

**North Essex Authorities Stage 1 Local Plan
Examination
Response to document EB/091b (Amendment
58)
Representations on behalf of Parker Strategic
Land**

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1. Introduction

- 1.1 This Statement provides a response, on behalf of Parker Strategic Land Ltd to document EB/091b which provides an updated version (dated February 2020) of the Suggested Amendments (policies only) to the North Essex Authorities' Stage 1 Local Plan.
- 1.2 The Inspector has subsequently invited parties to submit representations on amendment 58 as set out in document EB/091b. Amendment 58 relates to a new paragraph 'A' to be inserted into Policy SP5.

2. Representations on Amendment 58

- 2.1 The proposed new paragraph 'A' contains five numbered elements as follows and these representations are structured in response to each:
1. **The relevant Development Plan Document (DPD) for each Garden Community will need to include:**
 - a) **An infrastructure delivery strategy and phasing plan that sets out how infrastructure, services and facilities will be provided. Infrastructure delivery will need to align with each development phase and be supported by suitable mechanisms to deliver the infrastructure both on and off-site in a timely and efficient way.**
 - b) **Details of route design and delivery of the rapid transit system, and programme for the integration of the three Garden Communities into the rapid transit network. The routes will need to be designed to accommodate future route enhancements and technology improvements**
- 2.2 Firstly, we agree that it is essential that there is a strategy and phasing plan that sets out how infrastructure, services and facilities will be provided (as encapsulated in part 1(a) of the new paragraph above). There should be no dispute as to whether this is a reasonable expectation.
- 2.3 However, whilst we note that part 1(a) of the paragraph (as set out above), goes on to explain that: *"Infrastructure delivery will need to align with each development phase and be supported by suitable mechanisms to deliver the infrastructure both on and off-site in a timely and efficient way."* As the Inspector will have seen and heard, many of the criticisms of the draft Section 1 Local Plans relate to the extent to which infrastructure can be delivered and the extent to which it would be viable. By extension, Parker Strategic Land note that there was significant debate during the recent hearing sessions as to whether it is feasible for infrastructure to be delivered at the point it is required.
- 2.4 It is clear that these Local Plans propose very significant growth in locations which would be unlikely to support such schemes without the delivery of infrastructure. Without repeating the detail of matters considered in detail during the hearing sessions and the submitted evidence, Parker Strategic Land consider that the approach adopted by the NEAs therefore necessitates a greater level of scrutiny, certainty and realism as to whether infrastructure will be delivered, when and whether its phased provision supports the creation of sustainable communities. The alternative in this case is a (realistic) scenario whereby new homes and employment locations are delivered, but not supported by appropriate infrastructure.
- 2.5 This overarching policy for the Garden Communities needs to ensure that each DPD reflects the others and that there is a mechanism to ensure the coordinated delivery of infrastructure in association with all three Garden Communities. In the absence of such

an approach the potential overall benefits of the connected and completed developments are lost.

- 2.6 The Vision set out in EB/079 (Rapid Transport System for North Essex - From Vision to Plan - July 2019) states:

“The new garden communities have thus been located and are being designed to facilitate sustainable forms of transport. Figure 1-1 shows that the location of the planned garden communities and the existing settlements in North Essex will form a clear east-west corridor to support the potential of sustainable travel aims.”

- 2.7 It is the collective approach of all the Garden Communities that delivers the potential overall sustainable transport aims and not any one settlement. Hence the overarching policy must reflect the phased delivery and highlight the key triggers that are required to achieve the sustainable mode share targets.

2. The following strategic transport infrastructure must be consented and funded⁵ before any planning approval is granted at the following –

a) Colchester Braintree Borders –

- i) A12 widening and junction improvements;**
- ii) A dualled A120 from Braintree to the A12; and**
- iii) Route 2 of the rapid transit system (as referred to in the North Essex Rapid Transit System: From Vision to Plan Document).**

b) Tendring Colchester Borders –

- i) A120 –A133 link road; and**
- ii) Route 1 of the rapid transit system as referred to in the North Essex Rapid Transit System: From Vision to Plan Document).**

c) West of Braintree –

- i) Route 3 of the rapid transit system as referred to in the North Essex Rapid Transit System: From Vision to Plan Document).**

- 2.8 The footnote (5) in part 2 of amendment 58 states:

“As raised by the North Essex Authorities at the hearing session on 30 January 2020, the NEA's suggested modification is that before planning approval is granted at Colchester Braintree Borders the A120 from Braintree to the A12 should be funded and a route committed (rather than consented).”

- 2.9 In practice, based on the above, any one development could proceed without the infrastructure provision from the other developments both in terms of the RTS and also general highway capacity improvements. Hence there must be an overarching policy controlling the delivery of all Garden Communities in the event they are not delivered in a timely way.

- 2.10 The footnote also raises questions over the implementation and practical delivery of any of the scheme although it is related to the A120 scheme from Braintree to the A12. The requirement of part 2 of the new paragraph in Policy SP5 is that the strategic

transport infrastructure should be funded and committed rather than consented. However even with funding and commitment to a scheme, it may be there remains doubt over the delivery and implementation resulting from the need to CPO land etc, which can delay or undermine the certainty of the delivery.

- 2.11 Hence there should be a greater certainty within the overarching policy linked to the delivery of all infrastructure elements which would tie into triggers being established and restrict developments progressing beyond a defined level until the infrastructure measures were in place. The triggers need to be assessed against transport modelling to ensure the network overall does not result in a severe impact as a consequence of lack of infrastructure, or the lack of mode shift to the ambitious mode share targets.
- 2.12 We also note that parts 2(a), (b) and (c) of the new paragraph refer to routes 2, 1 and 3 of the RTS respectively in association with the delivery of specific Garden Communities. In contrast, part 1 of the new paragraph requires the DPD for each Garden Community to include “*Details of route design and delivery of the rapid transit system*” (we note that this text refers to the RTS rather than a part thereof). There is an inconsistency between the various part of the Policy and given the importance placed on the RTS to support the Garden Communities it is essential that this is clarified. As we state elsewhere, it is however essential that in clarifying the approach, any revisions can be supported by the evidence base (for example in relation to viability and deliverability).

3. In relation to West of Braintree, the DPD and any planning application will need to be supported by measures to demonstrate that there will be no severe impacts on the highway network. Such measures may include monitoring and management of travel demand, and/or a phasing programme to deliver interim or longer term transportation improvements

- 2.13 This proposed policy which is attributed to just the West of Braintree site, needs to form part of the overarching policy applicable to each of the Garden Communities. In essence a policy of this form, applied to all the Garden Communities would ensure the phased delivery of all sites were considered against an assessment of the impact both in terms of mode share and vehicular impact on the network to ensure no severe impacts overall.
- 2.14 For such an approach to apply to only one of the Garden Settlements will result in inconsistencies in the monitoring of the overall impacts of the collective developments as surely the NEAs wish to ensure that none of these schemes gives rise to severe highways impacts.
- 2.15 As with other comments set out in this submission, we reiterate that it is therefore essential that the evidence base prepared by the NEAs and considered by the Inspector supports the case that the West of Braintree Garden Community (and the two others if the amendment referred to in the preceding paragraphs) can be delivered without giving rise to severe impacts on the highways network.

4. Provision of appropriate sustainable travel interventions will be required from first occupation to encourage and facilitate the desired modal share for each garden community, as defined in the relevant DPD

2.16 This aspect of the policy needs to be specific regarding identifying the ambitious mode share targets and be linked back to the above paragraph in terms of monitoring and management of the travel demands. In practice as has been highlighted within the evidence submitted, that the ambitious mode share targets are only achieved post 2078 and that prior to this higher car share levels will be experienced with the resultant impacts on the network.

5. Requirements for other strategic Garden Community infrastructure are outlined in sections D, E and F of Policies SP8, 9, and 10 and will be further set out in the DPD for each Garden Community

2.17 In the context of NPPF 2012, paragraph 182 required authorities to prepare plans which are

- based on a strategy which seeks to meet objectively assessed development and infrastructure
- requirements, including unmet requirements from neighbouring authorities
- deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

2.18 Hence the NPPF 2012 required the need to assess infrastructure including the unmet requirements from neighbouring authorities, together with effective joint working on cross boundary strategic priorities. In this regard there is a lack of evidence over the extent of impact and hence mitigation required, on areas to the west of Braintree and within Uttlesford District Council.

2.19 The Inspectors comments in relation to the Uttlesford Plan, highlighted the concerns over the lack of delivery of the full RTS (paras 44, 45, 46, 54 and 58). Those concerns only highlight the lack of cross boundary assessment of the infrastructure required and the lack of cross boundary strategic priorities, given that the WOBGC is required to delivery Route 3 of the RTS which is defined in EB/079 as passing through Easton Park, before connecting to Stansted Airport.

2.20 Policies SP8, SP9 and SP10 include similar language in relation to infrastructure as contained in part 2 of the new paragraph A (which states that “The following strategic transport infrastructure must be consented and funded before any planning approval is granted at the following...”. In the case of Policies SP8, SP9 and SP10 the policies state that “As highlighted in Policy SP5 the following strategic transport infrastructure is required to be consented and funded before planning approval is granted...” As we explain elsewhere, the consenting and funding before planning approval is granted is

not, in itself, the key trigger. In contrast, the relevant trigger is to ensure that infrastructure is (and is capable of being) delivered when it is required to serve the Garden Communities, individually and collectively. This is particularly relevant in this case given the interconnected nature of infrastructure (such as the RTS).

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