

North Essex Authorities

Matter 6: The proposed new garden communities – general matters (policies SP7, SP8, SP9 & SP10; paragraphs 9.1-9.2)

Main issue: Are the policies for the development and delivery of three new garden communities in North Essex justified, effective and consistent with national policy?

Questions:

The three proposed garden communities

1. How were the broad locations for the proposed garden communities selected, and what evidence documents were produced to inform their selection?

6.1.1 The Councils have been working for many years to consider and address strategic matters and considerations including the most appropriate strategy for meeting the housing and other needs. The joint working approach has included aligned decision making processes and the evolution of a common evidence on strategic matters (such as housing, the economy, transport and the natural environment). This has included consideration of the concept of Garden Communities to deliver part of the growth required within the North Essex strategic area and as a longer term post-plan approach to development in the area.

6.1.2 The Garden Communities Topic Paper¹ provides an overview of the decision making process that has been followed including the role and timing of key evidence base documents. The Topic Paper provides a summary of the rationale behind the garden community approach, the local plan making process with specific reference to the consideration of Garden Communities across North Essex and a summary of the selection of specific Garden Communities broad locations in North Essex. The Topic Paper set out the decision making process for each Council respectively and provides a summary of the process and key influences. The relevant Council reports, and the supporting documents, form part of the evidence base.

6.1.3 In relation to background evidence, the consideration and selection of proposed Garden Communities broad locations has been informed by an ongoing process of evidence gathering, which is explained in Section 3 of the Garden Communities Topic Paper (EB/024). The Councils have taken a proportionate and pragmatic approach to evidence gathering, given the long term nature of the proposed garden communities and need to retain a degree of flexibility to allow the garden communities concepts to evolve and best address future needs and contexts

¹ EB/024 Garden Communities Topic Paper, NEA October 2017

at the time at which they come forward for delivery.

6.1.4 An extensive range of evidence base documents has informed the selection of appropriate sites. Key elements of the evidence base with respect to informing the selection of sites has included:

- Strategic Land Availability Assessments²: through which promoted sites were considered and evaluated.
- North Essex Garden Communities Concept Feasibility Study (Volumes 1-3)³: which considered baseline site conditions opportunities, constraints, options and evaluations of the 4 sites put forward as potential new Garden Villages as part of call for sites exercises in 2014 and early 2015;
- North Essex Garden Communities Evaluation of Alternatives: Monks Wood⁴ & Colchester Metro Town⁵ which considered alternative sites which emerged post the call for sites exercises on an equal basis to the 4 sites already considered;
- Iterations of the Sustainability Appraisal to accompany Issues & Options and Preferred Option stages of the Local Plans.

6.1.5 Aside from the identification of potential sites, a number of other relevant considerations across the wider evidence base have also had an influence on decision making such as wider transport, landscape, flood and ecological assessments. The Councils would also note that the approach has needed to be iterative, to both consider appropriateness of specific sites alongside the wider evolution of preferred spatial strategies locally within each Borough and across North Essex as a whole.

6.1.6 Ongoing evidence gathering has also played a role as a check and balance on the approach as further knowledge on key influences and implications has come to light. Evidence therefore relating to both the identification of suitable land alongside the impacts of development on such land have been fully appraised and considered by the Councils. This has extended through to consideration of alternatives to review options against other potential strategies and alternative locations for development. The final selection of the proposed Garden Communities broad locations as set out in Section 1 has been informed by consideration of the full evidence base, consideration of options and alternatives and the Sustainability Appraisal (SD/001), alongside formal consultation stages, debate and decision making.

2. Have landscape, agricultural land, flood-risk and heritage assessments been carried out to inform the locations of the proposed garden communities?

² BDC/033 Braintree SHLAA, CBC/0012 Colchester SHLAA, TDC/012 Tendring SHLAA

³ EB/008 North Essex Garden Communities Concept Feasibility Study (Volumes 1-3)

⁴ NEB/010 North Essex Garden Communities Evaluation of Alternatives: Monks Wood;

⁵ EB/011 North Essex Garden Communities Evaluation of Alternatives: Colchester Metro Town

6.2.1 Yes. A range of assessments assisted the North Essex Authorities in their decision to promote garden communities, in identifying the location of the proposed communities and in defining the proposed boundaries. Landscape, agricultural land, flood risk and heritage assessments informed the decision making processes.

6.2.2 A Borough wide Landscape Character Assessment (CBC/0060) was completed for Colchester in 2005 by Chris Blandford Associates and has acted as a starting point for landscape work. Colchester Borough Council commissioned Chris Blandford Associates to prepare an Environmental Audit of land located to the West of Colchester (EB/050) and an Environmental Audit of land to the East of Colchester (EB/024) in 2015.

6.2.3 The Environmental Audits considered the constraints and opportunities in relation to:

- a) ecology and nature conservation
- b) landscape and townscape character and visual amenity and
- c) water quality and flood risk.

6.2.4 In addition to the two environmental audits, separate high level Heritage Audits were also completed in June 2015 for the Braintree/Colchester Borders Garden Community (CBC/0058 (1/2) & (CBC/0058 (2/2) and the Tendring/Colchester Borders Garden Community (CBC /0059 (1/2) & CBCC/0059 (2/2).

6.2.5 The North Essex Garden Communities Concept Feasibility Study (EB/008) was produced by AECOM to provide a baseline assessment of all the garden communities. In particular volumes 1/4, 2/4 and 3/4 looked at landscape character, sensitivity and condition, agricultural land clarification and mineral safeguarding areas, ecological designations, historic environment and the water cycle.

6.2.6 In addition to the above documents, Strategic Flood Risk Assessments (SFRA) (CBC/0032(1/8), CBC/0031 (1/3), BDC/049(1/5), BDC/049(5/5) and TDC/0038 & TDC/037) were also completed by AECOM on behalf of the 3 North Essex Authorities. The SFRA for Colchester considered flood risk constraints within the broad areas of search for the Braintree/Colchester Border Garden Community and Tendring/Colchester Border Garden Community. The Braintree SFRA considered all flood related issues for the West of Braintree Garden Community.

6.2.7 The Environmental Audits did not include an assessment of agricultural land however agricultural land grades were considered as part of the Sustainability Appraisal (SA) (SD/001) and Strategic Land Availability Assessment (SLAA) processes. (BDC/033, CBC/0012), TDC/012(3/3).

6.2.8 The evidence gathered through the Environmental Audits, Heritage Audits and SFRA's were used during the early stages of the process to define broad locations for the emerging Braintree/Colchester Border Garden Community and the Tendring/Colchester Border Garden Community.

6.2.9 More recently, the information has been used by AECOM to prepare Concept Frameworks for the West of Braintree Garden Community (EB/012) and by David Lock Associates for the Colchester Braintree Borders Garden Community and the Tendring Colchester Borders Garden Community (EB/026 and EB/027). The detailed boundaries for the 3 Garden Communities will be defined through individual Development Plan Documents (DPDs) and the documents referred to above will continue to provide important evidence to inform how the Garden Communities evolve including defining the specific development boundaries for the garden communities, the location of different land uses and related design considerations so that these important issues are taken account of in the planning process.

3. Is the Sustainability Appraisal of the garden community options [SD/001 Appendix 1] robust, particularly with regard to its threshold of 5,000 dwellings?

6.3.1 The Sustainability Appraisal (SA) (SD/001) is robust in its assessment of Garden Community options. In addition to those allocated, alternatives were identified through the three authorities' respective Local Plan call-for-sites processes or as otherwise submitted for consideration through the Preferred Options (2016) consultation period.

6.3.2 In determining what constitutes a 'reasonable' alternative within the SA, a threshold of 5,000 dwellings was identified as the minimum realistic threshold in order to deliver growth within the 'Garden Community' model. The SA states, on page 185, that the threshold was determined as it is *'broadly based on that of the threshold for the required provision of a new secondary school from a mixed-use development in the ECC Developer's Guide to Infrastructure Contributions - Revised Edition 2016, and otherwise identified as representing a sufficient scale of development to meet the majority of day to day needs of new residents. This will ensure self-sustainability in providing sufficient new homes, fostering economic development, providing new and improved infrastructure, addressing education and healthcare needs and ensuring high quality outcomes.'*

6.3.3 Whilst generally, secondary schools accommodate at least 600 pupils or four forms of entry (one form of entry = five age groups x thirty per class) it is Essex County Council's preference to provide larger schools because they are able to offer a wider curriculum to their community, cheaper to build on a per place basis; and more resilient to fluctuations in demand that could challenge financial viability. For these reasons ECC will, in most circumstances, only look to establish a new school

where demand for six forms of entry has been established. Within the context of a Local Plan, it would be imprudent to plan a new community where the case for establishing a new secondary school was marginal and long term transport costs could ensue.

6.3.4 This threshold and the corresponding sustainability themes / infrastructure outcomes highlighted above were identified as key factors in the identification of Garden Community options in the strategic area. They also correspond to TCPA Garden City Principles, which were used as a basis for the development of the Garden Community model and the assessment of options in the SA. The North Essex Authorities do not believe that a garden community materially smaller than 5,000 can deliver the nature and quality of development to which they aspire.

6.3.5 The SA has addressed the strategic consequences and effects of each Garden Community at its full potential scale, including the alternatives as submitted, recognising that this is beyond the plan period. For further robustness, a re-assessment of all options was undertaken in light of new evidence at the Draft Publication stage, following on from that initially undertaken at the Preferred Options.

6.3.6 Appendix 1 of the SA (page 190) sets out how the SA used assumptions surrounding the Plan's evidence base to create a 'level playing field'. These assumptions are set out on page 191. Specific feasibility studies were commissioned for each 'reasonable' alternative in order to further explore whether they could be considered realistic options for consideration and to ensure an evidence base that was consistent across all options. These evidence base documents were utilised in the SA in order to ensure a robust, consistent and comparable appraisal of options. Other evidence used in the SA of Garden Community Options was identified only where comparable information could be utilised across all reasonable alternatives.

4. Are the locations for the proposed garden communities and any associated green buffers adequately and accurately identified on the Policies Maps? Should they be more, or less, clearly defined?

Location of proposed garden communities

6.4.1 The locations of the garden communities have been adequately and accurately identified on the Policies Maps. National planning policy contained within the Planning Practice Guidance provides Councils with the following advice:

“A policies map must illustrate geographically the application of policies in a development plan. The policies map may be supported by such other information as the Local Planning Authority sees fit to best explain the spatial application of development plan policies.” And, “The policies map should illustrate geographically the policies in the Local Plan and be reproduced from, or based on, an Ordnance Survey map....”

6.4.2 The Policies Maps prepared by the North Essex Authorities are on Ordnance Survey bases and include a 'Broad Area for Mixed Allocations' designation. This area is broad to allow for flexibility as the garden communities proposals are developed.

6.4.3 Within the North Essex Garden Communities Local Plan, policies SP8, SP9 and SP10 all begin:

"The adopted policies map identifies the broad location for the development of a new garden community of which the details and final number of homes will be set out in a Strategic Growth Development Plan Document to be prepared jointly between [the relevant Councils]..." "The Strategic Growth DPD will set out the nature, form and boundary of the new community. The document will be produced in consultation with stakeholders and will include a concept plan showing the disposition and quantity of future land-uses..."

6.4.4 Issues and Options Development Plan Documents (DPD) (EB/034, EB/035 and EB/036) have now been published for consultation in relation to the three garden community proposals. These provide further detail as to both the location and the green buffers amongst other things. As the DPD's are developed through the formal stages, the level of clarity will increase, including the detail contained within mapping. Section 5 of the Issues and Options draft DPD's reiterate this point. Both the Tendring Colchester and the Colchester Braintree DPD's state that *"The boundaries of development will be further refined in the DPD that follows this exploration of issues and options."* This is also true of the West of Braintree Garden Community, although there remains two options for the garden community, one with and one without land in Uttlesford.

Green buffers

6.4.5 Policies SP8, SP9 and SP10 all include the provision of green buffers as one of the principles that will be addressed through the DPD's and planning applications. The precise extent and boundaries of these green buffers are not defined in the Section 1 policies but the policies do establish which settlements would be separated by the buffers:

SP8: "Landscape buffers between the site and existing development in Colchester, Wivenhoe and Elmstead Market"

SP9: "Landscape buffers between the site and Coggeshall, Feering, Stanway and Easthorpe"

SP10: "Landscape buffers between the site and Great Saling, Stebbing, Stebbing Green and Rayne"

6.4.6 The detail of the green buffers will be established through the DPDs. The Emerging Strategies sections of the Issues and Options drafts (EB/034, EB/035 and

EB/036) that have been published for consultation include reference to the green buffers that separate the new development from existing communities relevant to each of the proposals. Green Infrastructure, including the approach to green buffers is the subject of Theme 1 Place and Integration Chapter Principle 1: Green Infrastructure in the Issues and Options consultation document.

Summary

6.4.7 The locations for the proposed garden communities and the associated green buffers are adequately and accurately identified on the Policies Maps. Less clarity on the Policies Maps would not allow the broad implications of the strategy for garden communities to be understood and more detail is unnecessary in this strategic Plan. Combined with the policies in the Plan, sufficient detail is provided about the broad locations. More detailed discussion about location and green buffers will properly take place through the development of DPD's; this process has begun and Issues and Options drafts have been published for consultation (EB/034, EB/035 and EB/036). The level of detail both about location and green buffers will increase as this process progresses.

5. Have the infrastructure requirements of the proposed garden communities been adequately identified and costed?

6.5.1 The North Essex Authorities fully recognise that the creation of the new garden communities will need to be accompanied by significant investment across a broad range of infrastructure to provide all the necessary social and community facilities alongside transport improvements. Indeed, the ability to secure such investment in infrastructure has been a key factor in considerations relating to the strategic approach.

6.5.2 Infrastructure requirements are unique to each site and have been drawn from a broad range of sources and assumptions. They have also been programmed in at appropriate points in the scheme assessments to reflect the need to ensure that all infrastructure is provided in an effective and timely manner in accordance with the phasing of development.

including the requirements for:

(a) road improvements;

6.5a.1 Road improvements have been identified through various components of the evidence base related to the Garden Communities including the Concept Feasibility Study⁶ and Movement & Access Study⁷. Such improvements include specific access, junction and capacity works associated with each individual garden community, together with contributions towards strategic network improvements

⁶ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

⁷ EB 0014 Sustainable Solutions | Connectivity North Essex Garden Communities Movement and Access Study

which will serve a broader role and purpose beyond the garden communities. Contributions to the following specific items have been costed as part of the Viability Assessment:

West of Braintree	Colchester Braintree Borders	Tendring Colchester Borders
All on site primary road and secondary roads including interfaces with existing network to provide serviced plots	All on site primary road and secondary roads including interfaces with existing network to provide serviced plots	All on site primary road and secondary roads including interfaces with existing network to provide serviced plots
New junction from west with A120	Package of works to Marks Tey junctions & Stane Street	Improvements to A133 corridor
Improvements to existing east facing junction with A120	New junction for the site onto the A12	New A120 to A133 link road
Improvements to B1256	Contribution towards A120 realignment	A133-B1027/B1028 link
		A137/Bromley Road Improvements

6.5a.2 The Infrastructure Delivery Plans⁸ also assess and consider transport requirements (road, public transport, walking & cycling) including timings of anticipated provision within the plan period for the garden communities alongside needs derived from growth across wider areas.

6.5a.3 Essex County Council and Highways England⁹ have not raised concerns over the soundness of Section 1, acknowledging the need to work together to evolve suitable solutions to both local and strategic road investment. A Statement of Common Ground will be made available to the Examination between the North Essex Authorities, Essex County Council as Highways Authority and Highways England as the Highways Agency.

(b) rapid public transit, bus and park-and-ride services;

6.5b.1 Public transport improvements have also been identified through various components of the evidence base including the Concept Feasibility Study¹⁰ and Movement & Access Study¹¹. Such improvements include specific works associated with each individual garden community including the provision of new public transit facilities and segregated corridors for new infrastructure, together with contributions

⁸ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

⁹ Representation by Highways England BDC Section 1 Publication Draft Local Plan (ID 585)

¹⁰ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

¹¹ EB 0014 Sustainable Solutions | Connectivity North Essex Garden Communities Movement and Access Study

towards a strategic rapid transit system for the area which would serve a broader role and purpose beyond the garden communities. . Work is continuing to support the emerging DPD on rapid transit options. Contributions to the following specific items that have been costed as part of the Viability Assessment:

West of Braintree	Colchester Braintree Borders	Tendring Colchester Borders
Rapid Transit & flagship cycle route (onsite segregated system)	Rapid Transit Loop roads (onsite segregated system)	Rapid Transit & flagship cycle route (onsite segregated system)
Multi-modal transit Hub	Park & Ride facility	Multi-modal transit Hub
Bus lane improvements A131/A130	Relocated Railway station	Park & Ride facility
Package of travel plan measures	Multi-modal transit Hub	Package of travel plan measures
Contributions towards rapid transit system	Package of travel plan measures	Contributions towards rapid transit system
	Contributions towards rapid transit system	

6.5b.2 Whilst not referred to in the question, consideration of rapid public transit should also include rail based services. Network Rail in their representation¹² welcome the inclusion of supporting policies for improved rail services and facilities.

(c) water supply and waste water treatment;

6.5c.1 The Infrastructure Delivery Plans¹³ assess and consider utilities requirements including water supply and waste water requirements including timings of anticipated provision within the plan period for the garden communities alongside needs derived from growth across wider areas. These studies recognise that reinforcement of the water supply and waste water network will be required to provide for additional growth for the Colchester Braintree Borders garden community in particular within the plan period. In light of this, the North Essex Authorities have been working with AECOM, Essex County Council as Local Lead Flood Authority, Anglian Water Services Limited and Affinity Water on the preparation of an Integrated Water Management Strategy (IWMS) for the Garden Communities (EB/015). Stage 1 IWMS (EB/015) highlighted that the scale and location of development across the Garden Communities would pose challenges around provision of water supply, wastewater services and management of flood risk and that solutions would need to be identified. The Stage 1 also identified a range of potential feasible solutions.

¹² Representation by Network Rail BDC Section 1 Publication Draft Local Plan (ID 555)

¹³ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

6.5c.2 With regards to water supply, following a review of the AWS 2015 Water Resource Management Plan and Affinity Water 2024 Water Resource Management Plan, and through liaison with AWS, it was established in the stage 1 IWMS report (EB/015) that the additional water demand from the growth proposed within the three garden communities could potentially be accommodated for through a combination of additional supply options identified in the AWS WRMP, demand reduction and water efficiency measures. Stage 1 of the IWMS also considered potential water treatment options for each of the proposed Garden Communities.

6.5c.3 The solutions identified in Stage 1 (EB/015) will be further considered in stage 2 of the IWMS. This will involve developing a range of delivery option strategies for each garden community based on a series of potential wastewater, water supply surface water management and flood risk measures. The delivery option strategies developed from the measures will seek to deliver an integrated approach to managing water demand, wastewater generation and flood risk to support developing DPDs for each garden community.

6.5c.4 A key aspect of stage 2 will involve identifying reasonable and deliverable local measures to reduce demand and wastewater generation from the options identified in the Stage 1 report. Whilst the strategic options identified have shown to be deliverable, they will require considerable investment and would require significant amounts of new infrastructure as well as energy to operate effectively. The Stage 2 IWMS will investigate how reliance on the strategic options identified can be minimised. If considered necessary, an IWMS Stage 3 may have to be prepared. This would be a detailed IWMS delivery plan for the preferred strategy and would provide the necessary evidence to support the development of the respective garden communities without impacting on the environment.

6.5c.5 In general, water treatment infrastructure upgrades to provide for residential growth are funded by Anglia Water Services through its Asset Management Plan (AMP). AWS is currently within the five-year AMP period 2015 to 2020, and therefore increased capacity from the garden communities will need to be considered through the future AMP period. AWS, in common with all water companies in England, already has a mechanism in place to ensure they are able to fund their infrastructure needs associated with growth from new development. This is a combination of general investment funding from customers' bills and charges to new developers. Potential costs for such utilities works have been considered as part of the Concept Feasibility Study (EB/008) and have been incorporated into the Viability Assessment (EB/013). This includes allowances for developer contributions to deliver on site networks and facilities as well as connections to off-site facilities.

6.5c.6 The Environment Agency have noted¹⁴ they are supportive of the thrust of the

¹⁴ Representation by Environment Agency BDC Section 1 Publication Draft Local Plan (IDs 247, 248 & 249)

vision and references to blue and green infrastructure, but also flagged a need for some rewording to ensure that improvements to essential waste water infrastructure occur ahead of residential development. Likewise, representations by Natural England¹⁵ refer to the need for adequate water treatment infrastructure to be included in a policy as a safeguard to ensure that the phasing of development does not exceed capacity. Agreed modifications are set out in the Statement of Common Ground with the Environment Agency (SCG/003) and Statement of Common Ground with Natural England (SCG/001).

(d) primary healthcare;

6.5d.1 Allowances for healthcare facilities have been included in the Viability Assessment¹⁶ based upon assumptions as set out in the Concept Feasibility Study¹⁷. These include allowances of £2,250 per residential unit for healthcare and community space, in accordance with the formulae within AECOM's Social Infrastructure Model¹⁸, which relates population growth with the need for new facilities. The total allowances for healthcare/community are £19m for West of Braintree, £53m for Colchester Braintree Borders and £18m for Tendring Colchester Borders.

6.5d.2 The Infrastructure Delivery Plans¹⁹ assess and consider health and social wellbeing requirements (General Practitioner services, hospitals, ambulance services, social care, public health) including timings of anticipated provision within the plan period for the garden communities alongside needs derived from growth across wider areas. These studies recognise that health needs and services will change over the life of the Local Plan, in light of relationships between health and social care and wider determinants of health, including housing, employment and environmental factors. The approach to the design of the garden communities themselves will impact on adopting healthy lifestyles and healthier choices. Representations by Colchester Hospital University Trust²⁰ relate to concerns over population growth assumptions, impacts on hospital services and facilities, the need to redesign facilities and services, and changes across the wider catchment population of the Hospital.

6.5d.3 The representation from NHS Mid Essex Clinical Commissioning Group²¹

¹⁵ Representation by Natural England on CBC Section 1 Publication Draft Local Plan (ID 6893)

¹⁶ EB/013 North Essex Local Plans Viability Assessment (Section 1) Appendices, Section 8 page 37

¹⁷ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

¹⁸ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Appendix 2

¹⁹ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

²⁰ Representation by Colchester Hospital University Trust on CBC Section 1 Publication Draft Local Plan (ID 7197)

²¹ Representations on Local Plan by NHS Mid Essex CCG (IDs 649, 650 & 651) and NHS England (IDs 655, 656 & 657) on BDC Section 1 Publication Draft Local Plan

(CCG) refers to a lack of capacity in existing GP practices and that NHS England was working with the North Essex Authorities to address capacity issues in the local area. The CCG do not raise an objection to the plan and note that the exact nature and scale of any contributions towards healthcare provision would be calculated at an appropriate time as and when schemes come forward, and suggest wording changes to elements of the policies to reflect the requirement for future contributions. Anticipated growth in housing and population – however it is accommodated spatially – will inevitably create pressure on local health services. Clinical Commissioning Groups are responsible for planning and buying local health services and are preparing Sustainability & Transformation Plans. Such planning will need to be an iterative and ongoing process to adapt and respond to pressures as they arise, and will require funding from other sources in light of future Government health policy. The North Essex Authorities recognise the importance of health and have made allowances for contributions towards enhancements in local facilities. The approach will also focus on adopting healthy design and preventive measures to ensure that the garden communities can contribute to promoting healthy choices and behaviour into the future. A Statement of Common Ground is being produced for the examination to set out a position between the Authorities, CCGs and Hospital Trust.

(e) schools and early years' provision;

6.5e.1 Essex County Council have been heavily involved in the evolution of the Local Plans, and in particular the approach to the garden communities broad locations. Community facilities have been considered in accordance with the Developers Guide to Infrastructure Contributions²² which provides details of the impacts that development has on Essex County Council services and infrastructure. Given the nature of the new communities new education facilities will be required on site to address future demands.

6.5e.2 Site housing capacities have been run through the ECC pupil forecasting model to calculate all necessary education requirements including the need for new facilities for Early Years & Childcare, Primary and Secondary schools. Allowances included in the Viability Assessment²³ are higher (£9,000 per residential unit) than those set out in the Concept Feasibility Study²⁴ (£7,500 per residential unit). Total allowances for education included in the assessments are £76m for West of Braintree, £213m for Colchester Braintree Borders and £72m for Tendring Colchester Borders.

6.5e.3 The Infrastructure Delivery Plans²⁵ assess and consider education

²² Essex County Council Developers' Guide to Infrastructure Contributions (ECC, Revised Edition 2016)

²³ EB/013 North Essex Local Plans Viability Assessment (Section 1) Appendices, Section 8 page 37

²⁴ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

²⁵ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

requirements (early years, primary, secondary and post 16) including timings of anticipated provision within the plan period for the garden communities alongside needs derived from growth across wider areas.

6.5e.4 The Education and Skills Funding Agency²⁶ is supportive of the approach being taken by the North Essex Authorities, but also notes that they consider more detail should be provided within the plan in terms of the number of schools. The North Essex Authorities consider that appropriate allowances have been adequately identified and costed, and sufficient information is set out in the policies to retain flexibility in terms of addressing need.

(f) leisure and sports facilities

6.5f.1 Allowances included in the Viability Assessment²⁷ have been based those set out in the Concept Feasibility Study²⁸. These include allowances of £2,750 per residential unit for open space provision including for leisure and sports and £2,250 per residential units for healthcare and community space (which includes the provision of sports halls), in accordance with the formulae within AECOM's Social Infrastructure Model²⁹. The total allowances for open space provision including for leisure and sports included in the assessments are £23m for West of Braintree, £65m for Colchester Braintree Borders and £22m for Tendring Colchester Borders, and for healthcare/community are £19m for West of Braintree, £53m for Colchester Braintree Borders and £18m for Tendring Colchester Borders.

6.5f.2 The Infrastructure Delivery Plans³⁰ assess and consider leisure & recreation, green infrastructure and open space requirements including timings of anticipated provision within the plan period for the garden communities alongside needs derived from growth across wider areas.

6.5f.3 The promotion of garden communities also includes a strong emphasis on long term ownership and stewardship as referenced in Policies SP7, 8, 9 and 10 to ensure that local community space including open spaces and leisure can be appropriately managed and maintained into the future. Additional allowances have been included as capital sums to provide endowments, totalling £30m for West of Braintree, £50m for Colchester Braintree Borders and £23m for Tendring Colchester Borders.

²⁶ Representation by the Education & Skills Funding Agency Department on BDC Section 1 Publication Draft Local Plan (IDs 625, 626, 629, 630, 632, 633)

²⁷ EB/013 North Essex Local Plans Viability Assessment (Section 1) Appendices, Section 8 page 37

²⁸ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

²⁹ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Appendix 2

³⁰ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

6.5f.4 Sport England in their representations to the Publication Draft generally welcome the importance of green infrastructure, sports and leisure facilities, alongside the broader approach to encourage healthy and active lifestyles within the new garden communities.

6.5f.5 The North Essex Authorities consider the allowances for leisure and sports facilities have been adequately identified and costed.

6. Is there evidence that the infrastructure required will come forward within the necessary timescales?

6.6.1 Infrastructure requirements and costings have been compiled based upon the best available and proportionate evidence drawn from a wide range of evidence base documents prepared by a range of technical experts and stakeholders.

6.6.2 The Infrastructure Delivery Plans³¹ identify a variety of delivery mechanisms relating to different types of infrastructure. Much of the delivery of site specific infrastructure will need to be secured through appropriate mechanisms including potential S106 and the Community Infrastructure Levy/Strategic Infrastructure Tariff, or via specific site delivery structures and local delivery/special purpose vehicles with potential public sector direct involvement in land, delivery and funding. Such approaches will be further considered and evolved through the subsequent preparation of DPDs, and beyond into more detailed planning approval processes.

6.6.3 The Viability Assessment (EB/013) indicates that assumed contributions are viable under a number of scenarios relating to cost and value assumptions, based upon an illustrative phasing schedule which profiles out requirements aligned to site delivery, housing and population growth.

6.6.4 Certain aspects of the infrastructure, in particular relating to transport and utilities, will be reliant upon wider stakeholders and their future delivery and spending plans, not all of which can be defined at this point in the process. No infrastructure providers have highlighted insurmountable problems, even where solutions may not be fully worked up, agreed or funded, and processes are in place to find solutions.

6.6.5 The A12 improvements have commitment and funding through the Roads Investment Strategy (RIS1), with consideration of route options and design work ongoing. The location of this route will influence the design approach to the

³¹ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

Colchester Braintree Borders scheme and will be considered further through the preparation of the DPDs.

6.6.6 In relation to the A120, Essex County Council has been leading on a feasibility study to upgrade the route between Braintree and the A12. Essex County Council, working with the Department for Transport (DfT) and Highways England that the County Council, have consulted on route options and are working towards confirmation of a preferred route with the objective being for the scheme to be included in Highways England's Roads Investment Strategy (RIS 2): for the 2020/21 – 2024/25 Road Period. The project is following the Highways England Project Control Framework (PCF) process and is currently in the middle of Stage 2. It is the practice of Highways England to choose and then announce a Preferred Route on completion of Stage 2.

6.6.7 The A120 realignment plans have been submitted for Highways England project assurance review. The review team concluded that the project team is on track to identify a viable scheme for consideration for the Government to include in RIS2, a pot of Government money specifically set aside for investing in strategic roads across the country between 2020 and 2025. Highways England gave the project a 'green' Delivery Confidence Assessment which is an unusually high rating for a project of this complexity at this stage of its development.

6.6.8 A key part of the ongoing evolution of proposals and related monitoring activity will involve a proactive approach to identify, bid for and secure external funding from programmes and initiatives as they become available. An example being the recent Housing Infrastructure Fund³² delivered by the Homes & Communities Agency and DCLG, which requested bids for forward funding of infrastructure works related to housing growth. Bids were submitted by the North Essex Authorities relating to highways improvements across each of the garden communities, to respond proactively to the opportunity to secure grant funding support. Such opportunities should be expected to arise constantly during the delivery programme, indeed the Autumn Budget announced a wide package of measures to support infrastructure delivery, including an additional £2.7bn for the Housing Infrastructure Fund, amongst other funding opportunities.

6.6.9 Overall the North Essex Authorities consider the work done to date evidences, together with approach moving forward, that all necessary infrastructure will come forward in the necessary timescales.

7. Should policies SP7, SP8, SP9 and SP10 make more specific requirements as regards the provision and timing of the infrastructure needed for the proposed garden communities?

³² <https://www.gov.uk/government/publications/housing-infrastructure-fund>

6.7.1 It is important when planning for infrastructure over a 15 year period to incorporate some flexibility to react to changing circumstances and technology. It is the opinion of the Councils that an appropriate balance has been struck in the wording of the policies to reflect this.

6.7.2 Site specific DPDs will be produced for each Garden Community and it is expected that more specific requirements regarding infrastructure provision, and the timing of its delivery, will be contained within these. Issues and Options documents are currently out on public consultation (EB/034, EB/035, EB/036). The consultations will enable infrastructure providers to gain a better understanding of the proposals and in turn, inform the authorities strategy regarding the provision and timing of the infrastructure needed.

8. Has the economic viability of each of the proposed garden communities been adequately demonstrated in the Hyas North Essex Local Plans (Section 1) Viability Assessment (April 2017) [the Hyas report, EB/013]?

6.8.1 The North Essex Authorities fully recognise that understanding the viability of development is an important requirement of the planning system. It is a key factor in the overall assessment of the deliverability of plans and planning policies, and is particularly important in relation to the largest and most strategic sites such as the proposed garden communities broad locations, as these sites will be of key significance in addressing future housing needs, as well as creating quality places for the future.

6.8.2 The North Essex Local Plans (Section 1) Viability Assessment (EB/013) was prepared to test the viability of policies as set out in the (strategic) Section 1 of the Braintree, Colchester & Tendring Local Plans, in line with the requirements of the National Planning Policy Framework (NPPF) and other key guidance and best practice in relation to plan making and viability. As the Local Plan Section 1 identifies 3 strategic sites to be brought forward as Garden Communities, the assessment focuses upon a viability assessment of each of the 3 broad locations as the prime spatial aspect of Section 1.

6.8.3 Given the early stage of concept evolution of each of the proposed Garden Communities, the Viability Assessment is presented as a “strategic study”, which in line with established policy & guidance is proportionate and pragmatic in its approach. The study references that the Garden Communities are still in early stages of their design, and more detailed proposals will evolve through further processes. The Assessment has therefore been based upon the best available evidence across a range of data sources and assumptions. The evidence presents a “general consideration of viability”, fully recognising that scheme

viabilities would need to be subject to constant review, such as through the forthcoming DPD process and beyond into subsequent planning and delivery stages.

6.8.4 A collaborative approach has been adopted to test assumptions and the methodology with respective landowners, developers and their advisors. A wider workshop (to also cover the Section 2 viability approach) was held with local property market representatives to explain and obtain feedback on the approach and assumptions.

6.8.5 Given the clear existence of uncertainty when planning far into the future, the approach has been to examine the viability of initial concepts, together with sensitivity and scenario testing to provide a broad overview of viability under alternative circumstances. There are many important assumptions, and the potential scope of scenarios is limitless. The assessment has considered alternative combinations of 3 key components - infrastructure costs, residential sales values and levels of affordable housing via a matrix approach which has provided data on 132 separate scenarios (36 each for Tendring Colchester Borders and Colchester Braintree Borders, and 60 for West of Braintree).

6.8.6 In light of the anticipated long lead in times, the sites are not anticipated to deliver development within the first 5 years of the Local Plan period. They have therefore been proposed as broad locations for development and therefore should be considered in terms of their overall 'developability', and related confidence of there being a "reasonable prospect" in accordance with the National Planning Policy Framework, recognising that proposals are at a relatively early stage in their evolution and will be subject to further evolution through forthcoming DPDs and subsequent planning processes.

6.8.7 Promoters of the garden communities have not challenged the viability evidence and generally support the viability work in principle. Statements of Common Ground are being prepared with key landowners.

In particular, in the Hyas report:

a. are appropriate assumptions made about the level and timing of infrastructure costs?

6.8a.1 The North Essex Authorities fully recognise that the creation of new garden communities in this location will need to be accompanied by significant investment across a broad range of infrastructure to provide all the necessary social and community facilities alongside transport improvements. Indeed, the ability to secure such investment in infrastructure has been a key factor in considerations relating to the

strategic approach as opposed to alternative growth strategies.

6.8a.2 Such items are unique to each site and have been drawn from a broad range of sources and assumptions. They have also been programmed in at appropriate points in the scheme assessments to reflect the need to ensure that all infrastructure is provided in an effective and timely manner in accordance with the phasing of development.

6.8a.3 The Viability Assessment (EB/013) attributes particular infrastructure and costs to the individual garden communities. The approach is based upon a master-developer approach whereby one body would be responsible for the delivery of site servicing including all strategic infrastructure. The Assessment therefore includes the specific infrastructure requirements arising from each proposed broad location, as well as (where appropriate) contributions to wider strategic initiatives and improvements such as transport and employment.

6.8a.4 Infrastructure Delivery Plans (IDPs) prepared to accompany each Local Plan (CBC/0006, BDC/012, TDC/023) have also considered infrastructure needs for areas. The IDPs indicate that, for most infrastructure items, a 'worst case scenario' has been presented in terms of needs. In the case of social, community, leisure and green infrastructure needs, this is because the IDP methodology has been based upon establishing the scale of need on calculations per head of the population. Co-location of services for example could deliver cost efficiencies. Schools are increasingly looking to raise revenue by hiring out sports pitches and other facilities outside of school hours. Equally, the shift in primary healthcare provision to larger health hubs means larger buildings that could share facilities with other health providers – opticians, dentists, physiotherapists, etc – but also equally with a range of other uses, both commercial and community, e.g. retail, community centres, libraries, etc. Indeed, the limited resources available for provision of, for example, library and community services has spawned many excellent examples of alternative types of provision with different management structures to those traditionally used. The inclusion of allowances for endowments also provides an additional funding mechanism to safeguard the long term success of certain elements of community infrastructure.

6.8a.5 Given the greenfield nature of the Garden Communities there will be significant costs in preparing and servicing the land for development, and creating strategic open spaces and landscaping. This has been budgeted at £20,000 per residential unit (equivalent to an average of £700,000 per net developable hectare at 35 dwellings per hectare). This

estimate is based on experience of large scale schemes elsewhere but has been set at a relatively high level to reflect the need to create a high quality public realm and sense of place.

6.8a.6 In addition to the above, each site must also include appropriate provision towards wider policy, placemaking and infrastructure requirements which need to be related in scale and kind to each separate site. These will vary between each specific site given their individual context, but will need to address key policy and placemaking requirements including:

- All local social and community needs, including the provision of new education (schools), health and community facilities;
- Any necessary additional upgrades or new provision for utilities, including power, water supply, waste water treatment and telecoms;
- Appropriate contributions towards local and strategic transport improvements related to each site, including substantial investment in sustainable transport measures.
- Contributions towards creating mixed use communities including providing serviced commercial land and where necessary additional support to stimulate commercial activity;
- Contributions towards securing key garden city principles – such as allowances to enable community ownership & stewardship of assets via the provision of capital endowments.

6.8a.7 Total strategic infrastructure costs have been calculated to be £439m for West of Braintree, £1,182m for Colchester Braintree Borders and £403m for Tendring Colchester Borders. Broken back to equivalent amounts per residential unit equates to circa £50,000 per unit to enable the delivery of all necessary social, community, utilities, primary infrastructure and wider necessary transport improvements and policy requirements.

6.8a.8 The scale of infrastructure costs has been challenged by CAUSE who estimate that for the Colchester Braintree Borders scheme alone, £1,840m is needed for infrastructure “based on developing the AECOM assumptions, using costing manuals and looking at comparable projects in other UK locations”. This would equate to circa £80,000 per residential unit, before adding on any further cost components such as additional contingency allowances.

6.8a.9 Various other large scale schemes have had data published on

scheme costs. These accord to the scale of figures in the Councils analysis. For example various Local Plan evidence studies relating to large scale sites identify similar amounts such as Welborne, Fareham at £47,000 per unit, and Gilston Harlow at £53,600 per unit. In addition, the winning entry in the Wolfson Economics Prize in 2014 (Nick Falk of URBED) relating to a generic garden city concept including circa 23,000 residential units, estimated infrastructure costs to be £1,177m. This equates to £50,805 per residential unit. Representations by G L Hearn on behalf of the Andrewsfield Consortium comment that from their experience, infrastructure costs ranging from £40,000 per residential unit to £50,000 per residential unit was considered to be reasonable.

6.8a.10 In terms of phasing of development, it is not necessary for all the infrastructure identified in the policy to be in place for the start of development to take place, including transport infrastructure. The County Council will be a key stakeholder in the preparation of the proposed DPDs along with other stakeholders. The DPDs will provide further guidance regarding levels of development that could be accommodated prior to the different pieces of infrastructure being available. This includes the phasing of transport measures, such as improvements to the A12 and A120, and how the delivery of these measures will relate to phasing.

6.8a.11 Further specific concerns have been raised by CAUSE that infrastructure will not be provided in a timely manner, specifically referencing the provision of a station at Marks Tey not until 2058, no regional BRT until 2058 and internal loop not complete until 2065. CAUSE have identified these dates by reviewing the detailed site specific cashflow contained in the appendix to the Viability Assessment. Such dates or detail is not explicit in any other part of the evidence base such as the Movement & Access Study or Concept Feasibility Study.

6.8a.12 As referred to at the introduction to the Council's response to this question, the viability assessment is intended as a strategic study and any such detailed timings of provision are not meant to be definitive or final.

6.8a.13 In the absence of detailed information over specific dated provision, most infrastructure costs have been equally profiled out year on year to align with housing and population growth, with the exception of 'lumpy' items of infrastructure (such as schools, with the first primary school upon commencement of development and then at regular intervals thereafter), strategic utilities, and transport works.

6.8a.14 With respect to the items identified by CAUSE in their response,

the approach has reflected an anticipated buildup of local population and 'critical mass' to ensure that new facilities and services are provided at an appropriate time. This does not restrict or conflict with the objective of timely delivery of infrastructure, which should include consideration of when it would be both practical and reasonable to deliver certain aspects in light of the nature of population growth and needs. The North Essex Authorities would seek to provide infrastructure as soon as was considered to be practical and feasible, seeking funding from broader sources should this become available to deliver aspects sooner if appropriate. The aim is to provide the infrastructure earlier than the modelled dates, consistent with the aspiration to deliver garden communities.

6.8a.15 All strategic infrastructure costs have been programmed in to ensure that works are provided in a timely manner, with considerable early investment. This is reflected in individual scheme cashflows.

6.8a.16 Policy SP7 refers to the "sequencing of development and infrastructure provision (both on-site and off-site) to ensure that the latter is provided ahead of or in tandem with the development it supports" and the individual garden community policies refer to the forthcoming strategic growth DPDs setting out "a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, environmental and physical infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured". The viability work undertaken to date does not conflict with the premise of policy SP7 and will be subject to further evolution and refinement alongside preparation of the DPDs.

6.8a.17 In terms of education provision, primary school capacity is likely to be needed to accommodate early phases as reflected in the Viability Assessments and reflecting experience on other sites; whilst secondary education will be phased in at key points, taking account of capacity in other schools in this part of the district.

6.8a.18 The scope and scale of contributions for each Garden Community and are set out within the Viability Assessment. These have drawn from the wider evidence base and in some cases have been based upon the mid points of cost ranges. The cost of such works will need to be further refined through subsequent preparation of the DPDs, detailed masterplanning and site survey work over time.

b. is the contingency allowance appropriate?

6.8b.1 The North Essex Authorities recognise that reasonable allowances should be made for cost unknowns, especially for projects that are at early stages in their design evolution. As such, contingencies have been included in the approach as set out in the Viability Assessment³³, which makes clear that allowances for cost overruns and optimism bias had been reflected in initial estimates for the capital cost of certain infrastructure elements, with an additional allowance (on top of initial contingencies and optimism bias) of up to 10% also applied through the scenario tests to provide an additional contingency ‘cushion’. This is applied across all strategic infrastructure cost items, irrespective of whether they have already accounted for an element of contingency or whether they are relevant to have an additional contingency consideration added. This therefore provides further flexibility to address different degrees of risk between different types of infrastructure.

6.8b.2 Allowances for contingency have been considered by the relevant stakeholder and/or professional consultant considering those specific aspects based upon their expert knowledge and extensive experience of such large scale, complex projects. For example, education costs have been directly supplied from Essex County Council and are based upon their knowledge and approach to new school construction. Transport costs are based upon work undertaken by Jacobs for Essex County Council and as set out in the Movement & Access Study³⁴.

6.8b.3 To illustrate the scale of contingencies accounted for, an analysis of strategic infrastructure items indicates that there are circa £120m contingencies in-built to the cost assumptions for the Colchester Braintree Borders assessment. This is then supplemented by a maximum of 10% (within the scenario tests high levels of infrastructure costs) equating to an additional £113m. Together these therefore sum to £233m for contingencies, which when calculated across the relevant costs items (excluding endowments & partial contributions to wider infrastructure) equates to circa 24%.

6.8b.4 In their representation³⁵, CAUSE refer to “Hyas have added a contingency of 5% in their base case. We know that there are no material contingencies in individual line items because we can track them back to the AECOM 2016 report, which repeatedly states that no contingency is included”³⁶. CAUSE consider that a minimum contingency of 40% is needed³⁷.

6.8b.5 The reference to 5% contingency appears to have been based upon costs set

³³ EB/013 North Essex Local Plans Viability Assessment (Section 1) Main Report – Section 4.3

³⁴ EB 0014 Sustainable Solutions | Connectivity North Essex Garden Communities Movement and Access Study

³⁵ CAUSE Part 1 Consultation Response page 66

³⁶ CAUSE Part 1 Consultation Response page 65

³⁷ CAUSE Part 1 Consultation Response page 67

out in Council Cabinet reports from November & December 2016³⁸. These reports were not related to the evolution of the Local Plans or the formal planning evidence base, as their focus was on establishing a delivery structure and illustrating potential funding requirements should the Councils finance the schemes directly. The reports quoted a figure of £39m for contingencies, which was based upon the application of a 5% contingency to all items costed in the (then) strategic infrastructure budget of £810m. This analysis has evolved considerably since this work was undertaken.

6.8b.6 The Concept Feasibility study³⁹ had indicated that a contingency figure of 10% was appropriate. It is also important to note that certain costs have evolved further since the preparation of the Concept Feasibility study, such as the approach to transport costs which were further evolved and set out in the Access & Movement Study⁴⁰.

6.8b.7 The new analysis as set out in the Viability Assessment tests a range of scenarios including up to 10% as 'additional' contingency (over and above contingencies already allowed for in specific infrastructure items). The approach to test contingencies at up to a maximum of 10% was considered to be reasonable at this stage in the process, and accords with the needs to test viability via the planning system and accepted approaches from elsewhere such as part of viability appraisals for strategic sites such as Lincolnshire Lakes, Scunthorpe at 2%⁴¹; Gilston, Harlow⁴² at 5% (on build costs only) Welborne, Fareham⁴³ at 5% and strategic sites across South Cambridgeshire⁴⁴ at 10% (on build costs only).

6.8b.8 When setting an appropriate contingency level it is important to remember that such costs are as yet unconfirmed. Therefore to define an artificially high level risks adding unspecified costs to a scheme and presenting a misleading position on viability. Often the planning process involves a debate on viability grounds, sometimes led by scheme promoters as a mechanism to limit planning contributions. It would generally not be acceptable to incorporate an unreasonably high level of contingencies which is then used to limit contributions to necessary planning obligations such as the provision of necessary infrastructure and affordable housing. Care is needed to strike an appropriate balance. The North Essex Authorities believe they have done so.

6.8b.9 It is also important to remember that there are other aspects of the viability assessments that account for risk, primarily any assumed profit rate. Where profit is

³⁸ Braintree District Council Cabinet meeting, 29th November 2016 & Colchester Borough Council Cabinet meeting 30th November 2016

³⁹ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation

⁴⁰ EB 0014 Sustainable Solutions | Connectivity North Essex Garden Communities Movement and Access Study

⁴¹ Lincolnshire Lakes Area Action Plan: Interim Delivery Strategy (GVA, 2014)

⁴² East Herts Strategic Sites Delivery Study (Peter Brett Associates, 2015)

⁴³ Welborne Stage 2 Viability Testing (GVA, 2014)

⁴⁴ Cambridge City Council & South Cambs District Council Local Plans Viability Update (Dixon Searle, 2015)

included, this provides an additional buffer and is itself priced according to overall project risk. In this respect, the Viability Assessments include a strategic profit rate of 15% across the total strategic infrastructure costs, as well as a 20% profit rate to individual site developers/housebuilders. These profit rates therefore provide an additional allowance for risk. The assumptions on land values also provide flexibility.

6.8b.10 With regard to the reference for a minimum of 40% as 'optimism bias', this appears to be based upon advice provided by HM Treasury⁴⁵, which sets out appropriate approaches to Government capital investment appraisal processes. This sets out a range of different rates related to different types of capital activity, which should be applied "for generic project categories ... in the absence of more robust evidence". Of most relevance are:

- Standard buildings should apply between an upper rate of 24% and lower rate of 2%;
- Standard civil engineering projects should apply between an upper rate of 44% and lower rate 2%;
- Non-standard civil engineering should apply between an upper rate of 66% and lower rate of 6%.

6.8b.11 It is important to consider that the infrastructure items included in the Viability Assessment (EB/013) address a variety of different components and needs. Some are standard buildings (schools, community centres); some are standard civil engineering (primary road layout, utilities); and some are non-standard (i.e. rail station, rapid transit network). Therefore no one fixed rate is relevant. There is also a degree of underpinning analysis to inform initial assumptions, although it is fully recognised some items are at early stages in their consideration. In addition, whilst the Councils have established a delivery structure and are actively considering public sector direct investment, the Viability Assessment is not predicated on a solely public sector led approach. The precise mechanism of delivery and funding will evolve further and at this stage should reflect a variety of potential alternative approaches.

6.8b.12 The North Essex Authorities consider that the approach as set out in the Viability Assessment (EB/013) provides a reasonably cautious approach, with overall contingencies higher than comparable assessments undertaken for other large scale, long term schemes. It also includes an allowance for profit which would not ordinarily be accounted for in pure public sector infrastructure investment projects. The combined allowances for profit and contingencies add up to a total of circa 40% on strategic costs, which is considered to provide a more than adequate allowance for unforeseen costs.

6.8b.13 Representations on the Publication Draft from land promoters involved in the garden communities (such as consideration by G L Hearn on behalf of the

⁴⁵ The Green Book: appraisal and evaluation in central government', HMT, 2013.

Andrewsfield Consortium⁴⁶) have not challenged the assumption, considering the approach to be reasonable.

c. are appropriate assumptions made about the rate of output?

6.8c.1 The North Essex Authorities recognise that there will be many influences on a forecast housing trajectory from the Garden Communities. It will essentially be dictated by the rate of sales that can be achieved in light of site conditions, business strategies and wider market demand. Several key influences on such large scale greenfield sites were referenced in the Viability Assessment⁴⁷ including the location, nature, and scale of the site, as well as its layout and phasing approach; the scale of demand within the wider housing market; the approach to strategic infrastructure and ability to raise sufficient finance; and the type and variety of products (multiple tenures, types & sizes being brought to the market).

6.8c.2 The assumptions included in the Viability Assessment were based upon to 300 units for West of Braintree, 350 units pa for Colchester Braintree Borders (within the current plan period) rising to 500 units pa beyond the plan period, and 250 units pa for Tendring Colchester Borders. In all scenarios, it is assumed that the first 2 years are at circa ¼ and ½ the rate respectively, in order to reflect a build-up of market demand.

6.8c.3 The Concept Feasibility Study⁴⁸ indicated rates of up to 300 units for West of Braintree, 360 units pa for Colchester Braintree Borders, and 240 units pa for Tendring Colchester Borders.

6.8c.4 In their representation⁴⁹, CAUSE have raised concern over the ability of the Colchester Braintree Borders to deliver the peak of 500 houses a year. This figure is not included in trajectories within the Local Plan period, and is only applied to the largest Colchester Braintree Borders scheme as part of the Viability Assessment (longer term trajectory).

6.8c.5 The North Essex Authorities consider this to be achievable due to the anticipated scale and form of the Colchester Braintree Borders site, which would enable multiple separate locations to come forward in tandem, therefore creating the equivalent of multiple strategic sites across an area, each of which would be suitably distinctive and geographically dispersed to be able to support multiple outlets in their own right.

⁴⁶ Representation by Andrewsfield Consortium (ID 505, attachment 13) on BDC Section 1 Publication Draft Local Plan

⁴⁷ EB/013 North Essex Local Plans Viability Assessment (Section 1) Main Report – Pages 20-21

⁴⁸ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Section 8.4

⁴⁹ CAUSE Part 1 Consultation Response page 65

6.8c.6 The North Essex Authorities also have broader ambitions to increase build rates beyond current market norms through the implementation of an innovative delivery structure with a stronger role of the public sector to guide and accelerate delivery. The Concept Feasibility Study⁵⁰ set out several factors where the proposed delivery mechanism (i.e. including the influence of the LDVs in partnership with the current landowners) could help to drive higher build out rates, and the Authorities would be keen to maximise and enhance beyond the stated projections through a combination of:

- Public sector funding accelerating the delivery of infrastructure and significantly de-risking the overall development for plot developers and the master developer;
- Through marketing and promotion of the Garden Communities by the public sector, demand levels are 'deepened' allowing a faster delivery of units;
- The promotion and inclusion of alternative residential tenures/ sectors within the scheme to widen demand; e.g. self and custom build housing, sheltered housing, private rental stock and Starter Homes. In order to deliver these tenures (particularly at an early stage of the developments) may require additional support from the public sector to ensure it is viable.

6.8c.7 Other responses consider that the developments will not deliver as fast as expected such as Gladman⁵¹ due to the need to prepare the subsequent DPDs and secure approvals. Persimmon⁵² note that there is a significant risk due to the scale and complexity of planning and delivery.

6.8c.8 The North Essex Authorities are confident that the build rates can be achieved, with current strong performance at other local strategic sites such as cumulative growth across North Colchester and Severalls Hospital site. In addition, the role that a strong proactive public sector can play in enhancing build rates is best illustrated by the Cranbrook new settlement in East Devon where proactive approach is now yielding over 400 units a year, despite the development still being very much in it's early stages.

6.8c.9 The Councils have commenced work on the DPDs to elicit initial feedback on issues & options (EB/034, EB/035, EB/036), and are confident that matters will progress to enable commencement on site as anticipated.

6.8c.10 Representations from land promoters involved in the garden communities have suggested higher delivery rates would be achievable. G L Hearn on behalf of

⁵⁰ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Section 8.4

⁵¹ Representation by Gladman Development Ltd on BDC Section 1 Publication Draft Local Plan (IDs 549, 550 & 551) and CBC Section 1 Publication Draft Local Plan ID S1.119/7162.

⁵² Representation by Persimmon Homes on CBC Section 1 Publication Draft Local Plan (ID 6912)

the Andrewsfield Consortium⁵³ consider that West of Braintree could deliver 385 units per year.

d. are appropriate assumptions made about the timing of land purchases?

6.8d.1 Central to the methodology and approach applied through the Viability Assessment (EB/013) is the concept of residual land value. Residual land value is the value that can be attributed to land, after the total cost of construction and development activity, including all associated costs (fees, profits, finance, contingency, etc) is deducted from the end value. When the residual land value is equal or above that deemed sufficient to provide a competitive return to sufficiently incentivise landowners and developers, the project can be considered to be 'viable'.

6.8d.2 The Viability Assessment sets out a matrix of equivalent residual land values (per gross acre) and identifies those scenarios which achieve outcomes above current (agricultural) uses. The residuals are colour coded to illustrate how far in excess the outcomes are, to inform consideration as to whether the returns could be considered to provide a reasonable prospect of coming forward.

6.8d.3 As a residual land value model, the approach does not attempt to define a specific value for land payment or the timing of such payment, as the specific components of any land agreement are highly variable. For example, some landowners may be comfortable with small up-front payments and staged draw-down of subsequent payments as the development is implemented, others may have certain tax or personal reasons influencing when and what they would need to achieve, whilst others may wish an upfront payment to sell up and move on.

6.8d.4 There could be a myriad of different approaches to the amount and timing of land costs, and to include alternative scenarios relating to possible land purchase would provide a further layer of complexity to the scenarios already presented (132 scenarios are already set out in the Viability Assessment). Modelling additional land cost and profile scenarios would be confusing and difficult to present in a meaningful way, and could not be backed by clear evidence in respect of a value or timing of payment/s. The residual land value approach illustrates the overall surplus and is generally sufficient through the various scenario tests to accommodate earlier payments. It is important to note that the modelled values do not necessarily reflect the amounts that will be paid to landowners. That will be the subject of negotiations and, if necessary, independent determination following a compulsory purchase procedure. Any values should reflect the planning policy requirements, including the expectation that infrastructure and other costs should be borne by the development.

e. is it appropriate to allow for a Garden City premium?

⁵³ Representation by Andrewsfield Consortium on BDC Section 1 Publication Draft Local Plan (IDs 504 & 505, attachment 13)

6.8e.1 The Viability Assessment (EB/013) is not predicated on securing a garden city premium. Scenario tests have been run to understand the impact of value premiums at 0% (standard current values), 5% and 10% uplifts. As explained in the paragraph below, evidence does exist to demonstrate that a focus on quality placemaking and infrastructure delivery does indeed secure a premium.

6.8e.2 A document produced by the RICS⁵⁴ based upon research carried out by property consultants CBRE, analysed residential property value data obtained from the Land Registry, site observations and discussions with developers and agents, as well as with community groups and planners. Most of the case studies were large residential-led, mixed-use urban extension schemes that have created entirely new places with their own sense of identity. The research found that placemaking did add value over and above general market rates. However, there was considerable disparity in the size of the premium, with the case studies achieving between five per cent and 50 per cent above locally achieved sales values.

6.8e.3 A research paper by property consultant Savills⁵⁵, based upon a simplified land value model for a theoretical urban extension of 3,000 homes, showed that by spending an extra 50% on 'placemaking' which was deemed to relate to a higher spend on infrastructure and build costs (assuming spending £45,000 per residential unit on infrastructure as opposed to a base model of only £30,000), this could boost sales values by 20% and sales rates by 50% resulting in higher residual land values. The research paper also highlighted the importance of taking a partnership and patient approach.

6.8e.4 The approach to the Garden Communities has incorporated high costs for enabling works to support the creation of a high quality public realm, as well as an uplift upon standard build costs in order to deliver higher build quality. It could therefore be anticipated that a 'Garden Community premium' may be achieved, but it is not possible to define precisely and as such scenarios have tested values at 5% and 10% above assumed residential values.

6.8e.5 CAUSE consider that the garden city premium should be removed from the model "until costs consistent with quality are budgeted"⁵⁶ citing the lack of a vision, severance problems (of the A12 and A120 at Colchester Braintree Borders), a house build cost being insufficient to drive quality and a lack of interest in design quality shown by a London based housing association (L&Q).

6.8e.6 CAUSE acknowledge that "*quality place-making can generate a premium*"⁵⁷

⁵⁴ 'Placemaking & Value' (RICS, 2016)

⁵⁵ Development: The Value of Placemaking (Savills, 2016)

⁵⁶ CAUSE Part 1 Consultation Response page 65

⁵⁷ CAUSE Part 1 Consultation Response page 64

and challenge the approach not to include recognition of the impact of investment in place making and infrastructure, referring to Cambridge as an example of where “*housing in a well-designed [University] community to attract a premium over neighbouring settlements*”⁵⁸.

6.8e.7 In response the North Essex Authorities would reference that:

- Policies SP7, 8, 9 and 10 all make explicit reference to the need for the high quality planning, design and management of the built and public realm, to be further evolved and defined through the preparation of the strategic growth DPDs;
- The severance issue referred to relates to the Colchester Braintree Borders broad location only and as set out in the Concept Framework⁵⁹, has the potential to be overcome through corridor re-alignment, urban and landscape design. Even if not, it is not clear or proven how severance impacts on quality for the majority of the site. The quoted issue does not affect the other 2 sites;
- Residential build costs as set out in the Concept Feasibility Study⁶⁰ at £1,061 per sqm (based on location-adjusted average figures from the Build Cost Information Service for Quarter 2 2016), have been increased by 10% to £1,167 per sqm in the Viability Assessment to account for enhanced build quality;

6.8e.8 The North Essex Authorities have taken a proportionate approach to test impacts of a potential premium via sensitivity analysis.

f. is the viability threshold set at an appropriate level?

6.8f.1 The process for establishing an appropriate viability threshold (usually expressed as a land value) for a viability assessment is normal, because this indicates the threshold for determining whether a scheme is viable or not. A development is typically deemed to be viable if the Residual Land Value is equal to or higher than the viability threshold, as this is the level at which it is considered that the landowner has received a ‘competitive return’ and will release the land for development. Guidance refers to the potential use of benchmarking. In the North Essex context, there has been some strategic land activity such as on the fringes of Braintree and Colchester for much smaller urban extension type development directly plugged in to existing development and infrastructure. The proposed Garden Communities are of such a scale, form, and context that it is difficult to draw clear comparisons from such historic land transactions or recent/current market behaviour.

⁵⁸ CAUSE Part 1 Consultation Response page 75

⁵⁹ EB/022 Colchester Braintree Borders Concept Framework

⁶⁰ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Section 8.2

6.8f.2 Other evidence and viability studies undertaken for other Local Plans take varied approaches to this matter and suggest a range of possible benchmarks. These generally present an overview of policy and guidance, but then go on to define a benchmark purely on the professional judgement of the viability assessor which is ultimately unrelated to formal and relevant local evidence or analysis.

6.8f.3 The Concept Feasibility Study⁶¹ used a land value in the order of £100,000 per gross acre, based upon experience of large strategic sites was sufficiently more than current agricultural values and could form an indicative assumption for testing. The report went on to reference that “In reality, land values are negotiated on a case by case basis reflecting various matters including local property market contexts as well as infrastructure and policy requirements”.

6.8f.4 Whilst such information based upon professional knowledge and experience is useful to provide a perspective on existing behaviour and the level of likely expectation, it cannot fully relate to the form, scale and nature of proposed garden communities or full knowledge & impact of the associated policy, placemaking and infrastructure requirements.

6.8f.5 In planning terms, it is not necessary to have regard to the price paid for the land when determining viability, the benchmark is effectively that it must be worth more for development than it is in its current use; which for the Garden Communities is predominantly agricultural. There may be practical and legitimate reasons to allow higher sums for example to take better into account the position of individual landowners and any particular circumstances affecting their approaches, such as family or taxation considerations. Ultimately, land can be compulsorily acquired in order to deliver schemes, with the CPO valuation either taking place in the "no scheme" world or reflecting the impact on value of planning policy.

6.8f.6 In their representation⁶², CAUSE consider that the viability assessment should be based upon at least £107,500 per acre due to a combination of:

- landowners wanting “MUCH more than agricultural value”;
- there already being significant hope value for residential use;
- compulsory purchase legislation being of no significant threat; and
- the work the North Essex Authorities have done to date will have created value on the land.

6.8f.7 CAUSE also appear to be close to following a market based approach to setting a threshold. This is based on RICS guidance⁶³ that is predicated on the basis that land trades at market value.

6.8f.8 However, recent research carried out by RICS with respect to Greater

⁶¹ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Section 8.2

⁶² CAUSE Part 1 Consultation Response page 64

⁶³ Financial Viability in Planning (RICS Guidance 2012)

London⁶⁴, has identified flaws in the application of the 'Market Value' approach. This research explains that 'if market value is based on comparable evidence without proper adjustment to reflect policy compliant planning obligations, this introduces a circularity, which encourages developers to overpay for sites and try to recover some or all of this overpayment via reductions in planning obligations'. This is inconsistent with the requirements of the National Planning Policy Guidance, and creates a scenario where it becomes almost inevitable that policy requirements are found to make a development unviable. In addition, toolkits that are available for other Planning Authorities, have identified similar issues⁶⁵.

6.8f.9 The Garden Communities as being proposed are generally located on greenfield agricultural land beyond the current boundaries of existing towns & settlements. Such agricultural land will be worth circa £10-15,000 per acre for agricultural purposes, with additional value for buildings and other structures that relate to the farm holdings.

6.8f.10 The Viability Assessment does not attempt to define a theoretical benchmark beyond such current agricultural values, but illustrates the outcomes from the various scenarios as a matrix of equivalent residual land values (per gross acre) and identifies those scenarios which achieve outcomes above current (agricultural) uses. The residuals are colour coded to illustrate how far in excess the outcomes are, to inform consideration as to whether the returns could be considered to provide a reasonable prospect of coming forward.

6.8f.11 For projects such as new standalone Garden Communities, where land supply is greenfield and of considerable scale, the 'bottom line' in terms of land value will be the value of the site informed by the current use value, but likely to be a multiple of this value or a reasonable uplift to provide sufficient incentive to landowners to bring their land to the market. There could be a myriad of different approaches to the amount and timing of land costs, on top of multiple scenarios already set out in the viability report (132 scenarios are already presented). Modelling additional land cost and profile scenarios would be confusing and difficult to present in a meaningful way.

g. should an allowance have been made for inflation?

6.8g.1 Development across each of the proposed Garden Communities is not due to commence for several years and will continue for many years into the future and span several economic cycles. It is therefore to be expected that costs and values will change over time to accord with inflation and changes in values. However, due to

⁶⁴ Mayor's Housing SPG (2016), paragraph 4.1.5 RICS (2015) Financial Viability Appraisal in Planning Decisions: Theory and Practice, Professor Neil Crosby and Professor Peter Wyatt, University of Reading

⁶⁵ GLA Viability Toolkit Guidance Notes (2015), page 11

the difficulties inherent in forecasting, especially over such long-time frames, no build cost inflation or value change has been applied to the assessments at this stage.

6.8g.2 Historically property value growth has outpaced cost inflation therefore this assessment presents a prudent approach. In addition, strategic costs generally occur early in the development programme with property sales continuing further into the future and as such the impact of compounding would mean that value growth would have a higher proportionate impact on scheme viabilities over time.

6.8g.3 In their representation⁶⁶, CAUSE consider that “*failure to consider inflation sensitivities is a significant shortcoming*” of the North Essex Authorities approach and refer to possible assumptions of cost inflation at 2.5% per year and price inflation at 1.125%⁶⁷.

6.8g.4 Given the length of the development period, it is impossible to judge with any accuracy what may be appropriate over such a long time scale. To illustrate, cost inflation has been circa 3.4% pa on average house prices have risen on average 6% pa over the past 30 years. The assumption that value inflation will be lower than cost inflation does not accord to historical trends or current evidence.

6.8g.5 Any inclusion of inflation based upon historic trends would therefore be expected to considerably improve scheme viability based upon historic trends.

6.8g.6 Adding in additional inflation scenarios would be another confusing and unnecessary overlay at this stage of the process.

h. is an appropriate allowance made for finance costs?

6.8h.1 The assessments assume that all scheme options costs are 100% debt funded at a flat finance rate of 6.0%. This guidance is based upon experience in reviewing significant residential led schemes of similar size and nature.

6.8h.2 The delivery & governance model being proposed may be able to facilitate lower market rates, given the role of the public sector in direct delivery and scheme de-risking. Given the considerable upfront expenditure on infrastructure and timescale before going cash flow positive, any lower interest rate would have a considerable positive impact on viability.

6.8h.3 In their representation, CAUSE raise concern that the methodology makes no provision for finance charges on land payments⁶⁸. The North Essex Authorities agree that where land is purchased then additional finance costs would arise, therefore

⁶⁶ CAUSE Part 1 Consultation Response page 68

⁶⁷ CAUSE Part 1 Consultation Response page 69

⁶⁸ CAUSE Part 1 Consultation Response page 68

impacting on the total finance costs. As set out earlier, the approach has however been to identify an overall residual land value. Land payment/s would reduce the final residual as additional finance costs would also become applicable.

6.8h.4 The sensitivity tests as set out in the Viability Assessment (EB/013) illustrate the scope to accommodate such eventualities, providing flexibility to address such impacts if and when they may arise.

i. is the residual value methodology (GCLS model) appropriate? Should a discounted cash-flow methodology have been used instead?

6.8i.1 The viability work published for the Local Plan/s has been prepared based upon a standard methodology, commonly accepted for plan viability purposes. Given the complexity of the proposed schemes, in terms of scale, mix of uses, phasing and cashflow, the financial viability testing has been undertaken using the 'Garden City & Large Sites Model' (GCLS Model) originally used within the Advisory Team for Large Applications (ATLAS) in the Homes & Communities Agency (HCA). This model is high level financial model that tests the viability testing of long term, large scale sites (and in particular Garden City proposals) at an early stage in the planning process

6.8i.2 The GCLS Model is based upon a 'master developer' approach, as the largest sites are unlikely to be delivered through traditional housebuilder approaches. This involves one lead organisation (the master developer) who would be responsible for strategic investment in enabling works and strategic infrastructure. This would then enable plot developers (such as a range of different housebuilders and other developers) to buy serviced land and undertake the actual building work. Strategic costs are set against land receipts to drive the overall scheme viability. This accords to the proposed delivery and governance model, with site specific LDVs proposed to act as the site specific master developers.

6.8i.3 Central to the methodology and approach applied through the Viability Assessment (EB/013) is the concept of residual land value. Residual land value is the value that can be attributed to land, after the total cost of construction and development activity, including all associated costs (fees, profits, finance, contingency, etc.) is deducted from the end value. When the residual land value is equal or above that deemed sufficient to provide a competitive return to sufficiently incentivise landowners and developers, the project can be considered to be 'viable'

6.8i.4 In their representation⁶⁹, CAUSE have concern that the viability of a 50 year project is better assessed using discounted cash flow – a project is viable if the Net Present Value (NPV) is positive when discounted by the Weighted Average Cost of Capital (WACC) applicable to each Local Delivery Vehicle.

⁶⁹ CAUSE Part 1 Consultation Response page 72

6.8i.5 There are a variety of possible approaches to evaluating the financial performance of long term property development projects including other metrics such as Internal Rate of Return (IRR) or Return on Capital Employed (ROCE). The Viability Assessment has adopted a recognised approach as advocated by planning policy, guidance, and practice in common with other viability studies undertaken elsewhere.

9. Is there evidence to demonstrate that 30% affordable housing can be viably provided at each of the proposed garden communities? Is it appropriate for this figure to be set as a “minimum” requirement?

6.9.1 The level and type of affordable housing will have a key impact on viability, hence the Viability Assessment (EB/013) considered alternative levels and tenure mixes of such housing. The scenarios have tested 20%, 25% and 30% Affordable housing levels for the Colchester Braintree Borders and Tendring Colchester Borders Garden Communities, and 20%, 25%, 40%, 35% and 40% for the West of Braintree Garden Community. At each band 2 tenure mixes were tested:

- 80:20 Affordable Rent:Shared Ownership; and
- Including 10% as Starter Homes (with other affordable at the 80:20 split).

6.9.2 Starter Homes are not yet within the formal definition of affordable housing in the NPPF, but were assessed as it was anticipated that they would be drawn into the definition, together with an expectation for 10% of affordable housing be provided as Starter Homes (with the balance split 80:20 between Affordable Rent and Shared Ownership). Land values are anticipated to be the same for Shared Ownership and Starter Homes so there is little or no impact on overall scheme viability between the tenures. Hence the 10% related to starter homes could alternatively be considered as Shared Ownership/Intermediate to fall within the current formal definition.

6.9.3 The Viability Assessment scenario tests generally revealed:

- The majority of scenarios tested across each of the Garden Communities generate residual land values well in excess of current (agricultural) values;
- The ambition for high quality placemaking should feed through into higher sales values improving residual land values across all scenarios;
- Residual land values are higher at lower rates of affordable housing. Tenure mix will also be important, with a higher proportion of shared ownership, intermediate and potential starter homes generating higher residual land values.

6.9.4 In terms of differences between the 3 Garden Communities, the ability to meet 30% affordable housing was strongest for West of Braintree with all scenarios

performing comfortably strong, then Colchester Braintree Borders again with all scenarios generating residuals markedly higher than existing use values, but a more challenging position for Tendring Colchester Borders broad location which would be more dependent upon managing infrastructure costs and/or securing a premium in sales values. However as recognised by the evidence base and specifically by CAUSE, this site offers strong potential for value premiums given it's relationship to the University of Essex and Knowledge Gateway. In any event, the land price should be adjusted to reflect the policy requirement.

6.9.5 The Viability Assessment (EB/013) has taken a relatively prudent approach to several assumptions. A more ambitious approach could potentially improve viability including opportunities afforded by the proposed delivery model involving a more proactive role of the public sector working alongside the private sector.

6.9.6 Representations on the Local Plan (such as by the House Builders Federation⁷⁰) have also flagged a difference between SP7 which refers to a affordable housing requirement of 30%, but policies SP8, 9 and 10 referring to “a minimum of 30%”. The North Essex Authorities agree that the policies should provide certainty. 30% is stated as the policy figure via SP7, but this should not preclude the potential delivery of higher than 30% should this be viable and or preferable in terms of the form and tenure profiles at the time of delivery.

6.9.7 The North Essex Authorities consider that 30% is an appropriate rate for affordable housing across the garden communities to support the creation of mixed, balanced and sustainable communities, agree that a clear and transparent policy approach should be set now to be clear for the future.

10. Is there evidence to demonstrate that each of the proposed garden communities can support the range of facilities that are required by policies SP7, 8, 9 & 10?

6.10.1 The Concept Feasibility Study⁷¹ has tested site capacities and projected land use mixes to accommodate the range of facilities as set out in policies SP7, 8, 9 and 10. The broad locations identified in the plans accord with corresponding information as set out in that study and are therefore capable of accommodating the full mix of land uses, open space and necessary infrastructure.

6.10.2 The Viability Assessment⁷² has included suitable cost allowances to address the full range of policy requirements including the full range of supporting facilities. The approach to infrastructure costings has been subject to challenge. The North Essex Authorities response to this concerns has been set out earlier in this

⁷⁰ Representation by House Builders Federation on CBC Section 1 Publication Draft Local Plan (ID 7100)

⁷¹ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Chapters 3, 5 & 6

⁷² EB/013 North Essex Local Plans Viability Assessment (Section 1) Main Report – Sections 5.2, 6.2 & 7.2

statement.

6.10.3 As the garden communities are being brought forward as broad locations in Section 1 of the Local Plans, precise boundaries are as yet not fully defined, therefore providing further flexibility to appropriately accommodate all requirements. The subsequent DPD process will further evolve the detail and define full boundaries, alongside further consideration of infrastructure requirements. The representation by CAUSE refers to a lack of detail for what facilities (explicitly referring to the precise number of schools, medical facilities, and specific rail improvements) within the plan period, aligned to the initial anticipated 2,500 residential units (referenced to West Tey/Colchester Braintree Borders).

6.10.4 The Infrastructure Delivery Plans (IDPs)⁷³ prepared to accompany each Local Plan provide extensive details of the infrastructure considered necessary to support the Local Plans, including reference to impacts and needs arising from each of the garden communities broad locations, including the Colchester Braintree Borders (referred to by CAUSE as West Tey) proposal.

11. Is there evidence to show that each proposed garden community is capable of delivering 2,500 dwellings within the Section 1 Plan period?

6.11.1 The Concept Feasibility Study⁷⁴ provides evidence in relation to residential build periods, absorption rates and sales rate assumptions. The figures contained in the Concept Feasibility Study accord with figures set out by the Councils in their housing trajectories. There is no dispute over these figures, with the exception of a higher delivery rate for Colchester Braintree Borders (as set out in the Viability Assessment⁷⁵), which has been challenged by CAUSE in their representation⁷⁶. This anticipated higher rate only becomes applicable after the current plan period and the rationale has been set out as part of the response to Q6 (c) of this statement. Representations from land promoters involved in the garden communities have suggested higher delivery rates could be achievable⁷⁷.

6.11.2 The North Essex Authority's housing supply trajectories do not anticipate first completions from any garden community broad location until 2023/24. This provides sufficient time to evolve the DPDs and secure all necessary permissions for early phases of development. It also provides sufficient time across the latter half of the

⁷³ CBC/0006 Colchester Infrastructure Delivery Plan Final Report, BDC/012 Braintree Infrastructure Delivery Plan, TDC/023 Tendring Infrastructure Delivery Plan Report

⁷⁴ EB/008 North Essex Garden Communities Concept Feasibility Study (Vol 3) Concept Options & Evaluation Chapters 3, 5 & 6

⁷⁵ EB/013 North Essex Local Plans Viability Assessment (Section 1) Appendices - CBB Cashflow page 12

⁷⁶ CAUSE Part 1 Consultation Response page 65

⁷⁷ Representation by Andrewsfield Consortium on BDC Section 1 Publication Draft Local Plan (IDs 504 & 505, attachment 13)

plan period to deliver the required quantum of housing per broad location.

6.11.3 Concerns have been raised across multiple representations over the need to secure strategic infrastructure prior to implementation, most notably in relation to the potential alignments of the A12 and A120, and the impact of this uncertainty on the delivery of the Colchester Braintree Borders broad location. As set out earlier in this statement, proposals for the improvement of the A12 and A120 are making good progress, with the A12 having commitment and funding and feasibility work for a realigned A120 being well advanced. Positive joint working is ongoing between ECC and Highways England to evolve appropriate solutions and secure funding. Central Government is fully aware of the scale of local ambition with the wider North Essex Garden Communities programme being the largest initiative in the Department for Communities & Local Governments Garden Towns & Villages programme. The North Essex Authorities therefore consider that solutions will be found in a timely manner to all infrastructure considerations, and will not impact upon the anticipated rate and scale of delivery.

6.11.4 Some representations suggest that the developments will not deliver as fast as expected due to the proposed planning stages as set out, and need to prepare the subsequent DPDs and secure approvals. The Councils have set out a clear programme of work in their respective Local Development Schemes⁷⁸ which anticipate adoption of DPDs by the end of 2019. The work has already commenced on the documents to illicit initial feedback on Issues & Options⁷⁹ (EB/034, EB/035, EB/036), which subject to the outcome of the Section 1 examination, can advance promptly through 2018 with submission in early 2019.

6.11.5 The North Essex Authorities are confident that matters will progress to enable commencement on site on time and to the rate as anticipated.

12. Have appropriate arrangements been made to apportion dwelling numbers at each proposed garden community between the respective housing requirements of the relevant local planning authorities?

6.12.1. The key apportionment arrangements are set out in para 8.15 of Section 1 and then the dwelling numbers are set out in policy SP7 and then incorporated by Authority in Section 2.

6.12.2 There is nothing to prevent arrangements being made between willing Local Authorities as to how the dwelling numbers will be proportioned between each of the Authorities irrespective of where they are actually built provided that mechanism is

⁷⁸ CBC/0007 Colchester Local Development Scheme November 2017

⁷⁹ https://www.braintree.gov.uk/info/200230/planning_policy/1081/north_essex_garden_communities/2

found sound and incorporated in to adopted Local Plans. This makes particular sense in the context of large cross-border sites where it would be unlikely at the plan making stage that you would know where the actual building would occur over the life of the local plan. In addition it is in the interest of delivery that the risks and benefits of shared sites are broadly equally shared between the Authorities where the development is planned. Hence the responsibility for enabling the development to occur is also equally shared. With these North Essex Garden Community joint proposals the proposed arrangement has been essentially a straight 50:50 split although in the context of the Colchester Braintree Garden Community that has been slightly adjusted to reflect the locality of infrastructure. Nevertheless the North Essex Authorities have jointly proposed the Garden Communities and wish to share responsibility for the dwelling numbers. Ultimately those homes built meet the needs of the North Essex Community and provided they are delivered then the needs will be met.

6.12.3. There is an undertaking in para 8.15 that should more dwellings actually be built during the plan period these will be split 50:50 between the relevant authorities. This also aids future planning work as it removes artificial conversations about where the next phase of development should physically occur on site allowing decisions to be made on good development grounds and not to be influenced by a particular Districts housing delivery rate.

6.12.4 The North Essex Authorities, unsurprisingly, are not planning for under delivery of dwellings on these sites and consider that the delivery rates envisaged are realistic and take into account the issues of bringing large sites on stream. The Authorities have accepted that if the Districts are generally not meeting their housing needs then they would need to review their Plans, (see matter 3 question 7) in addition the Essex Planning Officers Association (EPOA) has also developed a protocol of dealing with unmet housing need (Appendix 2 of SDBDC/005, SDCBC/005, SdTDC/022).

6.12.5. There is a very specific circumstance if a single Garden Community was underdelivering dwelling numbers in the Plan period compared to the Local Plan allocation of 2,500 dwellings in the context that Districts were then potentially underdelivering on their five year land supply. It would be inappropriate in that case for both neighbouring Authorities to claim all of the dwellings delivered as theirs unless of course the one Authority was delivering in excess of their need. Para 8.15 identifies that there may be the need of a Memorandum of Understanding between the relevant Authorities to cover such a circumstance and sets out some factors that could be consider.

6.12.6. For reference the relevant part of Section 1 states:

8.15 Based on the partnership wording between the North Essex authorities to date and their continuing commitment to the projects, each of the three proposed garden communities is planned to deliver 2,500 dwellings during the Local Plan to 2033. Delivery of 2,500 dwellings in the cross-border garden communities, no matter where they are physically built, within the Local Plan period to 2033 will be attributed as set out in section 2 of each of the individual Local Plans, or if more dwellings are built then 50:50 between the two districts concerned. A detailed mechanism will be developed to attribute housing completions to the local planning authorities to deal with the possibility that fewer than 2,500 dwellings are completed in any of the communities during the plan period to 2033; it will be informed by the DPD and agreed through a Memorandum of Understanding. It will take into account a range of factors including;

- The resources, including finance, committed to the partnership by the councils to support delivery of high quality garden communities and achieve the projected housing delivery in both districts;
- The wider benefits of the garden communities to the districts;
- The burdens to the infrastructure of the districts generated by communities; and
- The proportion of the housing built in each district.



Policy SP7- Development and Delivery of New Garden Communities in North Essex

The following three new garden communities are proposed in North Essex.

Tendring/Colchester Borders, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000-9,000 homes to be delivered beyond 2033)

Colchester/Braintree Borders, a new garden community will deliver 2,500 within the Plan period (as part of an overall total of between 15,000 – 24,000 homes to be delivered beyond 2033)

West of Braintree in Braintree DC, a new garden community will deliver 2,500 homes within the Plan period (as part of an overall total of between 7,000-10,000 homes to be delivered beyond 2033)

- 13. How much employment land is to be allocated at each proposed garden community, and how many jobs is each expected to provide, both within and beyond the Section 1 Plan period? Should this information be included in the policies?**

6.13.1 The North Essex Garden Communities Charter (EB/007) principle 3 sets out that; *“The Garden Communities will seek to provide access to one job per household within the new community or within a short distance by public transport. The employment function will be a key component of creating the character and identity of and Sustainable Communities”*. Meeting this principle essentially sets a target for job creation within each of the garden communities which relates to the number of homes that each community will provide. However as set out in the principle not all these jobs may be provided on the site itself, some may be located in close proximity to the garden community accessible by public transport.

6.13.2 Policy SP4 Providing for Employment sets out the range of employment land that is required to be delivered by local authority area. The North Essex Local Authorities has illustrated within their Section 2 Plans as to sites which are allocated for employment development, which will satisfy the needs in their respective employment land studies. Employment land is therefore to be provided in the Garden Communities which would be over and above the minimum necessary to meet the requirements.

6.13.3 Policy SP7 Development and Delivery of New Garden Communities in North Essex, in principle vi of the policy states that the garden communities should be planned to; *“Provide and promote opportunities for employment within each new community and within sustainable commuting distance of it”*

6.13.4 Each of the individual garden community policies then sets out in section C point 5 more detail in relation to the employment provision for the site. For example policy SP8 on the Tendring/Colchester Borders Garden Communities states that; *“Provision for a wide range of job, skills and training opportunities will be created in the garden community. This may include B1 and/or non B use class employment generating uses towards the south of the site in proximity to the existing University of Essex and Knowledge Gateway and provision of B1, B2 and B8 businesses to the north of the site close to the A120”*

6.13.5 The policies therefore set an overall context and principles for employment development within which the garden communities would develop. However the North Essex Authorities do not believe it would be appropriate at this stage to set an overall quantum of employment land within the garden communities at this time, but consider that more appropriate place to consider this would be within the site specific Development Plan Document.

6.13.6 Work on the Development Plan Document for each of the Garden Communities is currently underway and as currently set out in the Local Development Scheme (BDC/003, CBC/0007, TDC/003) all three Development Plan Documents will be adopted in 2019. The North Essex Authorities are commissioning more detailed work on the employment needs of the garden communities and the first of these, the North Essex Authorities Garden Community Economic Narrative

(EB/033) has been published as part of the evidence base. In relation to employment land allocations the narrative makes recommendations in section 3.1 on page 43 on employment land and 3.2 on workspace to ensure that a proactive employment environment within the garden communities.

6.13.7 Importantly all evidence gathered to date on the employment land allocations in the Garden Communities note the importance of the flexibility of any employment land allocations for the Garden Community because as the economic narrative makes clear; *“that it is not possible to accurately predict the exact mix of employment space that will be required this far in advance of development...”*

14. Do the policies for the proposed garden communities make adequate provision for the protection and/or enhancement of the natural environment and biodiversity? Is there consistency between policy SP7 and policies SP8, 9 & 10 in these respects?

6.14.1 Yes, policies SP7, SP8, SP9 and SP10 all include criteria which will make adequate provision for the protection and/or enhancement of the natural environment and biodiversity [criterion (x) of SP7, criterion 20 of SP8, criterion 21 of SP9 and criterion 20 of SP10]. To strengthen the policy and address representations from Natural England (S1.089a/ 6892 and S1168/ 529) the word ‘avoidance’ is proposed to be added to criteria 20 of policy SP8, criterion 21 of SP9 and criterion 20 of SP10. This proposed change is set out in the Statement of Common Ground between the North Essex Authorities and Natural England (SCG/001).

6.14.2 Policy SP7 applies to all three garden communities and is more detailed than the other criteria referred to above. However, there is consistency between policies SP7, SP8, SP9 and SP10 and together these policies will achieve the aim of protecting and enhancing the natural environment and biodiversity.

6.14.3 The first part of criteria 20 of SP8, 21 of SP9 and 20 of SP10 is worded the same, which ensures consistency. Policies SP9 and SP10 specifically refer to sensitive nature conservation sites which will need to be preserved and/or enhanced. For consistency, and to address representations from Natural England (S1.089a/ 6892 and S1168/ 529) a list of SSSIs that will need to be protected and enhanced is proposed to be added to criteria 20 of policy SP8. This proposed change is set out in the Statement of Common Ground between the North Essex Authorities and Natural England (SCG/001).

6.14.4 Furthermore, the Statement of Common Ground between Natural England and the North Essex Authorities (SCG/001) recommends the addition of a new principle to policy SP6 to “incorporate biodiversity creation and enhancement measures”. This addition strengthens the policy and will ensure that biodiversity

creation and enhancement is incorporated into the design of development.

15. Do the policies for the proposed garden communities provide adequate protection for heritage assets?

6.15.1 These policies must be read in concert including the Vision and Strategic Objectives (Matter 1 and SOCG with Historic England refers SCG/005) and together provide a firm foundation for the historic environment to inform the development of the Garden Communities. The Vision confirms that “heritage assets will be protected and enhanced.” Whilst it is suggested that the Strategic Objectives are augmented with further text to bolster this issue further reflecting Historic England’s representations. Part x) of SP7 requires the “creation of distinctive environments which relate to the surrounding environment and that celebrate natural and historic environments” and SP8-SP10 at Other Requirements require the “Protection and/or enhancement of heritage and biodiversity assets”. The policy framework thus provides extensive protection for heritage assets.

16. Should policies SP7, 8, 9 & 10 include:

a. a requirement for the optional national water use standard of 110 litres per person per day?

6.16a.1 North Essex is classed a water stressed area and principles that ensure that measures that help reduce pressure on water supply and demand should be incorporated into the Shared Strategic Plan. The Statement of Common Ground prepared between the North Essex Authorities and Anglian Water Services (SCG002) recommends the inclusion of a number of text changes to ensure that policies SP7, 8, 9 and 10 include adequate policy safeguards with regards water supply, water and waste water treatment and flood risk management. The proposed changes are as follows:

SP7 – amend criteria (xi) of policy as follows: '(xi) Secure a smart and sustainable approach that fosters climate resilience and a 21st century environment in the design and construction of each garden community to secure net gains in local biodiversity, highest standards of energy efficiency and innovation in technology to reduce impact of climate change, **the incorporation of innovative water efficiency/re-use measures** (with the aim of being water neutral in identified areas of serious water stress), and sustainable waste and mineral management.'

6.16a.2 A requirement for new development to meet the optional national water use standard of 110 litres per person per day is just one measure that will need to be implemented to manage water resources sustainably.

6.16a.3 Colchester's Section 2 Local Plan DM25 policy includes this requirement. It is more appropriate to include the above proposed changes which refer to the principle about needing to manage and conserve water resources in Section 1 which is consistent with the rest of Section 1 and refer to specific approaches i.e optional national water use standards either in the emerging DPDs or in Section 2 policies.

b. a requirement to minimise the impact of external lighting?

6.16b.1 The North Essex Authorities do not consider it appropriate to specifically refer to the impact of external lighting within the Section 1 Shared Strategic Local Plan, as this is not a strategic cross boundary issue. Appropriate lighting will be planned, primarily through the development management process together with overriding principles which could be set out within a site specific Development Plan Document as appropriate. However the overall principle of appropriate development is also set out in policy SP6 Place Making Principles which includes reference to preserving and enhancing the quality of existing communities, protecting assets of natural value and promoting sustainability. These would apply across all developments in North Essex.

c. reference to specific standards for green infrastructure?

6.16c.2 Principle 1 of the Garden Communities Charter (EB007) is green infrastructure. The North Essex Authorities are committed to ensuring that the garden communities will provide a generous amount of green space, providing space for nature, making the communities more resilient to climate change, promoting healthy lifestyles and creating beautiful places to live and work. The commitment to meeting this principle is set out in various places throughout policies SP7, 8, 9 and 10. Policies SP8, 9 and 10 also specifically refer to the creation of a Strategic Growth Development Plan Document which will set out the nature, form and boundary of the new community including landscape parameters. The principle of open space is also set out in section E in each of the policies. The North Essex Authorities therefore consider that the principles of green infrastructure are sufficiently set out within the document and that standards for green infrastructure should be related to the unique set of circumstances and existing resources on each garden community and will be part of the subsequent Development Plan Document process.

d. provision for bridleways?

6.16d.1 Provision for bridleways is requested by the Essex Bridleways Association. Response S1225/38 to policy SP7 requests that point X should be changed so that green infrastructure and country parks referred to in this point should be accessible by all users. Point X notes that these should provide a high degree of connectivity to

existing corridors and networks. The North Essex Local Authorities consider that the wording of existing corridors and networks would include the bridleway network and therefore no change is necessary.

6.16d.2 Response S1225/39 in relation to policy SP8 from the same respondents requests a change to point 8 to include reference to bridleway links alongside foot and cycle links. This policy relates to travel within the garden community as well as links to the countryside but also such areas as the University of Essex and Colchester Town Centre. Bridleway links may not be suitable in all these cases but specific routes would be able to be designated through masterplanning in the site specific Development Plan Document. Similar points are made in relation the wording of policy SP9 (S1225/40) and SP10 (S1225/41) to which the above would also apply.

e. specific reference to places of worship as part of their requirement for community facilities?

6.16e.1 The North Essex Authorities note the request from the Diocese of Chelmsford made during the consultation including in response S1154/598 and subsequent to include a specific reference to places of worship within the new garden communities. In their response the Diocese set out paragraph 70 of the NPPF which sets out that planning policies and decisions should; '*plan positively for the provision and use of shared space, community facilities (such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services.....*'. In the North Essex Authorities view the use of the brackets indicates that places of worship are included within the definition of community facilities along the other uses listed such as public houses. As such for brevity the North Essex Authorities have referred to 'community facilities' as a catch all term for a range of community uses in policy SP7 (paragraph 5), and community meeting places in point E of policy SP8, SP9 and SP10 to the same effect.

6.16e.2 To aid in the clarification of this point, the North Essex Local Authorities could add to or amend where relevant, the definition of community facilities which is set out within each Local Plan glossary to include a reference to places of worship as falling under the definition of community facilities/community meeting places.

17. Is the proposal to prepare subsequent Development Plan Documents [DPDs], setting out the design, development and phasing principles for each garden community, justified?

6.17.1 The Section 1 Plan sets out the strategic policies that will enable the authorities to deliver the Vision for North Essex and the Sustainable Objectives. By definition, the policies are strategic in nature. While, substantial work has been

undertaken to inform the location of the each garden community and ensure that each of them is viable and deliverable, it is neither necessary nor appropriate for the Section 1 Plan to include the design, development and phasing principles for each garden community. The wording of SP8, SP9 and SP10 stipulates a DPD is required to set out the nature, form and boundary of each of the new communities and sets out the principles and requirements which must be included in those DPDs. As a result, there is a robust framework to ensure that the required level of detail is secured.

6.17.2 As explained in paragraph 6.4.4, Issues and Options Development Plan Documents (DPD) have now been published for consultation (EB/034, EB/035, EB/036) in relation to the three garden community proposals. The Issues and Options DPDs have been informed by the evidence base that underpins the Section 1 Plan. As the DPDs are developed through the formal DPD process, the design, development and phasing principles will be developed further, informed by further evidence, and be the subject of consultation. Carrying out that full process in advance of the principle of the garden communities being found sound would be pre-emptive. Setting out the design, development and phasing principles in subsequent DPDs is a proportionate and pragmatic approach to the Section 1 Plan preparation.

18. In guiding the development of the proposed garden communities, is there an appropriate division between the roles of the Section 1 Plan and the DPDs; or should the Section 1 Plan set out more detailed requirements than it does currently?

6.18.1 Policies SP8, SP9 and SP10 each set out principles and requirements that must be reflected in the DPDs. An appropriate balance is struck between ensuring that there is a robust framework in place to secure the required level of detail, without unnecessarily constraining the development of the DPDs and fettering the outcome.

19. Will current and future land ownership arrangements facilitate the delivery of the proposed garden communities?

6.19.1 Currently the proposed garden communities are located on land which has been promoted for development through the plan making processes adopted by the North Essex Authorities. Key landowners and promoters are supportive of the approach.

6.19.2 The forthcoming DPDs will further evolve the most appropriate site boundaries to take full account of scheme deliverability and infrastructure requirements.

6.19.3 Presently, the vast majority of land within the areas identified for proposed garden community broad locations is under the control of either a lead developer or promoter and/or with agreements in place to work collectively via consortia. Key landowners/promoters for each site are:

- Tendring Colchester Borders. The land primarily owned by 2 individuals, with an option agreement in place with Mersea Homes;
- Colchester Braintree Borders. Land to the north and west of the A12 and existing rail line is being promoted by Cirrus Properties (via a land promotion agreement) working with London & Quadrant, with the land being drawn together into a consortia known as Gateway 120. Land to the south and east of the A12 is owned primarily by 2 individuals, part of which is understood to be under option to Crest Nicholson.
- West of Braintree. The land is owned primarily by 4 individuals, 3 of which have come together as the Andrewsfield Consortium. The other landowner has an option agreement with Galliard Homes. Part of the site is subject to an agreement for prior mineral extraction.

6.19.4 All key landowners, promoters and their agents have been involved in discussions and negotiations relating to the proposed delivery structure. None as yet have submitted formal proposals, although all have and several are still evolving proposed scheme designs including technical assessment to provide further evidence around site capacity, design approaches and impact mitigation.

6.19.5 The governance structure anticipates promoters, developers and landowners being drawn into a formalised approach. Should there be any issues with the assembly of land the Councils are fully prepared to use compulsory purchase powers as necessary either directly or potentially via a locally led development corporation structure or working with Homes England.

20. Are the proposed governance and delivery mechanisms for the garden communities, potentially involving Local Delivery Vehicles, appropriate?

6.20.1 Delivery at the scale envisaged will require a comprehensive, focussed and partnership approach to scheme planning and delivery. For the delivery structure to succeed, deliver on the vision and realise the potential, there will need to be close working between the Councils, Government, landowners, developers, funding & delivery partners as well as local communities. It is intended that the Garden Communities will come forward through a partnership approach between the Councils and the private sector, with the public sector taking a key role.

6.20.2 The strong public sector role is intended to provide confidence that the communities will be delivered in accordance with the Local Plan requirements; that

infrastructure and social and community facilities that are needed to support the new development will be put in place at the appropriate time, and that housing and employment can be released more quickly to ensure that there are homes and jobs available for people when they need them.

6.20.3 Notably, and different from standard development approaches, a delivery structure has already been put in place to take the proposals forward. The structure reflects an anticipated need for a partnership approach and appropriate sharing of project risk and reward. The public sector is seeking to lead the process and directly invest and/or coordinate investment in the funding and delivery process, helping to facilitate the timely and coordinated provision of infrastructure and services, and achieving the level of development ambition as set out in the Local Plans.

6.20.4 The delivery structure has been created to be able to adapt to local circumstances and adopt the most appropriate structure to deliver on the vision and objectives. The Councils have been closely monitoring other delivery mechanisms, notably the potential to establish a locally led new town style 'Development Corporation' as enabled by the Neighbourhood Planning Act 2017. A local Development Corporation has great potential to provide a strong and focussed body responsible for delivery and wide ranging powers in terms of land acquisition, funding and planning. The current delivery structure has been established with the flexibility for conversion into a development corporation structure should this be considered the most appropriate mechanism to adopt into the future.

6.20.5 At the heart of the delivery structure is the creation of North Essex Garden Communities (NEGC) Ltd as private limited company wholly owned by the Councils to oversee delivery of the Garden Communities and overall vision. The company is operational with a cross local authority Board and Managing Director in place. Essex County Council, Braintree District Council, Colchester Borough Council and Tendring District Council each hold a 25% shareholding.

6.20.6 This body will be the "holding company" of a wider group of separate entities (Local Delivery Vehicles), or potentially the responsible body in relation to a locally led Development Corporation – should that be considered to be a more appropriate model to adopt. It will oversee and hold such bodies to account in order to develop each of the locations as garden communities, co-ordinating funding and working strategically across the North Essex area.

6.20.7 The main functions and responsibilities of NEGC Ltd are to manage the overall strategic vision for North Essex, provide oversight of the delivery of each garden community, explore and seek suitable long and short-term funding opportunities, and monitor overall delivery. The body provides a number of advantages and opportunities to:

- Work in partnership with broader delivery agencies, existing landowners, businesses, developers and key public and private sector stakeholders across North Essex to protect and expand the businesses and jobs that

are so integral to the local economy and the community: securing consensus to align the development strategy, and agreeing principles to enable comprehensive development to create a sustainable, accessible and inclusive places;

- Leverage public and private sector funding: NEGC will work with each of the Councils, the Local Enterprise Partnership, the private sector and investors, and Government (in particular Department for Communities & Local Government, Department for Transport, HM Treasury), to monitor funding opportunities, bid for and secure additional funding for vital infrastructure projects, including from national growth funds;
- Put people at the heart: developing effective community engagement programmes, and business strategies for North Essex, to ensure that local communities and businesses can reap the benefits of the new infrastructure and investment;
- Work smarter: minimising spending on staff and consultants, including through the use of secondments, being an exemplar for sharing services, and building on best practice lessons from other major planning, housing, and regeneration projects.

6.20.8 Local Delivery Vehicles have been created as wholly owned subsidiaries of and to be accountable to NEGC Ltd, and are anticipated to include both public and private sector representation. These are anticipated to be responsible for delivering development and infrastructure required for the new communities in accordance with an approved planning framework, prepared with meaningful participation of the existing and emerging communities. The process will establish strong foundations for long term community ownership and stewardship of community assets to ensure a lasting legacy.

6.20.9 The role of the Local Authorities will be made clearly distinct to respect and protect different roles and responsibilities and decision-making protocols. For example, whilst there will be Council involvement in the planning and design of the communities leading to the preparation of masterplans and outline planning applications, these will be separate to and will have no influence on the statutory planning functions of the Local Authorities concerned, or formal procedures relating to Council decision making.

6.20.10 Representations by CPREssex⁸⁰ refer to the need to establish delivery mechanisms before garden communities included in the plan. The North Essex Authorities have been proactive in this regard with the establishment of operation of NEGC Ltd.

⁸⁰ Representation by CPREssex on CBC Section 1 Publication Draft Local Plan (ID 6431)

6.20.11 Representations by Crest Nicholson Operations Ltd⁸¹ consider that the delivery approach should be sufficiently flexible to allow for alternatives to the current and proposed mechanisms, such as a collaborative venture with a developer or strategic finance partner. Likewise representations from Mersea Homes⁸² similarly questions whether policy allow the projects to be completed by the private sector should the proposed delivery structure fail to be achieved.

6.20.12 Whilst the North Essex Authorities have acted proactively and shown leadership in establishing a delivery structure, the approach and supporting evidence base recognises that flexibility is needed, and is therefore not predicated on the full implementation of any specific delivery model or governance approach. Negotiations with landowners/promoters are ongoing, details are still being evolved and new mechanisms will undoubtedly emerge over time.

6.20.13 Notwithstanding the specific nature of the delivery structure and the balance between public and private sector involvement, the NEGC project will benefit from proactive leadership by the local Councils. Strong cross-party political support will drive the project forward over several local plan periods and political cycles.

⁸¹ Representation by Crest Nicholson Operations Ltd on CBC Section 1 Publication Draft Local Plan (ID 6492 & 6489)

⁸² Representation by Mersea Homes on CBC Section 1 Publication Draft Local Plan (ID 6591)