

North Essex Authorities Joint Strategic (Section 1) Plan

Further Hearing Sessions - Response to
NEA Matter 8 2019 Hearing Statement for
Ptarmigan Land Ltd

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December 2019

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Aldermary House
10-15 Queen Street
London EC4N 1TX

T 020 3848 2500
E info@indigoplanning.com
W indigoplanning.com

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Contents	Page
1. Introduction	1
2. Response to Further Hearing Statement	2
3. Conclusion	5

1. Introduction

- 1.1. This response to the North Essex Authority's (NEAs') Further Hearing Statement (FHS) on Matter 8 Sustainability Appraisal, has been prepared on behalf of Ptarmigan Land Ltd. The FHS addresses the 14 questions raised by the Inspector in detail. This response focusses on specific comments within the FHS, referenced by their respective paragraph numbers.

2. Response to Further Hearing Statement

Opening Statement

- 2.1. At paragraph 8.3 the FHS states that the Additional Sustainability Appraisal (ASA) “*is not designed to determine the most appropriate strategy*” but should be a factor for the plan making authority when determining the most appropriate strategy. Whilst technically this is correct, the SA is an integral document in identifying and assessing what could/should be regarded as “*the most appropriate strategy*”. It is the only document wherein alternative spatial approaches are assessed in an over-arching way, it is, therefore, in essence designed exactly to inform the determination of the most appropriate strategy.
- 2.2. At paragraph 8.5 the FHS contests that the ASA provides sufficient information to enable the NEAs to make an informed decision as to the most appropriate strategy for the Plan. The ASA only tests a limited number of alternative growth strategies, the vast majority of which are based around a single growth ideology (growth within the A12 / A121 corridor). It therefore, does not provide a full picture to allow the NEAs to demonstrate that there are no other more appropriate strategies.

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

- 2.3. At paragraph 8.2.5 the FHS claims that it is not practical or feasible to consider the alternative strategies in the same detail as the preferred strategy. This is a result of the ASA being prepared after the Plan was prepared and a preferred strategy established, in conflict with the Sustainability Appraisal Process Flowchart in the PPG¹. Notwithstanding the inevitable danger of retrofitting the ASA to support the preferred strategy due to the timeline, this statement is plainly an indication of a lack of objectivity/neutrality of the ASA.
- 2.4. The viability and ability for the growth options to be self-funded or reliant on public funding, should form a key consideration of the comparable deliverability, robustness and viability of the different growth options. As this is not assessed in the ASA, growth options which are not reliant on public funding to deliver key infrastructure (such as the Halstead Urban Extension SUE2) do not benefit from this positive comparison against the preferred strategy which is reliant on funding support².
- 2.5. Paragraph 8.2.12 of the FHS concludes that the effects of strategic development on existing urban centres “*is difficult to predict*”. It is difficult to predict all sorts of different impacts of strategic developments but it is the job of an SA to do this, based on reasonable evidence and factors. It is not difficult to suggest that bringing new residents, new businesses and better infrastructure to an existing town is more likely to benefit that town centre when compared to a new isolated settlement.

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?

- 2.6. Paragraph 8.4.20 of the FHS relates to the consideration of site SUE4 West of Haverhill but is equally applicable to the consideration of SUE2 Land at Halstead. The NEAs contest that “*there is clear logic in directing growth towards strategic transport corridors*”, whilst this is logical, the NEAs fail to acknowledge that Halstead is located on the A131 which is a

¹ Paragraph: 013 Reference ID: 11-013-2014030

² As set out in the Hyas Viability Assessment Update (EB/086)

strategic transport corridor directly linked to the A120. It is not therefore, divorced from the identified “growth corridor” and could easily form part of a strategic infrastructure piece alongside other developments on the A120 and to a lesser extent the A12. We do not therefore, accept the conclusion at 8.4.33 that Halstead’s relationship with the “A120 (or A12) growth corridor is weak”.

- 2.7. Furthermore, the ASA and the FHS fail to properly consider and address the potential benefits a Halstead bypass could deliver along the A131 corridor in this context. This failure to provide a holistic consideration of the growth option, indicates that the growth option has not been assessed in a serious manner.

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?

- 2.8. The response to question a does not build on or provide any further justification for the rationale of the spatial options taken forward to the Stage 2 assessment. Paragraph 8.7.5 repeats the ASA’s “*coherent and logical*” rationale but without properly justifying why the options identified achieve this more than the other growth options.
- 2.9. As noted, there is no reason why growth at Halstead (SUE2) could not coherently and logically integrate with a spatial strategy which includes growth within the A120 corridor. The conclusions of the ASA in this regard have clearly favoured the NEAs’ preferred strategy which implies a lack of objectivity and ultimately fairness in the process of the ASA. Unfortunately, this is most likely a result of the retrospective timing of the ASA.
- 2.10. Paragraphs 8.7.9 – 8.7.15 give the impression of providing further information / justification about the spatial strategy options, yet fail to provide any further explanation to support the heavy weighting in favour of the preferred garden communities.

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?

- 2.11. At paragraph 8.8.4 the HFS confirms that the proportionate growth scenarios do not limit developments on individual sites of the 2,000-dwelling threshold. This assumption, which has no firm rationale and dooms the proportionate growth scenarios as it results in a negative assumption that smaller scale growth will not deliver the strategic infrastructure required to offset (or even benefit) impacts on the existing community. Often, well-planned, large scale development can solve existing infrastructure problems as well as support the development itself. At Halstead, for example, there is an opportunity for strategic development to relieve transport pressures through the creation of a bypass and deliver new education and medical facilities to make up an existing identified shortfall.
- 2.12. As the SUE2 growth option is only considered in the context of a proportionate growth scenario, this assumption subsequently negatively impacts its consideration in the ASA. The ASA could be more balanced in this assessment if it had assessed the SUE options against other growth scenarios (eg in conjunction with other garden community options), or took a more reasonable and balanced approach to considering the proportionate growth scenarios.
- 2.13. At paragraph 8.8.14, the FHS identifies that the Section 2 site allocations allocate a low number of new homes to Halstead (600 compared with 2,100 at Witham (a comparable Tier 2 settlement in the identified hierarchy at Table 2 of the FHS). This confirms how the current proposed strategy will fail to provide Halstead with the growth, investment and strategic infrastructure it requires.

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

- 2.14. At paragraph 8.9.4 the FHS acknowledges how the approach to considering the proportionate growth scenarios directly influences the spatial options where a specific growth location is assessed alongside proportionate growth (eg SUE2 at growth scenario West 8). This is a clear admission as to how certain specific growth options have been adversely prejudiced by the spatial strategy options chosen at Stage 2.

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?

- 2.15. At paragraph 8.13.4 reference is made to the successful HIF bid for the A133/A120 link road, however, there is no reference to the £200m of public funding required to support the A12 realignment which has not been secured.
- 2.16. At paragraph 8.13.6, the NEAs continue to make sweeping assumptions without justification or clarity about a number of growth scenarios. There is no evidence that the SUE2 development at Halstead would put pressure to extend growth at Braintree, east of the A120 and, therefore, why this is part of the rationale for the rejection of growth option West 8.

3. Conclusion

- 3.1. The HFS does not satisfactorily address our concerns about the ASA, its process and objectivity. We therefore, maintain our concerns that the proposed plan is not justified and therefore, sound.

