

North Essex Authorities

Mr Roger Clews
Planning Inspector
Examination Office

Sent by email

1st February 2019

Dear Sir,

Re: NEAs' January update on Local Plan progress

1. Further to your request for monthly updates we enclose the NEAs' January update on Local Plan progress for your information.
2. In addition to the updates provided, the NEAs are continuing a programme of engagement with landowners of potential sites in order to keep them updated.
3. Whilst we appreciate the nature of these monthly updates is to ensure you are kept informed of the NEAs' Local Plan progress, we would nevertheless appreciate any comments you may have on the content of the update. If you do have any comments then please get in touch via the Programme Officer and we will be pleased to respond to any queries.

Yours sincerely,

Emma Goodings – Braintree District Council

Karen Syrett – Colchester Borough Council

Gary Guiver – Tendring District Council

NEAs' January Update

Issue identified in 8 th June letter (with paragraph number(s))	Summary of the NEAs' approach to addressing the identified issue	Update on progress
A120 improvements (para 37)	Further evidence on the funding mechanism for A120 improvements will be sought from the Department for Transport (DfT) to provide more certainty over their deliverability. Additionally the NEAs will submit details of Essex County Council's (ECC's) favoured route option which was announced in June 2018.	Following the confirmation by Highways England of the quality of the Essex County Council technical work on the A120 and the letter from DfT reported in the last update, we now await the announcement on RIS2 later this year..
A12 improvements (para 37)	<p>Feasibility work on alternative rerouting of the A12 is taking place as part of the Housing Infrastructure Fund (HIF) process. ECC is leading the HIF bid related to A12 improvements on behalf of the NEAs. Following on from the initial shortlisting for funding, ECC anticipates submission of the full feasibility work and business case justification to MHCLG in March 2019.</p> <p>In addition to the HIF process the NEAs are working closely with Highways England in planning route options for the A12 which take account of the proposed Colchester Braintree Borders Garden Community.</p>	<p>The NEAs and Essex County Council continue to work closely with Homes England to submit two bids to the Housing Infrastructure Fund (HIF). The first on A12 improvements relating to Colchester Braintree borders Garden Community and the second relating to the A133-A120 link road and rapid transit at Tendring Colchester borders.</p> <p>The bids are on target to be submitted in late March (the deadline for the submission was extended from 1st March 2019).</p> <p>The NEA's through Essex County Council continue to be kept informed of Highways England progress on consultation of alternative A12 options.</p>
Rapid transit system (RTS) (paras 38-43)	<p>The NEAs will commission further feasibility work on the proposed North Essex RTS. This work will address the specific points raised in your 8th June letter at paragraphs 42 and 43, namely:</p> <ul style="list-style-type: none"> determining which modal option is to be used and its capital cost implications; 	Work on the North Essex Rapid Transit Study is continuing with consultants currently looking in detail at the routing options, including the connections through existing towns, and patronage origin and destination. The study remains on schedule.

	<ul style="list-style-type: none"> establishing the feasibility and capital cost of its route(s) on the ground, including its alignment outside the Garden Communities themselves; refining passenger and revenue forecasts; and establishing a timescale for its delivery in stages. <p>Additionally the work will identify the range of costs involved in delivering and providing the RTS, as well as the sources of funding and financing to meet these costs. The NEAs will ensure that potential operators are involved in the development of the RTS proposal.</p>	A draft report by separate transport consultants building upon the work of the Jacobs Movement and Access Strategy has been received in draft and comments have been return. The study remains on schedule.
Marks Tey railway station relocation (para 47)	The NEAs will engage with Network Rail and Greater Anglia to understand in more detail the implications of relocating Marks Tey railway station to a more central location in the Colchester Braintree Borders Garden Community. The outcome of this engagement will inform the NEAs' strategy in relation to public transport provision within and around the Garden Community, particularly in relation to the meeting of the modal share targets to which the NEAs are committed.	Alongside working with Network Rail and Greater Anglia on the potential to move Marks Tey railway station, the NEAs have been working to draw up costed plans to improve accessibility at the station including better connections for walking, cycling and public/rapid transport.
Assumed build-out rates (para 53)	NEGC Ltd and the NEAs will commission consultants to look at the assumed delivery rates of housing in the Garden Communities. This work will involve analysis of the demand side of delivery including market absorption rates, as well as the supply side including modern methods of construction.	The NEAs have received draft findings from work looking at build-out rates in the Garden Communities and are currently in the process of preparing a topic paper which will set out the findings from this study as well as findings from studies carried out elsewhere, including the Letwin Review ¹ .
Allocation of new builds between Local Planning Authorities (LPAs)	The NEAs will agree how housing supply will be allocated amongst relevant LPAs in the event of a shortfall in planned delivery.	The NEAs are currently devising an equitable method of apportioning any potential shortfall in housing delivery at the Garden Communities

¹ *Independent Review of Build Out - Final Report*, Rt Hon Sir Oliver Letwin MP (October 2018)

(para 54)		between the relevant LPAs. This agreement will result in modification to Section 1 of the NEAs' Local Plans.
Viability evidence (paras 55, 64, 66-68, 72-73, 78-80, 83- 86)	NEGC Ltd and the NEA have undertaken significant financial viability work since the Examination hearing sessions took place. Updated evidence will address the concerns raised in your 8 th June letter including the approach to contingency, land purchase costs, affordable housing as well as updating the wider analysis of scheme costs and values.	The NEAs are in the process of preparing viability evidence which takes account of the wider evidence base (and any cost and value implications) to ensure consistency of approach. NEGC Ltd are carrying out viability work on the implications of developing the Garden Communities under the evolving locally-led New Town Development Corporation model.
State aid (para 70)	The NEAs will receive further advice on the potential concerns raised over state aid implications to the assumed interest rates within the financial viability evidence.	The NEAs have received advice to ensure their approach to delivery is in compliance with restrictions on state aid. The NEAs will ensure that this advice is reviewed and updated as necessary as the viability evidence evolves.
Employment forecasting and provision (paras 61, 140-142)	The NEAs will undertake further analysis to consider employment land and floorspace to ensure consistency across the evidence base.	The NEAs have agreed an approach to defining indicative floorspace figures for employment uses for inclusion in the site specific policies in Section 1. To ensure the figures provided are robust, the NEAs have commissioned economic consultants to assist with this work.
Infrastructure planning, phasing and delivery (paras 132-133, 144)	The NEAs will commission consultants to look into infrastructure planning, phasing and delivery at each of the Garden Communities. This work will provide further information on infrastructure requirements, cost benchmarking, site capacity analysis and scheme phasing.	The infrastructure planning, phasing and delivery work continues and due to the nature of this work's drawing together of other areas of the evidence base, it will evolve in parallel with them. In respect of the Colchester Braintree Borders Garden Community, this piece of evidence will

		ensure that all A12 route options are properly planned for and taken account of in the final document.
Sustainability Appraisal (SA) (paras 119-129)	The NEAs will commission new consultants to carry out an additional SA of Section 1. The revised SA methodology will closely follow the recommendations contained in your 8 th June letter.	The NEAs have now started the Additional SA's Method and Scoping consultation ² , and statutory consultee bodies and participants to the Examination hearing sessions have been notified. Land Use Consultants, the consultants commissioned to carry out further SA work met with stakeholders on 23 January 2019 to clarify questions arising from this consultation. Any subsequent amendments to the SA methodology will be reflected in the Stage 1 (site level) and Stage 2 (spatial strategy) assessments. A 'check and challenge' workshop will be held with stakeholders at the end of February to inform the development of the SA work.
Habitats Regulations Assessment (HRA) (para 27)	The Section 1 HRA will be updated to take account of the recent European Court of Justice decision ³ .	The NEAs have reviewed the legality of the HRA and are in the process of instructing the consultants to carry out the necessary amendments and additional work identified by recent environmental caselaw. The NEAs have prepared a draft Recreation Avoidance and Mitigation Strategy (RAMS) and are adoption of a Supplementary Planning Document for each local authority to introduce mitigation measures.

² http://braintree-consult.limehouse.co.uk/portal/newlocalplan/s1samethod/ne_s1_sa_method

³ *People Over Wind and Peter Sweetman v Coillte* (C-323/17) and subsequent related cases.

<p>Delivery mechanisms (paras 85, 87-92)</p>	<p>The NEAs will provide an update to the Examination on the developments which have taken place in relation to the potential delivery mechanisms for the Garden Communities, including locally-led New Town Development Corporations.</p>	<p>The NEAs are in the process of preparing a topic paper which provides further information on the composition and function of potential delivery bodies to deliver the Garden Communities. In particular the topic paper draws together recent advances in the evolution of the locally-led New Town Development Corporations.</p>