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Post-hearing comments, EB091

Reference 58: “Policy SP5 new para A, Garden Communities”

Before looking at new paragraph A in the proposed Amendments to the Plan, it is worth reminding the Inspector that CAUSE has submitted evidence on all matters, setting out that:

- i. the plan is unsound;
- ii. infrastructure phasing as proposed does not deliver garden city principles. It is ‘low and late’;
- iii. strategic infrastructure upgrades must be hard-wired into policy, not deferred to a DPD.

Our comments below do not change our position.

As the plan has progressed through this most recent phase of examination, discussions have often moved far from practicalities to the arcane. For example, QC’s have enjoyed an intellectual tussle about the meaning of deliverability and Russian dolls, and a promoter has promised that West Tey will be the omphalos of north Essex.

It is therefore important to remember what the plan is trying to, and supposed to, do.

The purpose of the plan

The plan is supposed, according to the NPPF Paragraph 182, to be **‘positively prepared’**.

According to paragraph 177, it is **“important to ensure that there is a reasonable prospect that planned infrastructure is deliverable in a timely fashion.”**

And, **“For this reason, infrastructure and development policies should be planned at the same time, in the Local Plan.”**

Paragraph 14 of the NPPF states that Local Plans should meet objectively assessed need unless **“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.”**

It is blatantly obvious to anyone living in north Essex that there **will be significant adverse impacts, on all north Essex residents**, of building three new towns if the infrastructure is not delivered up front. It must be set out in policy.

New Paragraph A

The stated aim of the new paragraph, A, is *“To clarify essential requirements for Garden Communities”*. However, in our view, the new paragraph is an afterthought which neither clarifies, nor sets out all of, the essential requirements:

- a) It looks too much like cherry-picking the bare minimum of infrastructure –
 - A12, A120, RTS for CBBGC;
 - RTS and a vague statement about roads (unsupported by evidence, as we heard at Examination in Matter 6) for WOBGC; and
 - RTS and link road for TCBGC.

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- b) It duplicates some of the SP8, 9 and 10 policies. The implication now becomes that anything other than the cherry-picked infrastructure in new paragraph A is deemed non-essential. This may give developers wiggle room.
- c) Paragraph 3 of A seems to reflect the admission by the NEA at the hearing that they do not know what the impact of WOBGC will be on the A120! It is not acceptable to try to fudge this in policy, and paragraph 3 is woefully inadequate. The evidence needs to be supplied before the plan is found sound.

Mr Johnstone has outlined in submissions and at the EiP that the NEAs have done no traffic modelling for roads to Stansted (critical to WOB) while the UDC modelling which showed a built out WOB implies an A120 West vastly (140+%) over capacity, with a speed of under 10mph estimated by Mr Johnstone¹. It is clear that suitable comprehensive upgrades to the A120 West and M11 Junction 8 must be treated as having similar importance to improvements to the A120 East.

It is also unacceptable that this paragraph singles out WOBGC for special treatment in terms of monitoring of impact. Each of the three GC's should be equally monitored and there should be identical paragraphs in each of SP8, 9, 10.

Site specific infrastructure

We believe that paragraph A should not refer to individual garden communities. That should be addressed in each of SP8, 9 and 10, where additional key infrastructure that needs to be delivered before in place from the outset should be listed. These items should include a school, healthcare centre and community centre, sewage pipeline and upgraded waste recycling plant, Marks Tey station access improvements, on and off-site cycle routes to be in place from the outset². If this cannot be delivered, then the development will not meet garden city principles.

Section 1 infrastructure

We believe that paragraph A should be reworded to list key pieces of strategic infrastructure that are essential to support Section 1 as a whole.

This is necessary, because all elements of key infrastructure required for Section 1 are interlinked. We therefore recommend that paragraph A includes infrastructure which matches the scale of ambition of the North Essex Garden Communities project. Minimum Section 1 infrastructure to be in place³ at the outset i.e when construction of any of the garden communities begins, should include:

¹ We note for good order that the response by Steer to EXD075 refers in its para 1.8 to the wrong UDC traffic modelling. As per details in various submissions, Mr Johnstone was referring to modelling scenarios by WYG (who did all of the traffic modelling - but not any RTS modelling - for UDC using the VISUM multi modal model) which actually took into account significantly lower traffic flows from GCs because of their apparently more sustainable characteristics including the benefit of a potential RTS system.

² The viability impact of this phasing will need to be tested.

³ Not just funded, committed, or scheduled – any of these semantics debated at Matter 9 hearing simply lead to uncertainty about delivery.

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- A12 upgrade junctions 19 to 29, complete. We have previously argued that the A12 between junction 19 and 25 must be widened. Since we submitted representations in summer 2019, Essex Highways has consulted on the East Colchester link road. A report by Jacobs for Colchester⁴ in 2017 found that this proposed East Colchester link road will have an impact on the A12 because of the extra traffic it will generate, *“The local impacts identified include: • The A12 between Junctions 28 and 29 in both directions in the forecast year in both scenarios – the impacts are exacerbated by the presence of local plan development and the proposed A120/A133 link road, which reroutes high volumes of traffic to the A12.”*

Therefore, the widening of the A12 Jn25-29 is required to mitigate this⁵.

- A120
 - dualling between Braintree and A12 complete.
 - Improvements West of Braintree including M11 Junction 8.

CAUSE has, in many submissions and hearing statements, noted that the A120 between Marks Tey and Braintree is over-capacity, as acknowledged as long ago as Atkins 2008 and again by Aecom 2015. During examination in January 2020 the NEAs also stated that the A120 between Braintree and the M11 will be full by the end of the Plan period.
- East Colchester link road complete. (We note that we, like other groups, remain sceptical of the regional benefit of this road, which has been proposed only to ‘unlock’ East Colchester GC)
- Upgrade to Colchester Waste Recycling centre, complete. This should be considered a strategic piece of infrastructure, being the WRC which will have to take waste from Section 2, East Colchester GC and CBBGC.
- Segregated rapid transit system, all routes, complete. Section 2 Local Plan traffic modelling shows pinch points, stress points and increased congestion. They do not model beyond 2,500 homes in each of the garden communities. RTS cannot run in traffic on these congested roads. Therefore, policy must be clear. A segregated solution must be created and delivered before a single dwelling is built in any garden community. Otherwise modal shift targets will be impossible to meet and residents will drive, with knock-on effects on congestion and air quality.
- Segregated cycle paths, off-site, complete. This will assist in achieving modal shift targets towards sustainable travel, with connections along A120 growth corridor.
- GEML upgrades, funded. Funding commitment for the infrastructure interventions required on the GEML (Anglia Route Study 2016 & 2019) must be secured.

⁴ CBC0051

⁵ “Widening the A12 between junctions 25 and 29 – this provided additional capacity to relieve the overcapacity problems identified above for the A12, and resulted in some rerouting in the model”

The logo for CAUSE, featuring the word "CAUSE" in white, bold, uppercase letters inside a dark green rectangular box.

Infrastructure first

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If anything on this list is deemed unachievable, then none of the garden communities should be allowed to proceed. Their impact on existing communities and infrastructure would be too severe. We take the opportunity to remind the inspector once again that this is England's biggest development project, and that north Essex will also see the growth proposed in three Section 2 plans.

It is hard to see how any reasonable councillor or council planner could disagree with the need for the infrastructure listed above to be set in policy. Developers were beginning to squeal about the over-burdensome new amendments presented during the Matter 9 hearing session, but it is the NPPF which matters, and the NPPF requires a deliverable plan.