

North Essex Authorities Joint Strategic (Section 1) Plan

Further Hearing Sessions - Response
to NEA Matter 6 2019 Hearing State-
ment for Ptarmigan Land Ltd

**North Essex Authorities Joint
Strategic (Section 1) Plan**
Further Hearing Sessions – Response to
NEA Matter 6 2019 Hearing Statement
for Ptarmigan Land Ltd

December 2019

WSP | Indigo

wsp indigo.

Aldermary House
10-15 Queen Street
London EC4N 1TX

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

**North Essex Authorities Joint
Strategic (Section 1) Plan**
Further Hearing Sessions – Response to
NEA Matter 6 2019 Hearing Statement
for Ptarmigan Land Ltd

Contents	Page
1. Introduction	1
2. Highway Schemes	2
3. Rapid Transit System	4
4. Revised Policy SP5	5

1. Introduction

- 1.1. This response to the authorities' Further Hearing Statement (FHS) on Matter 6 Transport and other Infrastructure has been prepared on behalf of Ptarmigan Land Ltd.
- 1.2. Certain matters relating to the provision of transport infrastructure remain germane today when considering the authorities' further responses. The following sections evaluate whether the information contained in the authorities' FHS give the Inspector the necessary certainty and comfort that he sought some 18 months ago.

2. Highway Schemes

- 2.1. Without absolute certainty on the likely delivery of both the A12 and the A120 improvement schemes or evidence that they can be '**fully funded**' by the developments, the uncertainties raised by the Inspector in June 2018 remain.
- 2.2. The authorities make much play in their FHS of what has happened in the intervening period since June 2018 and of the local highway improvements that are planned to be undertaken. On the central issues of certainty of delivery of the A12 southerly alignment (to accommodate the CBBGC), the A12/A120 Improvement Scheme or a commitment to '**fully fund**' the necessary strategic highway works, there is still no robust evidence in front of the Inspector.
- 2.3. Considering first the A12 corridor, it is the case that the Highways England (HE) A12 improvement scheme preferred route is in RIS1, however, a scheme with a more southerly alignment is not. Whilst HE consulted on alternative more southerly alignments in November and December this year, all of these options are dependent on securing HIF funding a point which is acknowledged by the NEAs. The timescale for the determination of the HIF bid is unknown nor is the likelihood of success. If the HIF bid is not secured, then paragraph 6.4a.3 of the FHS states that the A12 alignment will be based on the HE's original 2017 consultation route. Their submission acknowledges that "... *this would result in fewer homes being delivered ...*" and no doubt the original route would not overcome the Inspector's previous concerns as set out in paragraph 35 of IED011 (ie the '**unacceptable severance effect**').
- 2.4. It is clear therefore that there is currently no certainty of the more southerly A12 being delivered.
- 2.5. A similar conclusion emerges for the A12/A120 Improvement scheme. It is understood that Route D is Essex County Council's (ECC) favoured option. The scheme is not yet in the RIS and consequently, there is no formal approval of a specific route.
- 2.6. An announcement on the outcome of RIS2 was expected in late 2019. This has slipped and currently there is no confirmed funding announcement date. In addition to the uncertainty of whether the A12/A120 scheme will be in RIS2, there is further uncertainty over whether funding will be provided for the delivery of the scheme in its entirety or just the development of the scheme (rather than its construction).
- 2.7. It is clear therefore that, at this point in time, there remains major uncertainty over the timely provision of both the A12 southerly alignment improvement scheme and the A12/A120 link. Neither have the authorities adduced compelling evidence that the necessary road schemes can be "*wholly funded*". It must follow, therefore, that the Inspector's concerns articulated in June 2018 (IED011) remain unanswered.
- 2.8. The authorities have sought to deal with these fundamental weaknesses by three mechanisms. One to argue that interim highway improvements will be in place; two, to argue that housing numbers can be reduced and pushed back; and three, to argue that the redrafting of Policy SP5 deals with these matters.
- 2.9. In response to these continued uncertainties, the authorities now propose to decrease the number of dwellings in the plan period at CBBGC from 2,500 to 1,350 and to limit development at WoBGC to only 900 dwellings until the A12 improvement scheme is completed. No details on alternative interim highway improvements are provided at this stage.

- 2.10. None of the measures now proposed by the authorities deal satisfactorily with the Inspector's central concern from June 2018 that an 'in-principle' decision on both WoBGC and CBBGC cannot "... *be taken until it is known whether or not the A120 dualling scheme is included in the programme (or can be otherwise fully funded)*..." as set out in paragraph 34 of IED011. If the Inspector's conclusion was correct then, it remains so today.

3. Rapid Transit System

- 3.1. There remain substantial uncertainties around the cost, delivery, phasing and funding of the RTS. These uncertainties undermine the ability of the RTS to deliver the necessary ambitious modal split targets which, in any case, are not captured within the proposed policies.
- 3.2. Much of the assessment of the RTS continues to lack the necessary detail and rigour to be expected at this stage of the planning process. Structures are not explicitly costed and assumed to be in the benchmark costs but without any justification of why the benchmark schemes are considered appropriate. There is reference throughout to land acquisition costs and paragraph 6.20.b recognises that CPO powers may be needed for some land acquisition. The uncertainty, delay, cost and potential 'ransom' issues associated with the use of CPO powers are all conveniently considered to be in the benchmark costs.
- 3.3. The RTS has previously been presented by the authorities as a comprehensive system that would be delivered early in the development programme to secure the necessary ambitious modal split targets. Indeed, this very point is explicitly recognised in paragraph 39 of the Inspector's Letter dated 8 June 2018 which states "*...it is unlikely that those extremely, ambitious targets would be achieved or even approached unless the rapid transit services to key destinations available are early on in the lifetime of the GCs*".
- 3.4. The authorities' commitment to this principle is receding. Paragraph 6.19b.1 acknowledges the complex interactions between phasing, funding and development of the RTS: "*... the exact phasing of the delivery of the scheme needs to be considered flexible due to the complexity*". Whilst this is no doubt true, there are no commitments to ensure that the RTS is delivered early in the life of the GCs.
- 3.5. Further weakening of this commitment occurs over Route 4 which is now seen as "*a worthwhile aspiration*" rather than an integral part of the system linking the Colchester a West of Braintree subsystems. Their latest submission asserts that "*... neither RTS viability nor growth at garden communities depends on the connection being made*". No technical work has been undertaken to support this assertion nor is it clear what the effect of not completing this link will be on the overall modal split targets and forecast income.
- 3.6. The NEAs continue to assert that the modal split targets are "*ambitious yet achievable*". The RTS and the modal split targets are a fundamental part of the proposed development strategy. There remains a high degree of uncertainty over the timely delivery of the RTS which needs to be delivered early in the programme to achieve the ambitious modal split targets. More vigorous and robust phasing and modal split targets need to be included in Part One of the Plan.

4. Revised Policy SP5

- 4.1. To overcome the uncertainties in strategic infrastructure provision, the authorities argue that the proposed wording changes to Policy SP5 will deliver sufficient comfort to the Inspector.
- 4.2. Essentially, the authorities' position is that 'everything will be all right on the night'. If the Inspector was minded to accept their latest submission, then Policy SP5 must have sufficient 'teeth' to ensure that the Plan is sound. Previously, it has been the assertion of the authorities that strategic infrastructure should be provided "ahead of or in tandem with" development. The thrust of these earlier commitments is not the same as 'the proposed wording in Policy SP5 which refers to "phased alongside". Accordingly, Policy SP5 must be strengthened to make clear the precedence of the strategic transport infrastructure.
- 4.3. The same criticism applies to the modal split assumptions in the authorities' further submissions which contend that the modal split targets are "ambitious yet achievable". There should be suitably qualified overarching modal split targets in Part One of the Plan to monitor the delivery of these targets. To do otherwise would create a disconnect between Part One and the DPDs and allow a future "watering down" of commitments that are fundamental to the NEAs' Plan.

