaping and building design measures to mitigate aircraft noise issues as appropriate.
- 8.12.6 The ASA finds that development of NEAGC1 would not lead to loss of historic assets forming part of the Andrewsfield airfield site or associated adverse effects.
- 8.12.7 While the ASA did not identify adverse effects on amenity or the historic environment from allocation of NEAGC1, it recognises that there is a potential adverse cumulative effect from allocation of NEAGC1 together with that part of West of Braintree Garden Community in Uttlesford District (Policy SP8 of Uttlesford Local Plan in the Uttlesford Local Plan submitted for Examination) but this is uncertain, pending any modifications to the Uttlesford Local Plan at Examination and subject to masterplanning of the specific proposals that come forwards.

(c) impacts on heritage assets?

- 8.12.8 Historic England state that the ASA has used a distance-based approach to the historic environment contrary to the advice from Historic England and indicate that they would expect a Heritage Impact Assessment as part of the evidence base for any proposed allocation (but particularly large strategic allocations) likely to have an impact on the significance of heritage assets (including development within the setting of the heritage assets).
- 8.12.9 The assumptions relied on in the ASA regarding the historic environment are detailed in para 2.98 of the ASA Report). A proximity based approach to designated heritage assets was used to identify the potential for adverse effects on designated heritage assets based on the proximity of strategic site options (and associated spatial strategy options) to these. As such, it identifies where significant adverse effects could not reasonably be avoided or where it would be prudent to include requirements for further investigation and mitigation in site allocation policies. This approach is consistent with the requirement of the SEA Regulations (s12(3)) to include the information reasonably required, taking account of the strategic nature of the Section 1 Local Plan and the fact that more detailed consideration of effects and how they should be mitigated will take place as part of the preparation of the Development Plan Documents for each site.. One of the challenges with a plan such as the Section 1 Local Plan is that it is dealing with large areas of land, and a large number of potential reasonable alternatives. Given the scale of the strategic sites, the potential effects on the historic environment are very much influenced by the scale, location and masterplanning of development within a site, including any mitigation

that is required to avoid significant adverse effects. It was therefore considered proportionate to include a high level assessment of the risk of potential harm to the historic environment of each site, and also to provide an indication of the extent to which each site was within the proximity distances of designated historic assets. It also meant that each site was treated consistently.

8.12.10 The ASA Report draws specific attention to those sites that could affect historic assets of higher grade in the bullet points for each site under para 3.117 of the ASA Report. Non-designated heritage assets were not included because of the strategic nature of both the Section 1 Local Plan and its accompanying ASA.

(d) impacts on water quality?

8.12.11 Potential effects on groundwater quality were assessed for strategic sites in Stage 1 and for spatial strategy options in Stage 2 using a GIS-based analysis of development locations in relation to groundwater source protection zones, according to the criteria set out in Tables 2.7 and 2.10, and the results reported under SA objective 11.

8.12.12 In relation to potential adverse effects on water quality from inadequate wastewater treatment infrastructure, the ASA made reference to the findings of available water cycle studies for the individual NEAs and the Integrated Water Management Strategy. This evidence was based on the NEAs' submitted Plans and as such, caution was exercised by the ASA in drawing on their conclusions to inform assessment of the effects of other options for growth. The corresponding uncertainty of effects was documented in the findings for strategic sites (see Appendix 5 to the ASA) and for the spatial strategy options (see Appendix 7 to the ASA).

8.12.13 Neither the Environment Agency nor Anglian Water Services has raised concerns about water quality in consultation on the ASA.

(e) impacts on air quality?

8.12.14 The ASA considers potential effects of the strategic site options and spatial strategy options on air quality in three ways.

8.12.15 Under SA objective 7, the ASA considers whether development is likely to support sustainable travel behaviour and reduce the need to travel. Reference is made to both the infrastructure expected to be available within walking distance of proposed development (for shorter journeys) and the public transport networks expected to be within walking distance (for longer journeys).

8.12.16 Under SA objective 13, the ASA considers whether development locations are in existing areas of poor air quality and therefore likely to expose new residents to adverse health effects. Reference is made to Air Quality Management Areas (AQMAs) that have been declared.

- 8.12.17 Also under SA objective 13, the ASA considers whether development is likely to increase road traffic and air pollution in existing areas of poor air quality (AQMAS). Reference is made to the main commuting destinations from the broad area into which the development would fall and from adjacent major urban areas and relationship of the major roads likely to be used to declared AQMAS.
- 8.12.18 LUC took the approach described above, using professional judgement, to come to a view on the likelihood of the effects on air quality. This approach has been used in SAs elsewhere, including where Local Plans have been found sound and subsequently adopted, and is judged to be reasonable and proportionate.

[1] Stansted Noise Action Plan 2019-2023 (available from <https://www.stanstedairport.com/community/noise/noise-action-plan/>)

[2] Available from <https://www.uttlesford.gov.uk/article/5831/Key-documents-for-the-Stansted-Airport-application>

[3] CAA website states that in the UK, it is generally assumed that if the average noise level in an area from 7.00am to 11.00pm is more than 57dBA L_{eq}, it will be "significantly annoying" to the community that live and work there (see <https://www.caa.co.uk/Consumers/Environment/Noise/Noise/>). Stansted Noise Action Plan considers aircraft noise to be affecting places near the airport if the noise mapping has indicated an L_{den} value of 55dB or more or an L_{night} value of 50dB or more.

[4] As indicated, for example, by the Arrival and Departure maps included at Appendix F to the Stansted Noise Action Plan 2019-2023

Question 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?

Response prepared by the NEAs.

- 8.13.1 The Main Report Conclusions when read alongside the contents of the table contained in Appendix 8 to the ASA provide clear and justified reasons for the choice of preferred spatial strategy option. These are reflected in the commentary contained within each of the three authorities' respective Committee reports which led to the decision not to change the strategy set out in the submitted Section 1 Plan.
- 8.13.2 Many objectors have argued that the SA conclusions do not demonstrate that the chosen spatial strategy is the most appropriate one when considered against the reasonable alternative. The NEAs acknowledge that the overall conclusions of the ASA score many of the options very similarly against the various sustainability objectives and are therefore unable to identify a 'clear winner'. However, it is important to re-iterate the role of Sustainability Appraisal in the plan-making process which is to inform the choice of strategy by identifying the potential significant environmental, social and economic effects of different options – it is not (as some objectors are implying) there to provide a definitive conclusion on the most appropriate option. This is the job of the plan-making authorities which, in this case, are the NEAs and this is ultimately a political decision by the elected Councillors of the three respective authorities, taking a variety of factors into account. A number of objectors have suggested that the ASA's failure to identify a clear winner from the various alternative options represents a failure in the plan-making process; this is not the case. The commentary within Appendix 8 to the ASA provides a very clear explanation as to why the preferred spatial strategy has been selected over other the alternatives taking into account both the ASA findings and a range of other factors.
- 8.13.3 The ASA findings in respect of the area east of Colchester alone provide a clear basis for identifying the most appropriate of the six spatial strategy alternatives and the NEAs' conclusions for the eastern area are fairly clear cut. Given the constraints affecting Tendring's existing settlements and the limited scope for additional proportionate growth around those settlements over and above the already substantial growth expected from existing commitments and Section 2 allocations (see comments in response to Question 8), there is a need to consider strategic options for longer-term growth to the west of the district, closer to the Colchester border. Those alternatives are the Tendring/Colchester Borders Garden Community (East 3), the Colchester North-East Extension (East 4), the Tendring Central Garden Village (East 5) and CAUSE's Metro Plan concept (East 6). The ASA conclusions go on to state that East 4 has potentially significant biodiversity issues due to its potential impact on the Bullock Wood SSSI; leaving East 5 and East 6 as the strongest alternatives to East 3.

- 8.13.4 The commentary in Appendix 8 to the ASA explains that East 3 is considered to be the strongest of the eastern alternatives because it offers multiple benefits to both Colchester and Tendring in terms of housing delivery, improved accessibility through rapid transit and the A133/120 link road and unlocking the economic potential for more expansion of the University of Essex and the Knowledge Gateway whilst relieving pressure caused by continued growth on the edge of existing towns and villages. The government's decision to award £99million of HIF funding to Essex County Council to deliver the A133/A120 link road and rapid transit system on the understanding that it will facilitate housing growth and the subsequent progress in consulting on link road and RTS options clearly adds weight to the selection of East 3 as the most appropriate and deliverable option to the east. For the reasons set out in Appendix 8 of the ASA, the alternatives East 5, East 6 and certainly East 4 are considered to be weaker options that do not deliver the same benefits as East 3.
- 8.13.5 To the west of Colchester, the various alternative options are more closely matched and ASA conclusions acknowledge that the choice of strategy is more complicated. The NEAs have needed to carefully consider, in light of the findings of the ASA, whether the current strategy to the west of Colchester involving Garden Communities West of Braintree and on the Colchester/Braintree Borders (West 3) still represents the most appropriate approach for inclusion in the Section 1 Plan in combination with a Garden Community on the Tendring/Colchester Borders (East 3). The commentary in Appendix 8 explains that West 3 carries genuine advantages in terms of accessibility to the A120, the potential to connect to the existing urban settlements through RTS and to access existing and potential employment opportunities, including those offered by Stansted Airport and the M11 and London Stansted Cambridge Corridor.
- 8.13.6 The two proportionate growth options for the area west of Colchester (West 1 and West 2), in contrast, have been rejected on the basis that they result in either a very thin and unsustainable distribution of growth through the percentage-based approach, or they focus development very heavily onto land on the eastern edge of Braintree and, to a lesser extent, Halstead and Hatfield Peverel following the hierarchy-based approach. The latter raises concerns about a breach in the natural and defensible boundary currently formed by the A120 east of Braintree which would potentially act as a barrier to the integration of new development with the town and would also be dependent on a new junction at Galleys Corner on the A120 to secure the capacity required to deal with additional traffic. This is equally a concern about Options West 7, 8, 9, 10 and 11) and leading (in part) to their rejection also. The approach that the NEAs have taken to hierarchy-based proportionate growth, which is challenged by some objectors, is explained in more detail in our response to Question 8 and it is considered that different variations of proportionate growth would bring about very similar issues.
- 8.13.7 West 4, which proposes three Garden Communities west of Colchester including the addition of Monks Wood has been rejected on the basis that the adverse impacts of three Garden Communities in three separate locations both on the environment and on communities will be greater the impacts of two. Indeed all of the options involving the development of a Garden Community at Monks Wood (West 4, 5, 6 and 11) are

rejected on the basis that Monks Wood (Pattiswick) is not as well connected to the jobs, shops, services and facilities offered by Braintree and Colchester, is notably further from Stanstead Airport than the West of Braintree GC and notably further from mainline rail services to London than the Colchester/Braintree Borders GC – making it a weaker alternative to either of the NEA’s preferred Garden Community locations. West 8, which proposes a major urban extension to Halstead would result in a strategic scale development in a location with that is not well connected for longer journeys in sustainable transport terms and the ASA appraisal of this option concludes that additional development at Halstead may be considered less sustainable than some of the other spatial strategies.

8.13.8 Applying a west/east split in line with Principle 6 enables the NEAs to determine the most appropriate spatial strategy option to the west and the most appropriate spatial strategy option to the east and to combine those in order to establish the most appropriate spatial strategy for North Essex overall. It is the NEAs’ conclusion taking into account the findings of the ASA and all other factors, that Option West 3 combined with Option East 3 represents the most appropriate option overall and therefore that the Section 1 Plan, as submitted, promotes the right strategy for growth.

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

Response prepared by LUC.

- 8.14.1 The main purpose of the ASA was to address the points specifically raised by the Inspector in his letter of June 2018 in relation to the original SA. The ASA supplements the original SA, as explained at paras. 1.8-1.11 of the main ASA report. As a result, when considering the requirements of Schedule 2 of the SEA Regulations, the ASA needs to be read together with the original SA.
- 8.14.2 In relation to cumulative effects, para. 1.11 (bullet 3) of the main ASA report explains that the ASA does not describe the cumulative effects of the Section 1 Local Plan policies but considers the cumulative effects of the strategic site options and spatial strategy options with existing commitments and allocations in the Section 2 Local Plans, and with planned development in neighbouring Districts and Boroughs. These effects are described where relevant in the detailed appraisals set out in Appendix 5 and Appendix 7 to the ASA. Chapter 5 of the main ASA report provides an overview of these cumulative effects, including with development proposed in neighbouring districts.
- 8.14.3 In relation to information on measures envisaged to mitigate the significant adverse effects, there are two main aspects to this. Firstly, when considering strategic sites and spatial strategy alternatives, proposals were taken into account that would deliver services and facilities, such as schools and healthcare, employment, and transport infrastructure and services, without which significant negative effects would occur. Secondly, mitigation in relation to the risk of significant environmental effects, such as on biodiversity and the historic environment, needs to be addressed at the policy level, to be delivered through policy-compliant masterplanning proposals for each individual site. This mitigation is provided for in the submitted Section 1 Plan and is referenced in the original SA.
- 8.14.4 One objector states that the ASA is heavily reliant on the information in the Site Information Forms regarding mitigation measures, rather than the Local Plan evidence base itself, and that the Stage 1 assessment was carried out prior to any mitigation being taken into account. The objector goes on to state that there is, in fact, no summary of the mitigation measures that are needed for each site or spatial strategy option, and that the mitigation measures that are provided in the results appear very vague and are not based on any actual measures or policies. Mitigation measures are set out for each site in the ASA report from paragraph 2.34 onwards, and for each spatial strategy option in the specific descriptions of the spatial

strategies in Appendix 7 'Detailed results of Stage 2 SA of alternative spatial strategies'.