

Gladman Developments Ltd

Matter 1 Hearing Statement North Essex Joint Strategic Plan

Legal and Procedural Requirements; Key Issues, Vision and Strategic Objectives



December 2017

1 MATTER 1 – LEGAL AND PROCEDURAL REQUIREMENTS

1.1 Q1. Is there clear evidence that, in the preparation of the Section 1 Plan, the North Essex Authorities have engaged constructively, actively and on an on-going basis with neighbouring authorities.....?

- 1.1.1 The Duty to Cooperate is a process of ongoing engagement and collaboration and, as set out in the PPG, it is clear that it is intended to produce effective policies on cross boundary strategic matters. In this regard, the North Essex Authorities (NEA) have been working together to prepare a joint strategic plan which sets the overall strategic framework for planning in the area upon which, the local plans can be based.
- 1.1.2 This approach is to be welcomed as it allows the authorities to address cross-boundary strategic issues such as the delivery of new settlements in a coordinated manner. However, it is important to recognise that the NEA have a number of key links with other LPAs outside of North Essex including Maldon, Chelmsford and Uttlesford and they need to continue to work cooperatively with these authorities.
- 1.1.3 As set out above, the Duty to Cooperate is an on-going process and will be key to the delivery of the North Essex Strategic Plan. The garden communities, which are the lynchpin of the Strategic Plan, all require co-operation across administrative boundaries to ensure they are delivered.
- 1.1.4 Whilst the authorities are making good progress on the garden communities, recently consulting on Issues and Options documents for each of the proposals, there is a long way to go before the sites are delivering much needed housing for the local population.
- 1.1.5 Strong leadership will be needed to ensure that many of the difficult decisions that lie ahead are taken in an expeditious manner in order to avoid the inevitable delays there will be in progressing the sites.
- 1.1.6 Gladman has some concerns over the NEA assumptions regarding the delivery timeframes set out in the Plan which may be affected by Duty to Cooperate issues. These concerns were set out in our Representations to the North Essex Strategic Plan Publication Draft in the report prepared by Strutt and Parker entitled 'North Essex Garden Communities – Overview Report' and will be covered in more detail in our representations to Matters 6 and 8.
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1.2 Q2. Have the North Essex Authorities complied with the requirements of section 19(5) of the 2004 Act with regard to Sustainability Appraisal?

- 1.2.1 Gladman consider that the Sustainability Appraisal prepared for the North Essex Strategic Plan (Part 1) is deficient for a number of reasons. These were set out in full in our representations to the Publication Draft of the North Essex Strategic Plan in a report prepared by Lichfields entitled 'North Essex HMA – Sustainability Appraisal Assessment'.
- 1.2.2 Gladman consider that overall, the NEA assessed an appropriate number of sites, with most of the options assessed including multiple sub-options within them. It appears that the eventual selection of the three garden communities was a result of a planning judgement based on seeking a relatively even distribution across the three authorities, within the most sustainable locations in terms of being close to the main road network and district centres and also based on the feedback received through previous public consultations. However, alternative sites were rejected in both the call for sites process and issues and options stages of the Local Plan on the grounds of scale (i.e. they had capacity for less than 5,000 dwellings).
- 1.2.3 However, the threshold of 5,000 dwellings appears to be entirely arbitrary and is considered potentially unreasonable as it artificially reduces the scope and range of reasonable alternatives considered for garden community locations. It is put forward on the basis that it is the tipping point at which garden communities can provide a secondary school, but the threshold is unjustified.
- 1.2.4 Information contained within The Essex County Council Developers' Guide to Infrastructure Contributions – Revised Edition 2016 states that four forms of entry (600 pupils in the 11 to 16 range), is the minimum secondary school size that would normally be considered financially viable. This is then established to equate to 3,000 houses or a mixed development of over 4,000 houses and flats. The SA however states that "what constituted a reasonable garden community option is 5,000 dwellings... broadly based on that of the threshold for the required provision of a new secondary school for a mixed-use development in the ECC Developer's Guide to Infrastructure Contributions – Revised 2016". Another council within the North Essex HMA and therefore also subject to the Strategic Plan for North Essex SA- Braintree Council- also deem it appropriate to apply the 3,000 threshold identified by Essex County Council by also including evidence at paragraph 2.59 of their Local Plan SA (June 2017), that when assessing sites for housing allocations there should be the assumption that sites with capacity for at least 3,000 dwellings would provide a new secondary school. The scale of development to justify delivery of a secondary school (the apparent logic engaged by the SA to justify the threshold) is actually much lower than the threshold;
- 1.2.5 Sites of less than 5,000 dwellings can deliver new secondary schools. In particular the SA fails to reflect that secondary schools will typically serve a wider catchment than the residential community within which it is sited; pinning such a threshold to delivery of a secondary school fails to reflect the
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various real world situations where smaller garden villages may still deliver schools that serve (and are funded, based on) the population needs of a wider area. There is also no justification included in any of the SA work as to why the capacity to deliver a secondary school should be the principal criterion for the garden communities of North Essex.

1.2.6 The Government define a Garden Village as between 1,500 and 10,000 homes (Living Working Countryside: The Taylor Review of Rural Economy and Affordable Housing, 2008). Therefore, the SA takes a different definition as to the scale of Garden Village that could sustainably contribute towards meeting the housing needs of areas.

1.2.7 Notwithstanding the above factors, the SA chooses to use a 5,000 dwelling threshold without justification. The 5,000 dwellings capacity threshold appears arbitrary and unnecessarily high. Overall, by virtue of this single factor, the SA's approach has shortcomings in assessing reasonable alternatives for new garden communities as the sites assessed were based on overly restrictive criteria and therefore failed to address all reasonable alternatives for garden communities across the three local authorities.

1.3 Q9. Do the Vision for North Essex and the Strategic Objectives provide an appropriate framework for the policies of the Section 1 Plan?

1.3.1 Gladman are fully supportive of the ambitious nature of this vision, seeking for North Essex to be an area of significant growth over the period to 2033 and beyond.

1.3.2 It is key that this positive vision seeks to provide for significant economic growth and housing to meet the full needs of each of the districts as well as the HMA as a whole.

1.3.3 Clearly North Essex has an important role to play, not just locally, but as a key element of wider national importance. Its location in the South East, largely free of constraints mean that as well as being able to capitalise on the economic growth of Essex, and the important infrastructure at Stanstead Airport and through Crossrail, it can make a significant contribution towards helping alleviate housing pressure on both London and the constrained Green Belt authorities to the south. These wider regional issues should not be forgotten when considering the context of North Essex and the vision and policies within the plans.