

APPENDIX 1: LIGHTWOOD MATTER 1 HEARING STATEMENT

Item	Date	Event	Comments
1	August & October 2014	Braintree DC Call for Sites.	<ul style="list-style-type: none"> <li>No submission in respect of Monks Wood</li> <li>Availability bot confirmed</li> </ul>
2	January 12 <sup>th</sup> 2015	LDF Sub Committee meeting to consider Issues and Scoping document	<ul style="list-style-type: none"> <li>Document presented high level options for meeting housing needs e.g. new villages, but did not present spatial strategy options in respect of new settlement locations</li> <li>Availability bot confirmed</li> <li>No consultation response from the landowner</li> </ul>
3	January 26 <sup>th</sup> - 6 <sup>th</sup> March 2015	Issues and Scoping document published for consultation.	
4	December 2015 - January 2016	Consideration of detail [sic] policies by the Local Plan Sub-Committee.	<ul style="list-style-type: none"> <li>Not relevant to the Part 1 Plan</li> </ul>
5	February - May 2016	Potential development sites considered by the Local Plan Sub-Committee. Various Dates.	<ul style="list-style-type: none"> <li>Monks Wood (Pattiswick Estate) introduced to Braintree District Council (Jon Hayden) and copied to by Sworders, acting for the landowner on <b>March 9<sup>th</sup> 2016</b> . Email copied to Allen Duff and John Walker of Garden City Developments working on behalf of all the North Essex Authorities.</li> <li>Timeline provided by NEA's states that the information was shared with colleagues at Masterplanning group on <b>March 10<sup>th</sup></b> (including unspecified representatives of all NEAs).</li> <li>Timeline provided by NEA's states that email chain correspondence shared with Ian Vipond (Colchester), Martin Knappett (Tendring) and Andrew Cook (Essex).</li> <li>Emma Gooding's responded to Sworders on <b>March 11<sup>th</sup></b> saying that the NEA's will not</li> </ul>

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			consider the site prior to the receipt of consultation responses on the Reg 18 Draft Local Plan. Monks Wood described as an objection site – albeit the plan was still in preparation
6	20 <sup>th</sup> June 2016	Draft Local Plan considered by Council.	<ul style="list-style-type: none"> <li>• Monks Wood was not acknowledged as a new option or a reasonable alternative in the officer report to Council.</li> </ul>
7	27 <sup>th</sup> June - 19 <sup>th</sup> August 2016	Reg 18 Draft Local Plan consultation	<ul style="list-style-type: none"> <li>• Lightwood responds to the consultation with: <ul style="list-style-type: none"> <li>○ Letter of representation</li> <li>○ Monks Wood Garden Village Prospectus which identified that sites of least 5,000 homes were sought by the NEA's</li> </ul> </li> </ul>
8	September 2016 – May 2017	<p>Consideration of public consultation responses to the Draft Local Plan and revisions to the Plan as appropriate.</p> <p><b>Local Plan Sub-Committee Meetings</b></p> <p><b>5<sup>th</sup> October 2016</b></p> <ul style="list-style-type: none"> <li>• <i>Hatfield Peverel Neighbourhood Plan</i></li> <li>• <i>Local Development Scheme 2016-2019</i></li> <li>• <i>Reg 18 Local Plan consultation briefing – focus on what took place rather than responses.</i></li> </ul> <p><b>31<sup>st</sup> October 2016</b></p> <ul style="list-style-type: none"> <li>• <i>Vision and Objectives of 'Part 2 Plan'</i></li> </ul> <p><b>10<sup>th</sup> November 2016</b></p>	<ul style="list-style-type: none"> <li>• Lightwood is very concerned to note that as soon as <b>31<sup>st</sup> October 2016</b> officers recommended to the Local Plan sub-committee, that based on their consideration of the Regulation 18 representations, the Vision and Objectives for the Part 2 Plan (specific to Braintree), but which flowed from the Vision and Objectives of the Part 1 Plan should be amended as shown below.</li> <li>• This recommendation was approved and firmed up the Draft Reg 18 GC locations in the plan-making process from this point</li> </ul> <p>Two new garden communities are being built within the District. <del>West of Braintree a new town will be under construction, providing homes, employment and facilities within an excellent environment and in</del></p>

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		<ul style="list-style-type: none"> <li>• <i>Housing Requirement and aspects of Part 2 Plan</i></li> </ul> <p><b>28<sup>th</sup> November 2016</b></p> <ul style="list-style-type: none"> <li>• <i>Part 2 Plan issues</i></li> </ul> <p><b>15<sup>th</sup> December 2016</b></p> <ul style="list-style-type: none"> <li>• <i>Part 2 Plan issues</i></li> </ul> <p><b>15<sup>th</sup> February 2017</b></p> <ul style="list-style-type: none"> <li>• Local Development Scheme Revised – in response to Kerslake.</li> <li>• Part 2 Plan issues and SFRA</li> </ul> <p><b>9<sup>th</sup> March 2017</b></p> <ul style="list-style-type: none"> <li>• Part 2 Plan Issues</li> </ul> <p><b>12<sup>th</sup> April 2017</b></p> <ul style="list-style-type: none"> <li>• Part 2 Plan Issues</li> <li>• Consultation Strategy</li> </ul> <p><b>16<sup>th</sup> May 2017 – Part 1 plan (see item x below)</b></p>	<p><del>line with garden city principles. At Marks Tey, a major new urban area shared with Colchester borough, will also be emerging as a self-contained town, containing all the services and facilities which the residents will need.</del> <b><u>at West of Braintree and West of Colchester providing positive new communities within a high quality environment.</u></b></p> <ul style="list-style-type: none"> <li>• In our assessment this recommendation and decision, at this point in the timeline, renders subsequent AECOM Work on Monks Wood hollow. The Reg 19 strategy in respect of GC's in Braintree been determined by October 31<sup>st</sup>.</li> <li>• Either Monks Wood must have been regarded as <u>not</u> a reasonable alternative by officers at this point – which Lightwood contend is itself 'Wednesbury' unreasonable, or it was regarded as a reasonable alternative, yet dismissed.</li> <li>• There is no evidence for either position as of October 31<sup>st</sup> 2016. Certainly, by this time the Council had not undertaken any assessment work that is before the Inspector.</li> <li>• The Reg 19 vision was adopted before the Council commissioned AECOM to assess Monks Wood or before the SA of the Reg 19 plan was undertaken.</li> </ul> <p>These observations render subsequent work on Monks Wood biased. It cannot be objective.</p> <p>The Duty to Co-operate with neighbouring authorities and other bodies re Monks Wood and the spatial strategy need to be probed between</p>
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			March 9 <sup>th</sup> and March 11 <sup>th</sup> , between March 11 <sup>th</sup> and August 19 <sup>th</sup> and then between August 19 <sup>th</sup> and October 31 <sup>st</sup> .
9	October 2016	Lord Kerslake instructed to assess North Essex Garden Communities by Leaders and CEX's of NEAS	<p><b>Dentons emails of 30/01/2018 states that</b></p> <p><i>“No formal briefing pack or letter of instruction was provided to Lord Kerslake. Lord Kerslake was provided with the attached document which formed the basis of the review. This was subsequently discussed with Lord Kerslake. As you will note the Brief focused on the strategic aims of the Local Plan (including whether they were viable and deliverable), rather than on the site selection process. Lord Kerslake was not asked to consider the merits of the Monks Wood site, or any other individual site”.</i></p> <ul style="list-style-type: none"> <li>• See Lightwood's comments on item 14</li> </ul>
10	November 21 <sup>st</sup> 2016	Meeting between Lightwood and Emma Goodings	Master plan documentation prepared tabled
11	November 30 <sup>th</sup> 2016	Colchester Cabinet Report on LDV's	<ul style="list-style-type: none"> <li>• Focus very much on Preferred locations in Regulation 18 Plan</li> </ul>
12	Early December 2016 (See page 2 of Final Report)	Kerslake Review findings shared with Leaders and CEX's of NEAs	<ul style="list-style-type: none"> <li>• Private discussions</li> </ul>
13	December 2016	AECOM commissioned to undertake review of alternative proposals at Monks Wood and Metro Town on behalf of the NEAs.	<ul style="list-style-type: none"> <li>• See notes at bottom of item 14.</li> </ul>

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<p>14</p>	<p>January 2017</p>	<p>Kerslake Review published</p>	<p>Page 2</p> <ul style="list-style-type: none"> <li>• The review took place in November 2016. The review team reviewed a range of background documents <u>provided by the Garden Communities project team and visited the three proposed locations. They met with the lead Directors of the four Councils who explained the background and the reasoning behind the approach the Councils are taking towards the proposals.</u> The Directors also submitted a self-assessment against the six questions. <u>The Review Team subsequently spoke with the council planning teams, key advisors, land owners, developers and officials at the Department for Communities and Local Government (DCLG) to clarify and explore specific areas of interest in more depth. The review was able to take account of evidence submitted by local groups, including CAUSE,</u> although in the time available it was not possible for the review team to engage directly with local communities.</li> <li>• Evidently the review team were aware of the proposed sites and of the CAUSE evidence/proposals. No reference is made to any knowledge of the Monks Wood alternative</li> </ul> <p>Page 6</p> <ul style="list-style-type: none"> <li>• Recommends the assessment of reasonable alternatives.</li> </ul>
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15	February 2017	Date for Regulation 19 Consultation in October 5 <sup>th</sup> 2016 LDS	<ul style="list-style-type: none"> <li>Programme amended to June 2017 in February 2017 LDS, post Kerslake.</li> </ul>
16	1 <sup>st</sup> March 2017	Meeting between Lightwood and Braintree DC (John Hayden, supported by Rob Smith, Hyas and Joe Welch, Arcadis)	<ul style="list-style-type: none"> <li>This was not a 'planning' meeting in relation to the merits of Monks Wood or spatial strategy options.</li> <li>It focused on deliverability (land ownership and contractual positions,)</li> <li>Lightwood invited to offices of Arcadis to discuss Hyas viability model and inputs/outputs for Monks Wood</li> </ul>
17	17 <sup>th</sup> March 2017	Viability/Deliverability Review Meeting between Lightwood and Arcadis/Hyas	<ul style="list-style-type: none"> <li>Lightwood question the mechanics of the model</li> </ul>
18	April 2017 - May 2017	<p>First Draft: North Essex Garden Communities Evaluation of Alternatives: Monks Wood</p> <p>Final Draft: North Essex Garden communities' evaluation of alternatives: Monks Wood</p>	<ul style="list-style-type: none"> <li>Dentons timelines states that the report was completed on April 17<sup>th</sup> but the report cover sheets states that the report was finalised in May 2017 (date unspecified)</li> </ul>
19	16 <sup>th</sup> May 2017	Local Plan Sub-Committee Meeting focusing on Part 1 Plan in relation to Garden Communities	<ul style="list-style-type: none"> <li>Report content and critique discussed paragraphs 3.27 onwards of Lightwoods Regulation 19 representations.</li> </ul>
20	5 <sup>th</sup> June 2017	Council consideration of the Publication Local Plan	<ul style="list-style-type: none"> <li>Relies upon content 16<sup>th</sup> May 2017 LP Committee Report.</li> </ul>
21	16 <sup>th</sup> June – 11 <sup>th</sup> August (Part 1) 16 <sup>th</sup> June - 28 <sup>th</sup> July 2017 (Part 2)	Reg 19 Publication Local Plan consultation	<ul style="list-style-type: none"> <li>Lightwood makes Duly Made Representations to Colchester by 11<sup>th</sup> August. Guidance notes on comments form states that</li> </ul>

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			<p><i>“You can send your response to any one of the authorities as all responses to Section 1 will be collated. Only 1 response to the 3 authorities is required.”</i></p> <ul style="list-style-type: none"><li>• Colchester should not have assumed that Lightwood’s submission was a duplicate</li></ul>
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