

## North Essex Authorities – Publication Draft Local Plan Examination

### Statement of Common Ground as agreed between North Essex Authorities (Braintree District Council, Colchester Borough Council and Tendring District Council) and Maldon District Council – Part 1

2017

#### Introduction

This Statement of Common Ground has been prepared jointly between the parties consisting of Braintree District Council (BDC) and Maldon District Council (MDC).

The Statement sets out the confirmed points of agreement between Braintree District Council and Maldon District Council with regard to the submitted North Essex Publication Draft Local Plan (2017) (The Plan).

#### Background

Maldon District Council is a neighbouring authority to Braintree District Council and therefore a statutory consultee for The Plan.

Maldon District Council has commented on previous drafts of The Plan.

MDC commented during the 2015 Issues and Scoping Consultation, noting that that it does not object to the to the potential approach to housing delivery via new settlements on the border with Colchester, it also did not object to potential development at Witham or Hatfield Peverel, but would like considerations of these locations to enable opportunities for appropriate highways solutions to reduce congestion on the B1019 and B1137.

During the 2016 Preferred Options consultation MDC commented on the omission of policies for growth locations at Lodge Farm, South West Witham and Forest Road in North East Witham, a general comment on map legibility and reference numbers, and concerns regarding growth around the A12 corridor and to seek to work with BDC to consider those impacts.

Further comments have been made against the Publication Draft Local Plan which are set out below.

#### Agreed Matters

The following proposed changes to policies and supporting text.

<b>CBC Rep Number</b>	<b>Local Plan Section or policy</b>	<b>Summary of representation</b>	<b>Agreed Response</b>
7465	<b>Policy SP5 – Infrastructure &amp; Connectivity</b>	<b>Transport</b> The sections on improved road infrastructure and strategic highway connections and improved junctions on the A12 and other main roads are	<b>Agreed position on SP5</b> The North Essex Authorities and Maldon District Council both support the proposals for an improved A12 and will both work with Highways

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		<p>supported. However, the A12 junction improvements at Marks Tey must be designed and built to accommodate the total proposed 24,000 homes in the Garden Community not just that planned for this plan period. Due to the expected increase in leisure &amp; recreation pressure on adjoining Districts (In particular the Dedham Vale AONB and the River Blackwater), arising from the strategic growth and Garden Communities planned in North Essex, S106/CIL contributions from these developments should include contributions towards cycle and footpath routes to enable non-car access to leisure and recreation destinations in adjoining districts.</p> <p><b>Education</b> School pupils are shared across district boundaries. S106 agreements must take into account the impact on schools in Maldon District. Funding should be directed to the schools affected by the strategic growth in North Essex, even if the schools concerned are in adjacent districts. [Effective]</p>	<p>England to ensure that the strategic road infrastructure and junctions proposed can meet the proposed growth.</p> <p>It is also agreed to the principle of the proposed garden community at Colchester/Braintree Borders having a cycle/footpath connection to Maldon District for leisure and recreation particularly to provide non-motorised access to the Blackwater Estuary and other recreation opportunities. It is also agreed to look at opportunities for such proposals through the consultation on the development plan documents and other planning processes.</p> <p>With regards to education, there are existing mechanisms that allow investment in schools in adjoining districts secured via S106 agreements and through the schools commissioning role of Essex County Council the impact on schools in Maldon will be a consideration. The Councils have discussed education provision with Essex County Council and funding will be given to the appropriate school, regardless of the District boundary.</p>
7471	Paragraph 8.3	<p>Paragraph seems to have a repeated sentence/ or missing text. This paragraph needs to be revised. [Effective]</p>	<p>It is proposed to amend the format of the paragraph to make it clearer:</p> <p>An Appropriate Assessment has also been</p>

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			<p>completed to consider the effects of proposals in Section 1 on the integrity of the European sites either alone or in combination with other plans and projects. At the Screening Stage the likely significant effects on European Sites, either alone or in combination with other plan and projects, were loss of offsite habitat, recreational impacts and water quality. These issues were further considered through the Appropriate Assessment;</p> <ul style="list-style-type: none"> <li data-bbox="1058 909 1418 1783"> <p>• <b>Loss of off-site habitat -</b>            To mitigate for the loss of off-site habitat, the Appropriate Assessment identified the need for wintering bird surveys for the Tendring Colchester Borders Garden Community as part of any project level development proposals and master planning, to determine the sites individual importance for golden plover and lapwing and inform mitigation proposals and a commitment to mitigation and phasing of Tendring Colchester Borders Garden Community is required within the Section 1 Strategic Plan dependent on the findings of bird surveys.</p> </li> <li data-bbox="1058 1816 1418 1960"> <p>• <b>Recreational Impacts -</b>            To mitigate for any increase in recreational pressures at the European sites, the</p> </li> </ul>

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			<p>Appropriate Assessment recommended the production for Recreational Avoidance and Mitigation Strategies (RAMS) for the Colne &amp; Blackwater, Stour and Orwell SPAS/Ramsar sites and Essex Estuaries SAC.</p> <ul style="list-style-type: none"> <li>• Water quality – To ensure that the water quality of the European Sites are not adversely affected by growth proposals in Section 1, the Appropriate Assessment recommended the inclusion of policy safeguards to ensure that adequate water treatment capacity exists prior to developments proceeding and a commitment that the phasing of development would not exceed water and sewage infrastructure capacity and that the necessary infrastructure upgrades would be in place prior to developments coming forward.</li> </ul>
7471	Paragraph 8.5	Recreational Avoidance and Mitigation Strategies (RAMS) must cover the relevant designated sites in adjoining districts, as the recreation & leisure impacts of the strategic growth and Garden Communities will extend beyond the Borough's borders. The supporting text needs to be revised to	<p><b>Agreed position on 8.5</b>  The authorities recognise that there will be likely cross boundary impacts. An Essex Coastal Recreation Avoidance Mitigation Strategy (RAMS) will be in place by adoption of the Local Plan to ensure that any recreational and leisure impacts are</p>

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		<p>acknowledge that recreational and leisure impacts will be cross boundary, and that the RAMS should also be cross boundary, not solely focused on designated sites within the Borough. The impact of the Marks Tey Garden Community on the Blackwater Estuary should be included within the scope of the Strategy.</p> <p>[Effective]</p>	<p>Identified and mitigated accordingly. The North Essex Authorities and MDC are in agreement that the text included at paragraphs 8.3 – 8.6 and the Statement of Common Ground with Natural England addresses these points.</p>
7471	<p><b>Policy SP7 – Development and Delivery of New Garden Communities in North Essex</b></p>	<p>The employment allocations for the Garden Communities should be explicitly stated in policy SP7 alongside the housing allocations.</p> <p>[Effective]</p>	<p><b>Agreed position on SP7</b> The issue of the specific identification of amount of employment land to be allocated remains an area of disagreement.</p>
7467	<p><b>Policy SP8 – Tendring/ Colchester Borders Garden Community</b></p>	<p>Garden Communities – the policies map only shows 'strategic areas for development'. As the planning of the Garden Communities has been delegated down to a Strategic Growth DPD, the strategic areas as shown on the policies maps can be indicative only. It is insufficient to allocate 7,500 homes to these Garden Communities in this plan period, based on an indicative area. To provide more certainty, these areas should be defined more clearly on the Local Plan policies maps.</p> <p>The employment allocation for the Garden Community should be explicitly stated in this policy alongside the housing allocations.</p> <p>[Effective]</p>	<p><b>Agreed position on SP8</b> It is agreed that the areas of search are more clearly defined in the North Essex Garden Communities Issues and Options DPD. The issue of the specific identification of amount of employment land to be allocated remains an area of disagreement.</p>
7468	<p><b>SP9 – Braintree/ Colchester borders Garden Community</b></p>	<p>Garden Communities – the policies map only shows 'strategic areas for development'. As the planning of the Garden</p>	<p><b>Agreed position on SP9</b> It is agreed that the areas of search are more clearly defined in the North Essex Garden Communities</p>

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		<p>Communities has been delegated down to a Strategic Growth DPD, the strategic areas as shown on the policies maps can be indicative only. It is insufficient to allocate 7,500 homes to these Garden Communities in this plan period, based on an indicative area. To provide more certainty, these areas should be defined more clearly on the Local Plan policies maps.</p> <p>The employment allocation for the Garden Community should be explicitly stated in this policy alongside the housing allocations. The impact of a 24,000 home development at Marks Tey, on leisure and recreational facilities and infrastructure in adjoining districts needs to be calculated and planned for. For example, contributions to cycle and footpath routes to the coast and other recreational facilities should be sought, to enable non-car access to recreational and leisure destinations. [Effective]</p>	<p>Issues and Options DPD. The issue of the specific identification of amount of employment land to be allocated remains an area of disagreement.</p>
7469	<b>SP10 – West of Braintree Garden Community</b>	<p>Garden Communities – the policies map only shows 'strategic areas for development'. As the planning of the Garden Communities has been delegated down to a Strategic Growth DPD, the strategic areas as shown on the policies maps can be indicative only. It is insufficient to allocate 7,500 homes to these Garden Communities in this plan period, based on an indicative area. To provide more certainty, these areas should be defined more</p>	<p><b>Agreed position on SP10</b> It is agreed that the areas of search are more clearly defined in the North Essex Garden Communities Issues and Options DPD. The issue of the specific identification of amount of employment land to be allocated remains an area of disagreement.</p>

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		clearly on the Local Plan policies maps. The employment allocation for the Garden Community should be explicitly stated in this policy alongside the housing allocations. [Effective]	

**Statement of common ground**

Signed on behalf of Braintree District Council		
Name and position	Signature	Date

Signed on behalf of Colchester Borough Council		
Name and position	Signature	Date

Signed on behalf of Tending District Council		
Name and position	Signature	Date

Signed on behalf of Maldon District Council		
Name and position	Signature	Date
	 	

