Statement: Matter 6 (Proposed New Garden Communities – General Issues)

North Essex Joint Strategic (Section 1) Plan

for Williams Group

14-007/17-334

Emery Planning
2-4 South Park Court, Hobson Street
Macclesfield, SK11 8BS
Tel: 01625 433 881
www.emeryplanning.com

unlocking development opportunities

Project : 14-007
Site address : Braintree
Client : Williams Group

Date : 04 December 2017
Author : JP/TC

Approved by : Rawdon Gascoigne

Contents:

1. Introduction

1.1 This brief hearing statement is submitted on behalf of the Williams Group (ID: 828578), in relation to Matter 6: Proposed New Garden Communities – General Issues (Policies SP7, SP8, SP9, SP10). Specifically, this statement addresses Matter 6, Question 11 (Is there evidence to show that each proposed garden community is capable of delivering 2,500 dwellings within the Section 1 Plan period?).

1.2 The Inspector will have already received our representations on behalf of the Williams Group submitted on 28 July 2017. This brief statement should be read alongside those representations. Emery Planning with John Parmiter is instructed to attend the hearing session in relation to Matter 6 on behalf of the Williams Group. This is provisionally scheduled to take place on 23 and 24 January 2018.

2. Matter 6

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

2.1 We note that the two garden settlements at West of Braintree (2,500 dwellings in the plan period) and Colchester / Braintree Borders (1,150 dwellings in the plan period) are expected to start delivering dwellings in Braintree district in 2023/24 and 2024/25 respectively.

2.2 Even if these new garden settlements are considered to be appropriately identified, we do not consider these lead-in times are remotely realistic, and there is a gross over-reliance upon a component of supply which is questionable, at the expense of more orthodox sustainable urban extensions to the principal settlement in Braintree district. We are aware of an assessment prepared by NLP in November 2016 entitled: "Start to Finish – How Quickly do Large-scale housing sites deliver?". NLP assessed 70 large sites (i.e. over 500 dwellings) across England and found that on average, these sites took:

- 4 years from first being identified to the submission of a first planning application; and
- 6 years for the planning approval period from the submission of the application to the completion of dwellings on site.

2.3 These timescales are consistent with the experience at Panfield Lane in Braintree which was allocated in the Core Strategy in 2011 and a planning application was made 4 years later in

2015. Whilst it is pending determination, the Council's own trajectory considers that it would start delivering in 2019/20 i.e. 8-9 years after adoption of the Core Strategy.

2.4 The two garden settlements in Braintree are much larger than Panfield Lane and applying the average lead-in time as identified by NLP could only realistically start delivering dwellings in 2027/28.

2.5 The experiences documented in the NLP study are amplified by consideration of local assessments of the infrastructure required to support delivery of the Colchester Braintree Borders GC in particular.

2.6 Braintree District Council published an Issues and Options Report for the Colchester Braintree Borders Garden Community (CBBGC) for public consultation on 21 November 2017. Section 5 includes guidance on Development Phasing at CBBGC. This notes that

> *"it is a long term project that will take time to be completed. It is also dependent on major infrastructure investments – transport infrastructure- that will be implemented over an extended timescale as well."*

2.7 The document goes on to state:

> *"no development of any significance should be started without diversion of traffic on the existing A120 away from Marks Tey and Junction 25."*

2.8 This echoes the conclusions of the earlier North Essex Garden Communities Peer Review that the new community at Marks Tey needs to wait until a new A120 has been built in this area.

2.9 In order to facilitate development and overcome this constraint, the Issues and Options Report proposes that some limited development can commence in the absence of planned strategic highway interventions through the construction of an interim by-pass link between the A120 from the existing Coggeshall by-pass to a new junction with the existing or realigned A12.

2.10 The "Garden Communities – Movement & Access Study" was published in May 2017. With respect to the CBBGC, the report notes that:

> *"it is assumed that **little development will take place** before the outcomes to be delivered by the 'A120: Braintree to A12 Improvement' scheme in the Marks Tey area are realised. It is expected that the A120 would be delivered following the A12 Chelmsford-Marks Tey widening given their respective status in the Roads Investment Strategy (RIS) programme."* (emphasis added)

2.11 The report includes a menu of interventions that would contribute to the achievement of the objectives for sustainable travel in each of the proposed Garden Communities.

2.12 The summary of the assessment of the Western Parkway proposal (i.e. the interim by-pass of Coggeshall/Marks Tey) notes that this would cost some £13m to £22m but that funding is not confirmed. It notes that the timescale for the project is "during the Local Plan period".

2.13 The Infrastructure Development Plan published in support of the Draft Local Plan for Braintree states that the A12 Chelmsford-Marks Tey widening is to start by March 2020. The work on progressing the A120 Braintree to A12 improvement scheme is intended to secure its inclusion in the Government's Roads Investment Strategy for 2020/21 to 2024/25 (RIS2). No start date is given for this scheme, but we note the comment in the Movement and Access Study that it would follow on from the A12 widening scheme.

2.14 The housing supply trajectory anticipates that the CBBGC will begin to deliver new housing in 2024/25.

2.15 We consider that the supporting documentation referenced here does not provide a proper evidential foundation that the proposals for the highways infrastructure investment required to facilitate the CBBGC are sufficiently advanced that the scheme can be designed, funded and implemented to allow for delivery of housing to commence by April 2025.

2.16 Much of the debate about housing and 'new garden cities' has missed out the importance of developing as close to existing settlements as possible. This is economically important to make the most of existing infrastructure, such as transport, energy and other services, as well as social services like education and health. But it is also environmentally important to prevent the congestion on the roads that results from expanding villages and hamlets that lack any facilities. With changing retail patterns, for example the use of the internet or bulk shopping, larger and wealthier populations are needed even to sustain existing shops.

2.17 The expansion into the South East Quadrant at Braintree would offer opportunities for early delivery of housing and services that would not require the scale of investment required in the early stages of the proposed Garden Communities. Early development in the South East Quadrant would be able to exploit existing and well advanced infrastructure investments in this location.

Representations to Braintree Publication Draft Local Plan – Section 1

(July 2017 v Dec 17)

for Williams Group

14-007

Emery Planning
2-4 South Park Court, Hobson Street
Macclesfield, SK11 8BS
Tel: 01625 433 881
www.emeryplanning.com

unlocking development opportunities

Project : 14-007
Site address : Braintree
Client : Williams Group

Date : 04 December 2017
Author : TC/BP/JP

Approved by : Rawdon Gascoigne

Emery Planning Partnership Limited trading as Emery Planning.

Contents:

1. Introduction

1.1 Emery Planning is instructed by the Williams Group to submit representations to the Publication Draft Braintree Local Plan.

1.2 The representations are made upon the overall strategy for Braintree as well as a wide range of specific policies and in the particular context of our client's interests at Braintree Retail Park and land in the south-east quadrant of Braintree. The Williams Group considers that the underlying spatial strategy of the plan is misconceived – essentially giving insufficient priority to the sustainable growth of the town of Braintree and placing too much reliance upon new garden communities, whose delivery remains unclear. The plan is unsound without the inclusion of a mixed use development at an intrinsically sustainable location in the south east quadrant of Braintree town.

2. Vision for North Essex

2.1 Williams Group has serious concerns over the Council's strategy for the district in the coming 20-year period, prompted by the vision for North East Essex. Despite most development over the plan period in the district being planned for delivery within or alongside the existing settlements, the emphasis of the strategic vision is tilted overwhelmingly towards the progression of the new garden communities.

2.2 The plan's Vision should give far greater recognition to the potential for the sustainable extension of the existing settlements and the growth of services, facilities, homes and jobs as part of the future for established settlements. Without this, there is a danger that the achievement of the vision will come at the expense of beneficial change in the existing communities.

2.3 We note that the Vision for Braintree District set out in Section 2 of the Publication Draft plan for Braintree is more balanced in its approach than the strategic vision from Section 1.

2.4 Whilst it is a point of detail, we consider that the term 'blue infrastructure' should be included in the glossary or explained elsewhere in the plan text.

Summary

2.5 The vision for North East Essex as currently drafted raises serious concerns over the focus of the strategy for the development of Braintree district in the coming 20- year period. . Despite most of the new housing and other built development over this period in Braintree district being planned for delivery within or alongside the existing settlements, the emphasis of the strategic vision is tilted overwhelmingly towards the progression of the new garden communities.

Changes required

2.6 The Vision should include a statement placing the existing settlements and their capacity to accommodate sustainable growth at the heart of the strategic vision for North Essex. Braintree (and Colchester) should be identified as the highest order settlements.

3. Presumption in Favour of Sustainable Development

Policy SP1 – Presumption in Favour of Sustainable Development

3.1 We would support the presumption in favour of sustainable development.

4. Spatial Strategy

Policy SP2 – Spatial Strategy for North Essex

4.1 The spatial strategy set out in Chapter 3 is misconceived. The Spatial Strategy for North Essex in SP2 itself is confused. On the one hand it states that existing settlements will be the principal focus for additional growth across North Essex yet the plan then goes on, in subsequent policies, to place an over-reliance on delivery of growth in the new garden communities. The Framework (para 52) does not elevate the supply of new homes in new settlements; it is an option for larger scale development, alongside extensions to towns:

> *"Working with the support of their local communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development.*

4.2 Nevertheless, we support the recognition that development will be accommodated within or adjoining settlements according to their scale, sustainability and existing role both within each individual district and, where relevant, across the wider strategic area, the difficulty is that this is not translated into land allocations or the settlement hierarchy of Braintree. We also support the statement within the policy that:

> *"New development will be focused on the principal settlements in each district. Below this level, each local authority will identify a hierarchy of settlements where new development will be accommodated according to the role of the settlement, sustainability, its physical capacity and local needs."*

4.3 The Williams Group is promoting a mixed use, sustainable extension to the south east of Braintree. This will comply with the stated aim of Policy SP2 to focus additional growth in the principal settlement. It will provide some 400 dwellings, around 21,000 sq. m. of retail floorspace (including the draft retail warehouse allocation south of the A120) and 34,500 sq. m. of other commercial floorspace (predominantly B1).

Summary of Representation

4.4 The Spatial Strategy for North Essex in SP2 itself is confused. On the one hand it states that existing settlements will be the principal focus for additional growth across North Essex yet the plan then goes on, in subsequent policies, to place an over-reliance on delivery of growth in the new garden communities, in contrast to the Framework's approach.

4.5 Development to the south east of Braintree would comply with the stated aim of Policy SP2 to focus additional growth in the principal settlement.

Changes required

4.6 This strategic policy needs to identify the highest order settlement, namely Braintree (and Colchester) and explicitly identify them as the focus for growth. The garden communities are at the earliest stage of delivery and it is problematic to place such over-reliance upon their delivery of the plans strategy. In any event they should be identified as lower order settlements, than Braintree and Colchester.

5. Meeting the Need for New Homes

Policy SP3: Meeting Housing Needs

5.1 Chapter 4 of the Publication Draft Local Plan (PDLP) Section 1 sets out the housing requirement for Braintree for the plan period 2013 to 2033. Policy SP 3: "Meeting Housing Needs" states that the number of additional dwellings to be provided in Braintree per annum during that period is 716, giving a total minimum requirement of 14,320 dwellings.

Five year housing land supply

5.2 Policy SP3 of the PDLP states:

> *"Each authority will maintain a sufficient supply of deliverable sites to provide at least five years' worth of housing and will work proactively with applicants to bring forward sites that accord with the overall spatial strategy and relevant policies in the plan."*

5.3 This is in line with paragraph 47 of the NPPF, which states:

"To boost significantly the supply of housing, local planning authorities should:

- *use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land"*

5.4 Paragraph 3-030 of the PPG: *"What is the starting point for the 5-year housing supply?"* states that *"local planning authorities should have an identified 5-year housing supply at all points during the plan period."*

5.5 Paragraph 3-033 of the PPG: *"Updating evidence on the supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements"* is particularly relevant in relation to this. It states:

"Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The examination of Local Plans is intended to ensure that up-to-date housing requirements and the deliverability of sites to meet a five year supply will have been thoroughly considered and examined prior to adoption, in a way that cannot be replicated in the course of determining individual applications and appeals where only the applicant's/appellant's evidence is likely to be presented to contest an authority's position.

The National Planning Policy Framework requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing. As part of this, local planning authorities should consider both the delivery of sites against the forecast trajectory and also the deliverability of all the sites in the five year supply.

Local planning authorities should ensure that they carry out their annual assessment in a robust and timely fashion, based on up-to-date and sound evidence, taking into account the anticipated trajectory of housing delivery, and consideration of associated risks, and an assessment of the local delivery record. Such assessment, including the evidence used, should be realistic and made publicly available in an accessible format. Once published, such assessments should normally not need to be updated for a full twelve months

> *unless significant new evidence comes to light or the local authority wishes to update its assessment earlier.*
>
> *By taking a thorough approach on an annual basis, local planning authorities will be in a strong position to demonstrate a robust five year supply of sites. Demonstration of a five year supply is a key material consideration when determining housing applications and appeals. As set out in the National Planning Policy Framework, a five year supply is also central to demonstrating that relevant policies for the supply of housing are up-to-date in applying the presumption in favour of sustainable development."* (our emphasis)

5.6 Consequently, the NPPF and PPG require the Council to be able to demonstrate a five year supply of housing land at all points during the plan period and the PPG expects the deliverability of sites to meet a five year supply to be thoroughly considered and examined during the Local Plan examination.

5.7 From the outset, we note that based on its own assessment, the Council cannot demonstrate a deliverable five year supply of housing land as set out in the following table:

	Requirement		
A	Net annual requirement		716
B	Five year requirement (A x 5 years)		3,580
C	Backlog 2013 to 2017		1,459
D	Backlog to be addressed in five year period (C / 16 years X 5 years)		456
E	Total five year requirement (B+D)		4,036
F	Buffer (5% of E)		202
G	Five year requirement including buffer (E + F)		4,238
H	Annual average (G / 5 years)		848
	Supply		
I	Five year supply from 1st April 2017 to 31st March 2022		4,115
	(a) Sites under construction	926	
	(b) Sites with full planning permission	628	
	(c) Sites with outline planning permission	970	
	(d) Core Strategy sites	230	
	(e) Sites without planning permission	1,211	
	(f) Windfall sites	225	
	(g) Minus lapse rate	-75	
	Five year supply 1st April 2017 to 31st March 2022		
J	Five year supply (I/H)		**4.85**

Sources: The requirement side of the calculation is taken from the Council's Five Year Supply Statement as at 31st March 2017. The supply is taken from appendix 1 of the PDLP.

5.8 We also note from the outset that the Council's claimed five year supply has significantly increased in the last 6 months. Page 51 of the BDC Local Plan Monitoring Report 1st April 2015 - 31st March 2016 (published May 2017) confirms that at December 2016, the Council considered the five year supply was 3,177 dwellings, equating to 3.8 years. The five year housing land supply monitoring statement then considered the five year supply position at 31st March 2017 to be 3,317 dwellings, which would equate to 3.91 years. As above, the Council's latest supply figure in the PDLP still with a base date of 31st March 2017 is 4,115 dwellings, which would mean a supply of 4.85 years.

5.9 The difference between the supply claimed in the PDLP and that in the five year housing land statement (798 dwellings) – despite them both having the same base date – is because the Council now includes many more sites without planning permission in the five year trajectory in support of the PDLP (despite not having provided evidence to substantiate their inclusion) as shown in the following table.

Status	**No. of dwellings in 5YHLS Position Statement**	**No. of dwellings in Draft Local Plan Trajectory**	**Difference**
Under construction	910	926	16
Full planning permission but not under construction	584	628	44
Outline planning permission	993	970	-23
Core Strategy allocation	230	230	0
Sites without planning permission	450	1,211	761
Windfall allowance	275	225	-50
Minus lapse rate	-75	-75	0
Total	**3,317**	**4,115**	**798**

5.10 We discuss the supply position below. However, for the purposes of this section of our representations, it is highly relevant that the Council accepts it cannot demonstrate a deliverable five year supply on its own figures.

5.11 The implication of not being able to demonstrate a deliverable five year supply is that the Council's housing land supply policies are presumed to be out of date as set out in paragraph 49 of the NPPF and therefore a tilted balance applies to the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF. This would mean that the Council's housing land supply policies are out of date even before the plan has been adopted.

5.12 The PDLP is consequently not sound. It has not been positively prepared and is not justified, effective or consistent with national policy. It should not be submitted for examination until the Council can robustly demonstrate a deliverable five year supply of housing land as it is required to.

5.13 Given the Council's current position in relation to five year housing land supply and consequently the fact that the PDLP should not be found sound on this basis, we anticipate that the Council might revise its position if so, we reserve the right to comment on the Council's case at that time.

5.14 In the meantime, we make the following comments in relation to the methodology for calculating a five year housing land supply. We refer to the following six key stages:

1. Identifying the base date and five year period;
2. Identifying the housing requirement;
3. Identifying the accumulated backlog;
4. Identifying the method of addressing the backlog;
5. Applying the appropriate buffer; and
6. Identifying a Realistic and Deliverable Supply.

5.15 These stages are discussed below.

Stage 1: Identifying the base date and five year period

5.16 The Council's latest housing supply trajectory is included as appendix 1 of the PDLP. It indicates that the base date is 1st April 2017 and the five year period is 1st April 2017 to 31st March 2022.

5.17 Originally, the Council's planned timetable was that the examination of the local plan would take place in winter 2017 and the plan would be adopted in 2018. That has plainly slipped

Stage 2: Identifying the housing requirement

5.18 Policy SP3 of the draft Local Plan: "Meeting Housing Needs" states there will be a minimum of 14,320 additional homes in Braintree in the plan period 2013 to 2033. It confirms that this is the objectively assessed housing need of Braintree.

5.19 Paragraph 030 (Reference ID: 3-030-20140306) of the PPG: "What is the starting point for the five-year housing supply?" states:

> *"The National Planning Policy Framework sets out that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements. Therefore local planning authorities should have an identified five-year housing supply at all points during the plan period. Housing requirement figures in up-to-date adopted Local Plans should be used as the starting point for calculating the five year supply. Considerable weight should be given to the housing requirement figures in adopted Local*

> *Plans, which have successfully passed through the examination process, unless significant new evidence comes to light. It should be borne in mind that evidence which dates back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs.*
>
> *Where evidence in Local Plans has become outdated and policies in emerging plans are not yet capable of carrying sufficient weight, information provided in the latest full assessment of housing needs should be considered. But the weight given to these assessments should take account of the fact they have not been tested or moderated against relevant constraints. Where there is no robust recent assessment of full housing needs, the household projections published by the Department for Communities and Local Government should be used as the starting point, but the weight given to these should take account of the fact that they have not been tested (which could evidence a different housing requirement to the projection, for example because past events that affect the projection are unlikely to occur again or because of market signals) or moderated against relevant constraints (for example environmental or infrastructure)."*

5.20 We support the Council's OAN figure of 716 dwellings per annum set out in policy SP 3 of the PDLP, whilst noting that others contend that a higher figure is appropriate. Consequently, the Council's supply should be assessed against this figure. As we discuss below, our view is that the PDLP fails to meet the identified needs in the five year period and in the plan period.

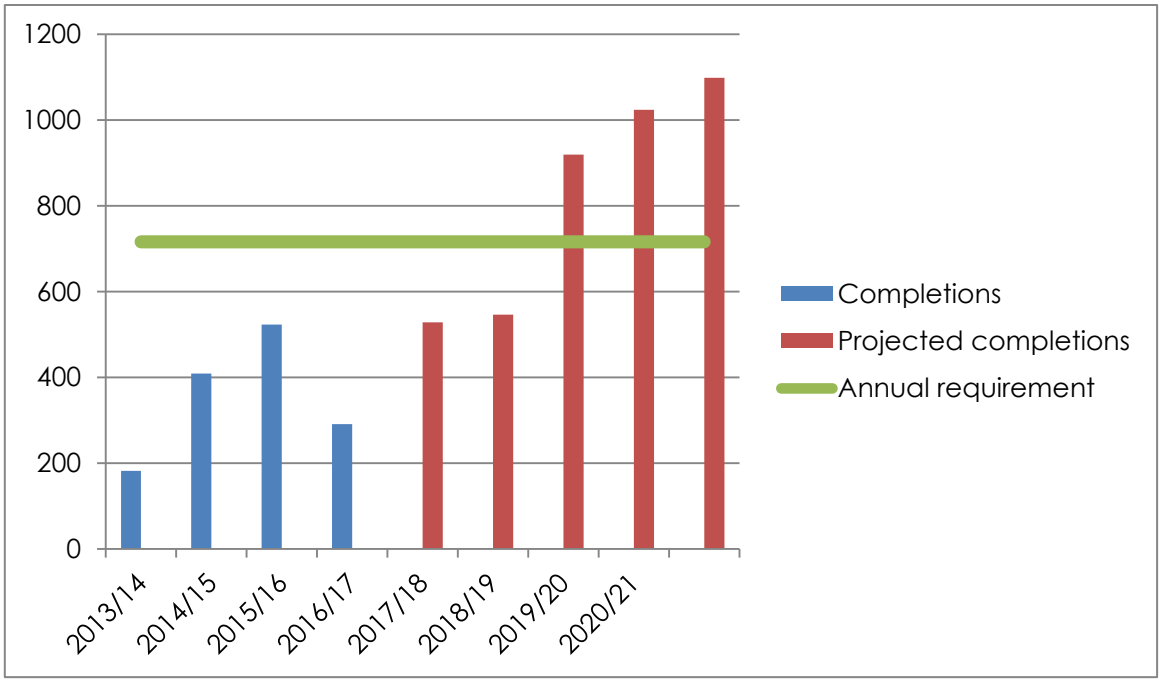
Stage 3: Identifying the accumulated backlog

5.21 The base date for the local plan is 2013. Therefore, the completions in the last four monitoring years should be assessed against a total need over the same period of 2,864 dwellings (i.e. 716 dwellings x 4 years). We note that 1,405 net dwellings have been completed over the same period, which means an accumulated backlog of 1,459 dwellings (i.e. 2,864 minus 1,405). This is set out in the following table:

Monitoring year	Annual requirement	Completions	Backlog
2013/14	716	182	-534
2014/15	716	409	-307
2015/16	716	523	-193
2016/17	716	291	-425
Total	**2,864**	**1,405**	**-1,459**
Average	**716**	**351**	

Sources: Completions 2013/14 to 2015/16 taken from figure 25 of BDC's Local Plan Monitoring Report 1st April 2015 - 31st March 2016 (published May 2017, page 40). Completions for 2016/17 taken from BDC's 5 year supply site trajectory 31st March 2017

5.22 The backlog is significant. It represents over 2 years of housing need (i.e. 1,459 / 716). It has been accumulated due to completions over the first 4 years of the plan period being less than half of the need over the same period. This is shown pictorially in the chart below alongside the Council's trajectory for the five year period 2017-22.



5.23 As we discuss below, the percentage of dwellings completed against its requirement will be an important consideration if the Housing Delivery Test set out in the Housing White Paper is enforced.

Stage 4: Identifying the method of addressing the backlog

5.24 The Council intends to address the accumulated backlog over the whole plan period. This is known as "the Liverpool method". The reason for this is set out on pages 50 and 51 of Monitoring Report to 31st March 2016 as follows:

> *"Braintree District Council believes that the Liverpool approach is the most appropriate methodology for dealing with the shortfall in housing supply that has occurred in the District from the 2013 base date of the OAN.*
>
> *Paragraph 35 of the Planning Practice Guidance states: "Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible." It follows that where it is not possible to meet the undersupply within the first 5 years then it should be met over a longer time period, and the use of the words "where possible" clearly anticipates that there will be circumstances in which it will not be possible to apply the Sedgefield approach"* (our emphasis)

5.25 The NPPF does not specifically state how the backlog should be addressed. However, it did introduce a requirement to "boost significantly" the supply of housing (paragraph 47). The backlog is a shortfall in supply which exists at the start of the five year requirement, so to defer addressing it until the end of the plan period makes little sense in the light of paragraph 47. Therefore addressing the backlog as soon as possible would be consistent with this requirement. As we discuss below, the over reliance in the PDLP on very large sites which will not start delivering dwellings for a number of years will also fail to meet current unmet needs

5.26 Paragraph 3-035 of the PPG (Reference ID: 3-035-20140306): "How should local planning authorities deal with past under-supply?" provides further guidance. It is of note that the Council's AMR does not include the full text to paragraph 3-035 of the PPG, which states:

> *"Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the 'Duty to Cooperate'."*

5.27 Consequently, the PPG is clear that Local Planning authorities should aim to deal with the backlog within five years. Whilst the PPG does appear to recognise that there may be circumstances when this is not possible, it does not suggest that the backlog should be addressed over any other period in those circumstances, which appears to be the Council's

interpretation of the PPG. Instead it states that local planning authorities will need to work with neighbouring authorities under the 'Duty to Co-operate', presumably with adjacent authorities looking to help to address the backlog by making immediate provision. The PPG does not endorse deferring addressing the issue for longer than five years.

5.28 We note that the Council's Monitoring Report to 31st March 2016 states that addressing the backlog in the first five years (i.e. "the Sedgefield method") would result in "unrealistic" average completion rates of 1,021 dwellings per annum in the five year period. The NPPF and PPG make no reference to deferring addressing the backlog due to the perception that the completions required under the Sedgefield method would be unrealistic. This is because the backlog is unmet need, which exists at the start of the five year period. The Government clearly expects the unmet need to be addressed immediately. The message to LPAs is clear – housing land supply should be significantly boosted, not that need should be deferred for a decade and a half. Failure to address the backlog rapidly has implications for both the Council's five year supply and the deliverability of the plan as a whole. The longer the unmet need exists, the higher the annual requirement is and therefore the less likely the Council is to be able to demonstrate a deliverable five year supply of housing land. Our view is therefore that the backlog should be addressed as soon as possible by approving more deliverable sites. Moreover the lack of realism is disputed – provided that suitable sites in good market areas are identified then delivery can indeed take place. One such location would be an extension to the SE of Braintree

5.29 In summary, there is no support in either policy or guidance for support in policy or guidance for the Council's approach in deferring addressing the backlog until the end of the plan period. The accumulated backlog should be addressed in full within the five year period.

Stage 5: Applying the appropriate buffer

5.30 Paragraph 47 of the NPPF states:

> *"To boost significantly the supply of housing, local planning authorities should:*
>
> *Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land."*

5.31 It continues by stating:

> *"Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".*

5.32 Paragraph 3-035 (Reference ID: 3-035-20140306) of the PPG: "How should local planning authorities deal with past under supply?" states:

> *"The approach to identifying a record of persistent under delivery of housing involves questions of judgment for the decision maker in order to determine whether or not a particular degree of under delivery of housing triggers the requirement to bring forward an additional supply of housing.*
>
> *The factors behind persistent under delivery may vary from place to place and, therefore, there can be no universally applicable test or definition of the term. It is legitimate to consider a range of issues, such as the effect of imposed housing moratoriums and the delivery rate before and after any such moratoriums.*
>
> *The assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle".*

5.33 Page 48 of the BDC Local Plan Monitoring Report 1st April 2015 - 31st March 2016 (published May 2017), explains that the Council does not consider there has been persistent under delivery in Braintree and therefore the 5% buffer is appropriate. We strongly disagree, and consider that this contention is untenable.

5.34 As can be seen from the table above, there has been persistent under delivery in each and every one of the four years of the local plan period from 2013 against the annual Local Plan requirement of 716 dwellings p.a. This has resulted in a substantial backlog of 1,459 dwellings. We also note that the backlog will not be addressed in the first two years of the five year period Indeed, it is expected to significantly increase. The housing trajectory set out in appendix 1 of the PDLP indicates that the Council expects to significantly under deliver in the first two years of the five year period (528 dwellings in 2017/18 and 546 in 2018/19).

The BDC Local Plan Monitoring Report explains that the adopted plan target for 2001-26 was an annual average of 385 dwellings. The Council met this requirement in each year apart from 2011/12, 2012/13, 2013/14 and 2016/17 as shown in the following table:

Monitoring year	Number of net housing completions
2001/02	755
2002/03	767
2003/04	962
2004/05	801
2005/06	615
2006/07	766
2007/08	736
2008/09	450
2009/10	536
2010/11	558
2011/12	301
2012/13	178
2013/14	182
2014/15	409
2015/16	523
2016/17	291

Sources: Completions 2013/14 to 2015/16 taken from figure 25 of BDC's Local Plan Monitoring Report 1st April 2015 - 31st March 2016 (published May 2017, page 40). Completions for 2016/17 taken from BDC's 5 year supply site trajectory 31st March 2017

5.35 This is relevant as in the two years before the OAN base date (i.e. 2011/12 and 2012/13), the Council under delivered against its requirement. Consequently, the Council has persistently under delivered against the relevant requirement in each of the last 6 years (2011/12 to 2016/17) and consequently, the buffer should be increased to 20%.

5.36 We also note that the proposed Housing Delivery Test as set out in the Housing White Paper states that:

> *"From November 2017, if delivery of housing falls below 85% of the housing requirement, authorities would in addition be expected to plan for a 20% buffer on their five-year land supply, if they have not already done so"*

5.37 Whilst this is only a draft document showing a 'direction of travel' in national policy, it nonetheless underscores the poor performance of the Council to date. As shown in our table above, the Council has delivered less than 50% of the housing requirement since 2013 and therefore the 20% buffer will be applied regardless of whether it should be applied due to persistent under delivery against annual targets on a year by year basis. In other words, once it has come into force, the housing delivery test will mean the percentage of completions against the requirement will be considered when assessing which buffer is relevant. Given the under delivery since 2013 and the fact that further under delivery is expected to continue in the first two years of the five year period (i.e. 2017/18 and 2018/19), the 20% will clearly need to be applied in Braintree from November 2017.

5.38 In summary, the Council should identify an additional 20% of housing to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.

Application of the buffer to backlog

5.39 The buffer (whether it is 5% or 20%) should be applied to both the base requirement and the accumulated backlog. In our view, the total five year requirement includes the backlog and there is no rational reason not to apply the buffer to both. This is in line with recent guidance from the Planning Advisory Service (PAS), entitled: "Five Year Land Supply". This was published on 20th July 2015 and states:

> *"We believe the preferred approach is for the buffer to be applied to both the requirement and shortfall. This is the most appropriate order because it ensures the buffer is applied to the full requirement which represents all the need that exists. The idea is that for every year you underprovide the amount adds onto the requirement to be met in the next five years. In reverse any over provision which would count as completions and could be taken off the requirement, to which the buffer is then applied. The idea of the buffer is to ensure that there is flexibility to provide sites and meet the needs that exist."*

5.40 We also note that it is in line with the recommendations of the Local Plans Expert Group as set out in its report to the Secretary of State (March 2016 – paragraph 43).

5.41 Taking into account stages 1 to 5, we have set out the various scenarios in terms of addressing the backlog and which buffer to apply and the implications of this in relation to the Council's five year supply figure. This is set out in the following table:

	Requirement	**Liverpool + 5%**	**Liverpool + 20%**	**Sedgefield + 5%**	**Sedgefield + 20%**
A	Net annual requirement	716	716	716	716
B	Five year requirement (A x 5 years)	3,580	3,580	3,580	3,580
C	Backlog 2013 to 2017	1,459	1,459	1,459	1,459
D	Backlog to be addressed in five year period	456	456	1,459	1,459
E	Total five year requirement (B+D)	4,036	4,036	5,039	5,039
F	Buffer	202	807	252	1,008
G	Five year requirement including buffer (E + F)	4,238	4,843	5,291	6,047
H	Annual average (G / 5 years)	848	969	1,058	1,209
	Supply				
I	Five year supply from 1st April 2017 to 31st March 2022	4,115	4,115	4,115	4,115
	Five year supply 1st April 2017 to 31st March 2022				
J	Five year supply (I/H)	**4.85**	**4.25**	**3.89**	**3.40**
K	Shortfall (dwellings I – G)	**-123**	**-728**	**-1,176**	**-,1932**

5.42 As can be seen from the above, under all four scenarios, there is a shortfall in the five year supply. The extent of that shortfall depends on the approach to the backlog and the buffer. As above, the Local Plan cannot be found sound unless a five year supply of housing land can be demonstrated and therefore it should not be submitted until a robust supply can be demonstrated.

Stage 6: Identifying a Realistic and Deliverable Supply

Policy and guidance

5.43 Footnote 11 of the NPPF states:

> *"To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect*

that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans".

5.44 Paragraph 3-031 of the PPG: "What constitutes a 'deliverable site' in the context of housing policy?" states:

"Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years.

However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out. If there are no significant constraints (e.g. infrastructure) to overcome such as infrastructure sites not allocated within a development plan or without planning permission can be considered capable of being delivered within a five-year timeframe.

The size of sites will also be an important factor in identifying whether a housing site is deliverable within the first 5 years. Plan makers will need to consider the time it will take to commence development on site and build out rates to ensure a robust five-year housing supply." (our emphasis)

5.45 Paragraph 3-033 of the PPG: "Updating evidence on the supply of specific deliverable sites sufficient to provide five years worth of housing against housing requirements" states:

"Local planning authorities should ensure that they carry out their annual assessment in a robust and timely fashion, based on up-to-date and sound evidence, taking into account the anticipated trajectory of housing delivery, and consideration of associated risks, and an assessment of the local delivery record. Such assessment, including the evidence used, should be realistic and made publicly available in an accessible format. Once published, such assessments should normally not need to be updated for a full twelve months unless significant new evidence comes to light or the local authority wishes to update its assessment earlier." (our emphasis)

5.46 From the outset, the guidance contained within paragraph 3-033 of the PPG is clear that the Council must **publish evidence** to support the delivery rates of all sites it has included within the five year housing land supply. This is particularly relevant for the sites that do not have planning permission as paragraph 3-031 of the PPG requires the Council to publish robust and up to date evidence to support the deliverability of such sites. This has simply not been done, thereby seriously hampering the ability of consultees to make fully informed representations on the plan and calling into question this part of the consultation process. It also precludes the ability of objectors such as ourselves to meaningfully seek to test the evidence at an examination. This unfairness **must** be remedied immediately.

5.47 In our view, the very limited comments the Council has included in the trajectory at appendix 1 of the PDLP is not "robust, up to date evidence" to support the deliverability of sites without planning permission. Indeed, no comments at all have been provided by the Council in this trajectory for the sites where a planning application has not been made. Such an approach runs counter to case law. On the basis of which the Council has simply failed to discharge the evidential burden placed upon it in respect of unconsented sites which **must** be discounted from the supply.

5.48 We consider the Council must at the very least evidence who the promoter is and if possible who the developer(s) will be, or whether the site will need to be marketed, what the planning strategy is (i.e. timelines for the preparation and submission of outline / full permission and the discharge of pre-commencement conditions), whether there are any site specific issues to consider (e.g. infrastructure) and what the build out rates are likely to be allowing for site set up and taking into account the local delivery record.

5.49 Without such evidence, it is unclear how the Council has concluded on the delivery assumptions on sites in the supply, particularly for the many sites included in the supply, which are not in control of a housebuilder.

Council's housing land supply

5.50 The Council's trajectory indicates that it can demonstrate a five year supply of 4,115 dwellings over the period 2017 to 2022. The breakdown of the supply is summarised as follows:

	Components of the supply	No. of dwellings to be delivered between 1st April 2017 and 31st March 2022	Percentage of the supply
(a)	Under construction	926	22%
(b)	Full planning permission	628	15%
(c)	Outline planning permission	970	23%
	Subtotal	**2,524**	**60%**
(d)	Core Strategy Sites	230	5%
(e)	Sites without planning permission	1,211	30%
(f)	Windfall	225	5%
	Subtotal	**1,666**	**40%**
	Total	**4,190**	
	Minus lapse rate	**-75**	
	Total five year supply	**4,115**	

5.51 As can be seen from the above, 40% of the Council's five year supply does not currently have planning permission. Whilst paragraph 3-031 the PPG above confirms that planning permission is not a pre-requisite for a site to be considered deliverable in five year supply terms and therefore sites without planning permission can be included (subject to the Council providing robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out), the Council is now clearly relying on a significant number of sites which did not have planning permission at the base date.

5.52 We consider an over reliance on such sites, especially in the absence of a proper evidence base of deliverability, presents a very fragile position. As above, the Council has increased its reliance on sites without planning permission by 761 dwellings in just three months between the five year supply statement being published and the PDLP being published. Even so, it still cannot demonstrate a deliverable five year supply. The Council will clearly need to explain why sites which were not considered deliverable 3 months ago are now included in the five year trajectory. This change is particularly difficult to comprehend when the Council has not provided the evidential basis upon which such a change has seemingly been made.

5.53 We have therefore not undertaken a critical assessment of the Council's housing land supply on a site by site basis at this stage, since that responsibility in the first instance falls upon the Council, especially in relation to unconsented sites. However, we reserve the right to do so once the Council has prepared an updated trajectory during the examination. As above, our view is

that the plan should not be found to be sound in its current form as the Council cannot demonstrate a five year supply.

5.54 Nevertheless, we would wish to point out the following issues, which should be taken into account when considering the deliverability of sites, which make up the Council's five year supply.

Lead-in times and build rates

5.55 As above, paragraph 3-031 of the PPG explains that plan makers will need to consider the time it will take to commence development on site and build out rates.

5.56 In terms of build rates, we note that the Council's trajectory assumes a build rate of around 50 dwellings per annum for the larger sites. The Council will need to evidence why this build rate has been applied. As set out in paragraph 3-033 of the PPG, we would expect the Council to have assessed the local delivery record and explain why it assumes this build rate could be applied to all sites.

5.57 We accept that a higher build rate could be achieved on the larger sites (i.e. over 250 dwellings) with multiple developers. However, the Council will need to evidence that there will be more than one developer on site at the same time. For those sites without planning permission in particular, the Council will need to demonstrate why it assumes there will be two developers (or more) on site at the same time and when this is expected to happen. It may be that a single developer is on site from the outset before others and this again should be reflected in the delivery forecasts.

5.58 In terms of lead-in times, the Council will need to consider on a site by site basis:

- how long a planning application will take to prepare, submit and be determined (if the site does not already have planning permission);
- how long it will take for the S106 agreement to be negotiated and agreed;
- whether an allowance needs to be made for the site to be sold to a developer / housebuilder;
- how long it will take for applications for reserved matters and discharge of conditions to be made, considered and approved;

- whether there is infrastructure that needs to be put in place before the site could start delivering dwellings and how long this will take;
- whether there are any other site specific considerations, which would affect a start on site.

5.59 The lead-in times are particularly important for the larger sites, which by their nature will have a range of issues to be addressed through an application and will need sufficient time for S106 agreements to be agreed, a start on site to be made and infrastructure put in place before dwellings will be delivered.

5.60 For a number of larger sites which did not even have a planning application pending determination at the base date, the Council considers that these will start delivering in year 3 (2019/20) or year 4 (2020/21). As above, no comments have been provided on these sites. The Council will need to evidence why it firstly considers that any dwellings are deliverable on these sites in the five year period and secondly how it has concluded that they will start delivering in the respective years and at the build rates assumed in the trajectory.

5.61 For example, in relation to land south of Oak Road, we note the following timescales:

- EIA Screening request submitted (indicating an application was being prepared) – June 2014;
- Submission of outline planning application for 292 dwellings – December 2014 (validated January 2015);
- Outline application approved – June 2016; and
- Reserved matters application submitted – December 2016.
- Discharge of conditions applications – April / May / June 2017
- Latest position – discharge of pre-commencement conditions and reserved matters pending determination – July 2017.

5.62 Consequently, this site has so far taken 3 years from the preparation of an outline application and the reserved matters have not yet been approved. There will then need to be time taken for a start on site and infrastructure put in place. Indeed, the Council's trajectory considers that the site will start delivering in October 2018 (i.e. over 4 years since the EIA screening request was made).

5.63 The following example highlights the difficulty in predicting when large sites without planning permission will start to deliver dwellings.

Land west of Panfield Lane (capacity = 600 dwellings, five year supply = 230 dwellings)

5.64 This is the one Core Strategy allocation in the five year supply. The Core Strategy expected the allocation would be delivered between 2018 and 2026. The Council's trajectory in the BDLP now considers that the site will deliver 230 dwellings by March 2022 at the following rates:

- 50 dwellings in year 3 (2019/20);
- 90 dwellings in year 4 (2020/21); and
- 90 dwellings in year 5 (2021/22).

5.65 We note that the Council has repeatedly claimed in its Monitoring Reports that this site is about to deliver dwellings in the respective five year periods and as the site has not progressed, the estimated start date has been put back in the following Monitoring Report. This is shown in the following table.

Monitoring report base date	**2015/16**	**2016/17**	**2017/18**	**2018/19**	**2019/20**	**2020/21**	**2021/22**
March 2014	0	150	150	150	150		
March 2015		0	150	150	150	150	
Dec 2016			0	40	90	90	100
March 2017			0	0	50	90	90

5.66 The latest position is that a hybrid planning application was submitted at the Panfield Lane site for a mixed use scheme including 600 dwellings and 15 ha of employment land in October 2015. The application is still pending determination at the time of writing. It is subject to outstanding objections, including from Sport England, which indicates that it is not about to be approved in the short term.

5.67 Even if the application is approved, the S106 will need to be negotiated and signed, pre-commencement conditions discharged, a start on site made and infrastructure put in place before any dwellings could be delivered.

Summary in relation to five year housing land supply

5.68 The position is summarised as follows:

- Firstly, the Council cannot demonstrate a deliverable five year supply of housing land. It claims the shortfall is just 123 dwellings.
- We consider the shortfall is much greater than this – even on the Council's own figures as the backlog should be addressed in full in the five year period and a 20% buffer apply. We consider the shortfall is 1,932 dwellings on the Council's supply figure
- The shortfall in five year housing land supply is even greater as the Council's supply figure relies heavily on sites without planning permission.
- Once realistic lead-in times and build rates have been applied to large sites, the yield from these sites within the five year period will be reduced.
- The plan cannot be found sound unless the Council can demonstrate a deliverable five year supply. It has not been positively prepared. The plan should not be submitted until the Council can robustly demonstrate a deliverable five year supply.
- We reserve the right to provide further comment on the Council's housing land supply once a revised position has been published.

Supply over the plan period 2013 to 2033

5.69 As above, the Council's proposed OAN / housing requirement is 14,230 dwellings. 1,405 dwellings have been completed so far between 2013 and 2017 (leaving 12,825). The Council's housing trajectory set out in appendix 1 of the PDLP considers that the supply to 2033 is 15,366 dwellings

Status	**No. of dwellings 2017-33**
Under construction	937
Full planning permission but not under construction	631
Outline planning permission	2,023
Core Strategy allocation	600
New Garden Settlements	3,650
Sites without planning permission (including strategic growth locations)	6,717 (4,550)
Windfall allowance	1,050
Minus lapse rate	-240
Total	**15,368**

5.70 The above table shows that there is a heavy reliance on the new garden settlements (24%) and other strategic growth locations (34%). We discuss these below.

5.71 We note that the two garden settlements at West of Braintree (2,500 dwellings in the plan period) and Colchester / Braintree Borders (1,150 dwellings in the plan period) are expected to start delivering dwellings in 2023/24 and 2024/25 respectively.

5.72 Even if these new garden settlements are considered to be appropriately identified, we do not consider these lead-in times are remotely realistic, and there is a gross over-reliance upon a component of supply which is questionable. We are aware of an assessment prepared by NLP in November 2016 entitled: "Start to Finish – How Quickly do Large-scale housing sites deliver?". NLP assessed 70 large sites (i.e. over 500 dwellings) across England and found that on average, these sites took:

- 4 years from first being identified to the submission of a first planning application; and
- 6 years for the planning approval period from the submission of the application to the completion of dwellings on site.

5.73 These timescales are consistent with the experience at Panfield Lane, which as described above was allocated in the Core Strategy in 2011 and a planning application was made 4 years later in 2015. Whilst it is pending determination, the Council's own trajectory considers that it would start delivering in 2019/20 i.e. 8-9 years after adoption of the Core Strategy.

5.74 The two garden settlements in Braintree are much larger than Panfield Lane and applying the average lead-in time as identified by NLP could only realistically start delivering dwellings in 2027/28. Even if the build rates put forward by the Council are correct, this means that 1,300 dwellings should be removed from the Council's trasjectory.

5.75 Similarly, applying the same lead-in time to the very large strategic growth locations at east of Great Notley (1,750 dwellings) would mean that the site would fail to deliver in full in the plan period and 650 dwellings would be removed from the plan period.

5.76 Given the reliance on these sites to deliver the full OAN in the plan period, we consider that the Council's supply is fragile.

5.77 Whilst we note that paragraph 6.60 of the PDLP claims that the plan has identified a potential supply of 10% of homes over the requirement, we consider that the flexibility should be increased to at least 20%. The reasons for this are:

- Firstly, the reliance on 3 very large strategic sites without planning permission to deliver in the plan period (as discussed above) and if realistic lead-in times were applied then there would be a shortfall in supply to meet the full OAN in the plan period;
- Secondly, the 20% buffer for five year supply purposes is designed to ensure a realistic prospect of delivery in the five year period and therefore should be applied to the plan period on the same basis; and
- Thirdly this would be in line with the Local Plan Expert Group's recommendation to Government.

5.78 In our view, the claimed "Headroom" must be increased given the obvious uncertainties of central components of the Council's supply so that it provides sufficient flexibility so that the Council can meet the OAN and adapt to rapid change as it is required to do under paragraph 14 of the NPPF.

Summary of Representation

5.79 The Council cannot demonstrate a deliverable five year supply of housing land. It claims the shortfall is just 123 dwellings. We consider the shortfall is 1,932 dwellings on the Council's supply figure.

5.80 The shortfall in five year housing land supply is even greater as the Council's supply figure relies heavily on sites without planning permission and the yield from these sites within the five year period will be reduced.

5.81 The plan cannot be found sound unless the Council can demonstrate a deliverable five year supply. It has not been positively prepared. The plan should not be submitted until the Council can robustly demonstrate a deliverable five year supply.

5.82 The PDLP states that the plan has identified a potential supply for the plan period of 10% of homes over the requirement, we consider that the flexibility should be increased to at least 20%.

5.83 We reserve the right to provide further comment on the Council's housing land supply once a revised position has been published.

Changes required

5.84 The element of the housing requirement to be delivered through the Garden Communities should be reduced by at least 1,300 dwellings, reflecting the long lead in times associated with such major strategic developments.

5.85 In our view, the 10% flexibility/headroom allowance should be increased to at least 20% so that the Council can meet the OAN and adapt to rapid change as it is required to do under paragraph 14 of the NPPF.

Alternative sources of housing will need to be identified. The site being promoted by the Williams Group to the south east of Braintree would deliver around 400 homes as part of a sustainable mixed use extension to the town.

6. Providing for Employment

Policy SP4 – Providing for Employment and Retail

6.1 The annual rate of growth in jobs and the total employment land requirement (for B-class uses) is set out in Chapter 5 – Policy SP4.

6.2 The paragraph on the forecasting models includes reference to figures being set out for the housing market. Should this refer to the housing market area? The text describing the models used could also be placed within the supporting text, allowing greater clarity for the key thrust of the policy in terms of the jobs growth being planned for.

6.3 We note that the jobs growth forecasts are set out for the period 2013 to 2037. It is not clear why this period is chosen rather than a period consistent with the employment space requirement forecast (which is 2016 to 2033).

6.4 The employment land (B-uses) requirement for Braintree is identified as a range between 23.0 Hectares and 43.3 Hectares of land for the period 2016 to 2033. This is consistent with the period identified for Colchester and Tendring. The policy includes text to explain why the requirement is set out as a range. This would be better placed within the supporting text, allowing the actual policy requirement to be more clearly articulated.

6.5 It is not clear whether the baseline forecast for employment land is to be regarded as a minimum requirement, as it should be.

6.6 The supporting text also notes (at 5.3) that retail is the second largest sector by employment. The NPPF requires strategic priorities to be set out in the plan, and this Section 1 forms the strategic part of the plan. Section 1 of the plan should therefore provide direction on strategic retail and town centre issues, responding to an up-to-date evidence base.

6.7 However, the Chapter heading and the text to Policy SP4 only references the requirement for B-uses employment land. The policy should be amended to also identify the need to address retail growth requirements or a separate Strategic Policy to address the need for retail growth should be included.

6.8 Paragraph 5.11 refers to the trend for an overall reduction in additional B1 floorspace. As the following sentence refers to this reflecting the continued decline of manufacturing, we suggest that this should refer to all 'B-space' categories.

Summary of Representation

6.9 The policy wording would be clearer if some of the explanatory text was removed outside the policy itself. It is not clear whether the baseline forecast for employment land is to be regarded as a minimum requirement. The title of the policy references retail but the policy wording does not address retail growth requirements.

Changes required

6.10 This strategic policy SP4 should be redrafted for clarity with explanatory text moved outside the policy wording. The policy should clarify whether the baseline employment land forecast is to be regarded as a minimum requirement.

6.11 The overall requirement for new retail floorspace should be set out within the policy text or a new policy inserted to specifically address strategic level retail and town centre issues.

7. Infrastructure and Connectivity

Policy SP5 – Infrastructure & Connectivity

7.1 The plans for upgrading the A120 will have a significant impact on the potential for growth to the South East of Braintree town. The local route alignment at the western end of the proposed upgraded section, in particular, will be a very significant factor in planning this part of the town. At present, there is no recognition of this in Section 1 of the PDLP which only references the potential for the route alignment to impact on the boundaries and scale of the proposed Garden Community on the Colchester/Braintree border. There are also virtually no allocations made in the South East quadrant that would be supported by the improvements with local route connections. It is therefore most unfortunate that the Local Plan is proceeding ahead of

the recommendation on the preferred route being made to the Secretary of State for Transport (which had been due in the autumn of 2017 but is now delayed to mid 2018). Given the serious problems with this plan, if the examination is delayed then there will be an opportunity to redress this position once the preferred route is announced. Nonetheless as matters stand the best routes would be strongly supportive of the release of land to facilitate a sustainable expansion to the SE of Braintree

7.2 The potential for rapid transit services in Braintree should not be limited to connections with the garden communities, but should be explored in relation to existing communities.

7.3 The potential of Braintree town's existing road and rail infrastructure is hardly considered. These have significant influence in shaping the location and scale of growth of the town. A major weakness of the plan is its failure to address the potential of rail.

7.4 Policy SP5 sets out the strategic priorities for infrastructure provision or improvements. The list includes improvements to the A120 to improve access to markets and suppliers, widen employment opportunities and support growth. It also includes a dualled A120 between the A12 junction and Braintree. What the policy needs to say is that the infrastructure is itself an influence on the spatial strategy, not just the other way round; the A120 can only be upgraded in a defined corridor, for example.

7.5 Notwithstanding this, the improvements proposed are supported as they will improve connectivity of Braintree and the access to Braintree Retail Park. The improvements would also be able to integrate with development focused around South East Braintree. New and innovative public transport including high quality rapid bus services are also recognized as a priority. The strategic development in South East Braintree could potentially facilitate such services. The Williams Group would welcome further dialogue on this potential.

Summary of Representation

7.6 The plans for upgrading the A120 will have a significant impact on the potential for growth around South East Braintree. The local route alignment, in particular, will be a very significant factor in planning this part of the town. At present, there is no recognition of this and virtually no allocations. It is unfortunate that the Local Plan is proceeding ahead of the recommendation on the preferred route being made to the Secretary of State for Transport.

Changes required

7.7 The Local Plan should explicitly acknowledge the need for changes to the Plan once the outcome of the consultation on the A120 route options is known. The approach to incorporating these changes will depend on the timing of the Plan examination process and the issuing of the A120 route decision. It is possible that changes could be advanced by way of Main Modifications to the Plan if the examination is still open when the preferred route is announced. Alternatively, the Plan should identify that there will be an early review to respond to the A120 route proposals.

7.8 The potential for rapid transit services in Braintree should be expanded beyond connections with the garden communities.

8. Creating Quality Places

Policy SP6 – Place Shaping Principles

8.1 The strategic expansion of Braintree town to the south-east would provide an opportunity for the design and place shaping principles to be applied to the new area, to ensure that it achieved a high quality environment in which to work, live or visit. The principles articulated in Policy SP6 are therefore supported.

Changes required

8.2 No

9. Cross Boundary Garden Communities

Policy SP7 – Development & Delivery of New Garden Communities in North Essex

9.1 Policy SP7 states that there will be two new garden communities which have at least part of their proposed locations within Braintree district. These are identified later as 'areas of search' and remain conceptual at this stage. They therefore cannot be given priority over proposals to expand Braintree town.

9.2 The location 'Colchester/Braintree Borders' is planned to deliver up to 2,500 homes in total during the plan period and 'west of Braintree' to also deliver up to 2,500 homes during the plan period across both local authority areas.

9.3 The principles set out in Policy SP7 are expanded on in Policy SP9 (Colchester/Braintree Borders Garden Community) and Policy SP10 (West of Braintree Garden Community) which are relevant to Braintree. Policy SP8 (Tendring/Colchester Borders Garden Community) does not apply to Braintree.

9.4 We note that the eventual total for Colchester/Braintree borders is increased from the Draft Local Plan from 2016 to 15-24,000 homes while the eventual total for west of Braintree has been reduced compared with the 2016 Local Plan proposal, to 7,000-10,000 homes.

Summary of Representation

9.5 Policy SP7 states that there will be two new garden communities which have at least part of their proposed locations within Braintree district. These are identified later as 'areas of search' and remain conceptual at this stage. They therefore cannot be given priority over proposals to expand Braintree town.

Changes required

9.6 The planned delivery of housing within the plan period at the garden community locations in Braintree should be reduced by 1,300 to reflect evidence on lead-in times and the time taken to determine large scale applications.

Policy SP9 – Colchester/Braintree Borders Garden Community

9.7 This location is no more than a "strategic area for development". It is expected to deliver 2,500 homes in total over the plan period, with 1,150 identified within Braintree District (from Policy LPP17).

9.8 We have noted in our response to Policy SP3 that the delivery of housing from these sites is likely to be delayed and reduced in comparison to the assumptions set out in the housing trajectory..

9.9 The ability of the proposed garden community to perform an effective role in the spatial strategy (being locationally less of a priority than expanding the largest centres) and in the

delivery of the significant need for housing is over-optimistic. It means that there is an over-reliance on the inclusion of retail and employment in this location.

Changes required

9.10 The number of homes stated to be delivered at the Colchester/Braintree borders Garden Community site should be reduced in line with the review of delivery rates as described in our response to Policy SP2.

Policy SP10 – West of Braintree Garden Community

9.11 This location is similarly no more than a "strategic area for development". The location is expected to deliver 2,500 homes within Braintree District during the plan period. It is shown not to take in land located in the neighbouring district of Uttlesford, although it does adjoin the boundary. The 2,500 dwellings represents a significant part (18%) of the overall housing requirement to be delivered despite the many hurdles that will need to be overcome - even before detailed proposals can be brought forward. As such it is too conceptual, along with SP9, to be included in a Local Plan alongside much firmer development proposals.

9.12 We have noted in our response to Policy SP3 that the delivery of housing from these sites is likely to be delayed and reduced in comparison to the assumptions set out in the housing trajectory.

9.13 The overall phasing of both garden community proposals will need to recognize the need to provide access to retail and other facilities for residents of the early residential phases. This will have implications for access into Braintree town centre and Braintree Retail Park/Freeport and the early introduction of public transport links.

Changes required

9.14 The number of homes stated to be delivered in Braintree District at the West of Braintree Garden Community site should be reduced in line with the review of delivery rates as described in our response to Policy SP2.

10. Delivery, Implementation & Monitoring

10.1 The plan underplays the delivery of housing. Much greater attention needs to be given to the early delivery phases (especially in the first 5 years) and in meeting unmet need from recent years. In the longer term too much reliance is given to the garden communities, which are little more than a concept at this stage. Their theoretical capacity should be reduced in the plan's housing trajectory.

Changes required

10.2 The number of homes stated to be delivered in Braintree District at the Colchester/Braintree borders Garden Community site should be reduced in line with the review of delivery rates as described in our response to Policy SP2.

10.3 The number of homes stated to be delivered in Braintree District at the West of Braintree Garden Community site should be reduced in line with the review of delivery rates as described in our response to Policy SP2.

11. Participation at the oral examination

11.1 We can confirm that the Williams Group wishes to participate in the oral examination of the Local Plan.

11.2 The matters raised in these representations on behalf of the Williams Group address aspects which are at the heart of the strategy being adopted to plan for development in Braintree district.

11.3 We consider that as drafted, the Local Plan is not sound, as set out above, and:

- **Not positively prepared**. The document is not positively prepared and does not promote sustainable development. It is unlikely to meet the assessed housing need, deliver a 5 year supply or the necessary development and infrastructure requirements over the plan period.
- **Not justified**. The plan is not justified, as does not have an appropriate spatial strategy. It unnecessarily discounts reasonable alternatives i.e. further expansion of Braintree and the potential of land in the south-east quadrant of the town.
- **Not effective**. The plan is unlikely to be deliverable in the short-terms or over its period partly due to its over-reliance on two new, cross-boundary, garden communities.

11.4 We consider that in view of its interests in Braintree Retail Park and land to the south of the A120, the Williams Group needs to contribute to a full exploration of the evidence and the proposed policy response with respect to future development in the south east quadrant of Braintree and its town centre.

A Vision for Braintree's South-Eastern Quadrant

Dr Nicholas Falk, September 2016

Introduction

Well positioned for future growth, and with pressures to deliver enough housing to meet future demands, what happens on the area to the South of the A120 requires careful and creative thinking. This paper draws on over 40 years' experience of urban regeneration, as well as pioneering research into the ingredients that go to make successful new communities. Nicholas Falk and David Rudlin won the prestigious and valuable 2014 Wolfson Economics Prize for showing how to build new garden cities that are visionary, viable and popular. With the successful development of the Garden Village of Great Notley and the regionally important retail schemes at Braintree Freeport and Retail Park, something extra and innovative is called for. This paper suggests what the ingredients might be.

1. Challenges for Braintree

Located in the most affluent part of Essex, and with a legacy of historic towns and beautiful countryside nearby, it is vital that new development achieves the highest standards, and reinforces the existing town centre.

• **Historic market town** Braintree has a rich and creative history, reflected in its museum, and the contributions made by designers like Warner and industrialists like Samuel Courtauld. However its town centre is now overshadowed by the retail and leisure outlets on its Southern edge, and attracting further new investment in the town centre will be hard. Also local industrial employment has contracted, and many new residents will be working in London or Chelmsford.

• **Major urban extension** With one of the largest new housing developments on its edge at Great Notley, Braintree is expanding fast, and has achieved notably high standards of design. However the housing is entirely traditional in style, and caters primarily for families, leaving some market categories uncatered for.

• **Pressures for more housing** Braintree has partnered up with Colchester and Uttlesford to provide two large Garden Community sites for a significant chunk of the housing that is required over the next decades. With limited amounts of brownfield land, there are major questions over where further growth should be concentrated. The local authorities are working with an offshoot of the Town and Country Planning Association to deliver these, with support from the government. But local communities are concerned about the potential for extra traffic and for development that spoils the character of historic settlements.

• **Congestion at the junctions** Traffic pressures are notoriously bad at Galley's Corner, where the road to the out of town shopping meets the A120. Though Braintree and Freeport are on a railway line, services are only hourly, and carry a fraction of the traffic that the roads do. Cycling and walking are not well catered for, with major roads to cross.

• **Limited town centre** The town centre has a reasonable range of shops for its size, with multiples such as Edinburgh Woollen Mills as well as in-town branches of Tescos and Sainsburys, and some traditional shops. But it is quite outclassed by the offer provided on the edge of town, where there is free parking. Despite environmental improvements, the centre is not especially distinctive, and lacks special places for browsing or eating.

• **The end of the line?** Linked by a single track branch to the main line at Witham, with hourly services, the railway line is an under-used resource. It takes an hour to Liverpool Street, which puts Braintree on the edge as a commuting town. The line used to run through to Bishops Stortford, next to Stansted Airport, and is now a cycle track and footpath.

2. Development Prospects

Braintree is well positioned for further growth:

- It lies on a historic route from Colchester, and served as the market town for surrounding farming villages

- It grew rapidly in the 20th century on the back of industrial innovation, with Courtauld's discovery of nylon, and Crittall Windows role in producing metal window frames.

- In the 21st century it is located close to a choice of employment, including Harlow and Stansted Airport, which is 16 miles away, and is an hour from London by train, the crucial distance for commuting.

As a relatively small town, with a population of around 42,000 Braintree is lumped in the same Travel To Work area as Chelmsford, which is a relatively successful mid-sized city, and the County Town of Essex. In the last available figures the combined number of jobs was 147,000 and 80% were filled locally, while 33% travelled out of the area, mainly to London. Because of the lack of indigenous power and raw materials, the East of England largely escaped the industrial revolution, and so lacks large cities. Chelmsford is the largest city along with Cambridge, Norwich and Ipswich, which are also County towns.

Economic research for the East of England Development Agency by SQW showed that as a region the East of England did quite well, but was held back by poor skills and connectivity. The

Western part, which includes Hertfordshire and Cambridgeshire did much better than the Eastern part [1]. However because of the demand from people leaving London, housing and population growth has been amongst the highest in the UK. Most of the housing development has taken place in small towns and villages, possibly because land is more readily available on the edges and house prices are higher than in the towns. Towns have tended to end up with ageing populations, often living in large under-occupied houses for lack of anywhere more suitable to move to.

New developments, such as Countryside's Great Notley on the Southern edge of Braintree, which has a population of 5,500, have become dormitories, adding to congestion on the roads, with two or three cars per house. House prices there averaged £356,000 versus £249,000 in Braintree according to Right Move, and are primarily large detached houses in traditional styles, suggesting there are many other market n gaps to be filled. Zoopla gives Great Notley a premium of 25% over Braintree, suggesting there is additional value from living on the South side of the town, and in a relatively new house.

As knowledge-based employment, which characterises much of the surrounding area, is driven by access to skills, attractive places to live such as Braintree have a key role to play. With considerable resistance to development in the many small villages and hamlets that characterise North Essex, the pressures for further development in the form of urban extensions are considerable. One of the few examples of a planned urban extension is South Woodham Ferrers, which was promoted by Essex County Council on the Southern edge of Chelmsford, but the Council recognises that many more are needed.

To respond to demand, the authorities of Braintree, Colchester and Uttlesford have joined forces to plan developments on new garden city lines. They have commissioned advice from an offshoot of the Town and Country Planning Association, and have secured a major grant from the Department of Communities and Local Government to appoint staff and commission studies. AECOM have been selected, and John Walker, who worked for the New Towns Commission, is advising on setting up some kind of Development Corporation.

A number of sites are being considered, but inevitably those nearest to attractive villages arouse the most opposition. The sites identified in the draft local plan to the East and West of Braintree have already stimulated objections from a group called SERCLE (Stop the Erosion of Rural Communities) and a relatively sophisticated group called CAUSE (Campaign against Urban Sprawl) is opposing proposals to site a new settlement at Marks Tey, West of Colchester. Consequently the area South of Braintree, which has the benefits of a rail link, could win some unexpected support, if it were promoted and designed as a Sustainable Urban Extension.

Much of the debate about housing and 'new garden cities' has missed out the importance of developing as close to existing settlements as possible. This is economically important to make the most of existing infrastructure, such as transport, energy and other services, as well as social services like education and health. But it is also environmentally important to prevent the congestion on the roads that results from expanding villages and hamlets that lack any facilities. With changing retail patterns, for example the use of the internet or bulk shopping, larger and wealthier populations are needed even to sustain existing shops.

---

[1] SQW, Framework for Urban Collaboration in the East of England, EEDA 2007

3. Opportunities in the South Eastern Quadrant

• **Attractive Settings** Despite the power lines and passing traffic, the land to the South of Braintree lies in a valley with pleasant views, and could readily be developed within a country or garden setting to provide a very attractive place to live. But instead of looking backwards and replicating traditional housing, the site should take a lead from Freeport and the Retail Park, and be forward looking. At the same time Braintree Town itself should seek to diversify its attractions, for example by promoting a particular area for eating and drinking.

• **Wider choice of housing** Most of the new housing has been provided in the form of relatively large and often detached houses, which sell for high prices. But there is also a large potential market from people looking for somewhere more affordable. This may include smaller units, and higher density solutions such as apartments and maisonettes. There is also considerable untapped markets for 'custom build' of different kinds, such as 'group self-build', provided services sites were made available.

• **Sustainable travel options** The relatively good weather and level land of Essex should suit walking and cycling, and the site calls out for the kind of design and planning that is normal in the Netherlands. With a rail line running through it, additional services could be readily provided, possibly through the provision of a new passing loop half way along the line, or a siding at Witham. If usage could be increased, the case for reopening the old railway line through to Bishop Stortford might well be made, as it would offer a strategic link to take traffic off the over-used A120.

• **Renewable energy and water** With a stream running through the site, there is the opportunity to utilise Sustainable Urban Drainage Solutions or SUDS. Indeed the site, with its clay soil, lends itself to building a large new lake to provide a distinctive feature as well as to manage water run-off. Also with power lines and a main road close by, there could be scope for a major energy centre to provide Combined Heat and Power from waste, or to tap solar and wind power.

• **Community engagement** The site is large enough to encompass a range of uses – housing, retail and workspace – and to apply a variety of fresh ideas. So instead of a single developer specifying what should be provided, the land might better be developed through a publicly backed vehicle that provided services sites to a range of builders. This would be in line with current thinking on new garden cities and would enable community interest to be harnessed in positive ways, rather than leading to the normal 'Punch and Judy' show of groups fighting every inch of the way!

• **Space for innovation** Braintree could learn from places like Bicester, where sites are being developed for an ecotown but also for custom build houses. Over the longer term, more and more people are expected to work from home, at least for part of the time, or in a garden shed. Incubator units might be provided by using ground floor space under housing, thus re-creating the traditional street, and avoiding the criticism that it will be another 'dormitory. Some space might even be marketed as 'Brainport'

---

[2] Discussion between Nicholas \Falk and the Chair of Chelmsford Planning Committee

4. Creating Somewhere Distinctive

In planning the future of Braintree, and indeed North Essex, where there will always be opposition, it is important to agree a set of principles in advance that will assure long-term viability in a rapidly changing world, and to avoid endless conflicts with development control. We therefore suggest learning from places that are widely regarded as successful, and that have a distinctive character or design. The DCLG's set out a new policy in May 2016 for *Locally-Led Garden Villages, Towns and Cities*. The prospectus states '*We do not consider there is a single template for a garden village, town or city… Equally we are clear that this prospectus is not looking to support places which merely use 'garden' as a convenient label. Rather, we will support local areas that embed key garden city principles to develop communities that stand out from the ordinary.'* The prospectus goes on to draw a distinction between villages, which must be a 'new discrete settlement' and a new garden city or town, which must provide at least 10,000 new homes.

In URBED's proposals for Uxcester Garden City, that won the 2014 Wolfson Economics Prize, we showed that to be viable without subsidy, which is a key concern for the government, it was essential to 'piggy back' off existing infrastructure. It is naïve to think that Letchworth Garden City could be replicated, as costs are now so much higher than they were over a century ago. We applied a series of principles, which have been summarised in a paper for the International Journal of Urban Design on *Garden Cities for the 21st Century*. In outline these are:

- Locate new development close to jobs and services
- Built at densities that support rapid transit
- Provide recreational opportunities to attract brain workers and their families
- Fund local infrastructure from land value uplift.

We then applied these to the test case of Oxford to draw out three more principles:

- Build where public transport allows
- Avoid flood plains and areas of natural beauty
- Create places with a mix of uses that complement what exists.

Though Braintree is clearly different from Oxford, all seven of these principles would equally apply to the South East Quadrant, and would create a very different kind of settlement to those put up by volume house builders, which are the places that arouse most opposition. To make the principles as simple as possible, local authorities in Cambridgeshire have adopted the Cambridgeshire Quality Charter for Growth, based on research and study tours which URBED led over a period of a couple of years. The five principles are Connectivity, Community, Character, Climate-proofing and Collaboration. How could these be applied to the South-East Quadrant of Braintree, and in ways that would enable the development to secure widespread support?

Connectivity

A location closest to where most people work will minimise travel times and congestion, even with the roads as they are. But the South-East Quadrant is also likely to benefit from the upgrading of the A120, and one possible route considered favourably in the past would loop round the South of the site (see attachment) . Once built, the existing road might be downgraded to a boulevard, which would greatly improve connections with the town centre, as the current walk to the station for Braintree Freeport is unappealing. The Southern edge of the site could be transformed with a 'buffer' of trees, thus protecting existing homes from any traffic noise and improving their views.

Because the site adjoins Braintree Retail Park (and site B3, now being allocated for retail), with all its jobs and services, many journeys would be done on foot or bicycle, especially as people are becoming more concerned with living a healthier life. A new Sainsbury's along with other public facilities like a hotel or schools, could be designed to provide the new community early on with a real heart or meeting place, so that it not another faceless suburb. With shops and eating places you can walk to, the new community will get off to a good start. Initial phases should be focused around the existing bus stops that provide good links into Braintree town centre. Future phases should include either

---

[3] David Rudlin and Nicholas Falk, Uxcester Garden City, www.urbed.coop

a new bus service or improvements to existing services that will link the site with the train station and the town centre.

There is one further advantage to the South Eastern Quadrant which gives it an edge, which is the railway line that connects up with Chelmsford and London. Currently the services are hourly, but with an increased population living close to the station the business case can be made for a more frequent service. Indeed, there is scope to use part of the land for a Park and Ride site that would enable visitors to call at either Braintree Freeport/Retail Park or the town centre. A feasibility study is needed into reintroducing the 'railbus' a shuttle service that formerly ran between Witham and Braintree, which could be a great help in getting traffic off the roads. This is an advantage that none of the 'garden settlement' sites under consideration share.

Case Study: Cranbrook, Exceter
Devonshire County Council planned several new settlements to cope with housing growth on the edge of Exeter and Plymouth. The first is far advanced, with a new station as well as a number of other innovative features, such as a Combined Heat and Power plant. Developed by a consortium of volume house builders and with support from the Homes and Community Agency, the settlement is growing well. In the Netherlands, at Vathorst a new station was built even before the first housing to encourage residents to leave their car behind, and the area closest to the station has proved the most popular part of the development.

Community

A frequent complaint about new housing schemes is that they are ‘boring’ with nothing for young people to do. They also can seem exclusive and unwelcoming. They also offer a limited choice of housing, and therefore can be quite unbalanced. A sustainable community therefore requires far more than just housing to be distinctive. The South-Eastern Quadrant is close enough to Braintree town centre for services such as health and education, while the Retail Park offers some exceptional leisure facilities such as the multi-screen cinema and large swimming pool. Something different is called for if the place is to grow to its full potential.

Because the development will not be driven by house-builders, it will be possible to make a range of sites available to small builders who find it hard to obtain land with planning permission. We envisage early on offering sites for building 50-100 units, to allow for niche markets such as self-builders, or what the DCLG calls ‘custom build’, as has been pioneered on a really large scale in Almere in the Netherlands. This enables households to get on the housing ladder, as housing is much more affordable when the risks are taken out.

We propose developing the theme of ‘healthier living’, through the provision of allotments, large and small, which will help in increasing biodiversity, as well as through a Sports Hall aimed at keeping people fit. By establishing a ‘Community Trust’ early on, endowed with some of the land, the community can grow naturally responding to local interests and enthusiasms, but with the resources to help people achieve their aspirations. A larger development should provide at its heart a range of services and amenities that can be accessed from the surrounding housing on foot or by bike. e.g. supermarket, doctors surgery, school (as in Trumpington, Cambridge, or Caterham in Surrey.). A centrally located community hub should combine the amenities above, and all housing development should be located no more than 800m away from this hub. This is broadly possible in the area we have identified.

Case Study: Barracks Trust Community engagement early on in planning a new settlement on the edge of Caterham in Surrey resulted in a much larger scheme than local authority planners had ever conceived. People realised that this would allow a much better range of facilities, which are provided through a local trust. Early residents were provided with season tickets to encourage the use of public transport. The developers, impressed by the results, went on to apply similar principles in Graylingwell, a former hospital on the edge of Chichester. One innovative feature has been the planting of front gardens with vegetables, and an orchard has become a key element in celebrations with locally produced apple juice.

Character

Making sites available to a range of builders will produce a much more distinctive place, and indeed this is how towns and villages traditionally evolved. Masterplans should set out a vision or concept for different neighbourhoods, making the most of existing features. For example, use can be made of the river that runs near the site to create a lake that can hold water running off the site, and also add value to some of the new housing. Sustainable Urban Drainage Systems have been pioneered in developments such as Upton in Northants through the efforts of the Homes and Communities Agency, but we have a long way to go before we reach the standards achieved in some of the new VINEX suburbs in the Netherlands.

Higher standards can also be achieved by setting out clear briefs regarding uses and densities, along with design codes that enable a number of builders to work close together. Examples such as the Southern Fringe of Cambridge around Trumpington show how it is possible to create places that are forward looking and appeal to existing as well as new residents. By agreeing a set of codes or principles with the local authority, the process of planning and development can be speeded up, which means that residents do not have to live so long in a building site. A community trust that takes responsibility for the landscape and common parts can create a much more distinctive and better maintained place than would otherwise be possible.

Case Study:Newhall, Harlow Concerned by the uninspiring nature of what had been built on land they had inherited, the Moen brothers in Harlow commissioned an urban designer to come up with a set of principles that would assure higher standards. By choosing architects and builders for the quality of what they offered, rather than the highest price, a whole new quarter has been built which has achieved some 20% higher prices than in other new build schemes in the rest of the town, according to a report by CBRE for the RICS on Placemaking and Value. The development has won many design awards, and shows that housing does not have to look to the past for inspiration.

Climate Proofing

One of the attractions of living in a new home should be much lower running costs, and this is going to become increasingly important. By planning a mixed use development on the scale proposed, a number of savings should be possible. For example solar panels can be acquired and installed in bulk, and one possibility would be to use the roof of the proposed supermarket and also the school to achieve some major savings. Similarly instead of conventional construction methods, which involve a lot of waste, use can be made of Modern Methods of Construction whereby insulated panels complete with windows are put together in factories, which greatly reduces the time in going from a customer's order to a completed home.

Other possibilities include the use of renewable energy through a Combined Heat and Power plant, as currently most of the energy used in power generation is wasted, and a good example is provided by Derwenthorpe near York. By aiming to create somewhere innovative, and building links with local universities such as Anglia-Ruskin in Chelmsford, the development will build up the expertise and skilled labour needed for Britain to catch up with places on the Continent.

Case Study: Derwenthorpe, York A century after the Joseph Rowntree Foundation's settlement of New Earswick was built, the Foundation decided to promote another housing scheme. The land was made available by the City of York, and its location was blighted by power lines. The Joseph Rowntree Housing Trust commissioned a masterplan, and sought to learn from other schemes through the Sustainable Urban Neighbourhoods Network. Though there were considerable delays, due to local opposition, the resulting development has been highly praised. The community centre is in the same building as the renewable energy engine which heats the whole development, and which is powered by locally harvested wood. Significantly distinctive looking houses have been built by David Wilson Homes, a subsidiary of Barratts, thanks to the careful choice of architects, and they have sold well.

Collaboration

The time spent in argument and miscommunication in Britain help explain why we take so long to build new homes and why it costs so much more than in other European countries, as STOPPED, a recent report from the Centre for London, clearly shows. By concentrating development in a relatively large site, but proceeding in stages or incrementally, trust and experience can be built up so that opponents can be brought round. Various forms of partnership are possible, and an important stage in securing agreement will to explore what will work best for Braintree in the light of experience elsewhere. For example consideration is being given to setting up some form of New Town Development Corporation to develop the Garden Communities, with advice from an offshoot of the Town and Country Planning Association. But other models are possible, which should be explored together.

A key part of the proposal is likely to be the relocation of the Sainsbury's store from the town centre to the South Eastern Quadrant, and this will inevitably raise huge questions about what is to be done with the existing site. By jointly working up a masterplan for the site with the Council, who own half of it, and taking key people to visit relevant examples, it will be possible to create a much more positive - and hence productive - approach than has been common.

Case Study: New England Quarter, Brighton

A 15 acre site adjoining the railway station has been developed within an overall masterplan drawn up by URBED for the master developer, and within a brief worked up with the local authority. . The key to funding the infrastructure needed for some 500 homes, two hotels and business space, was provided by relocating an existing Sainbury's store from the London Road to a larger site, with housing above. The development agreement included funding works to improve the London Road, which has since flourished. The scheme has been widely praised for its mix of uses, and initial community opposition has been overcome.

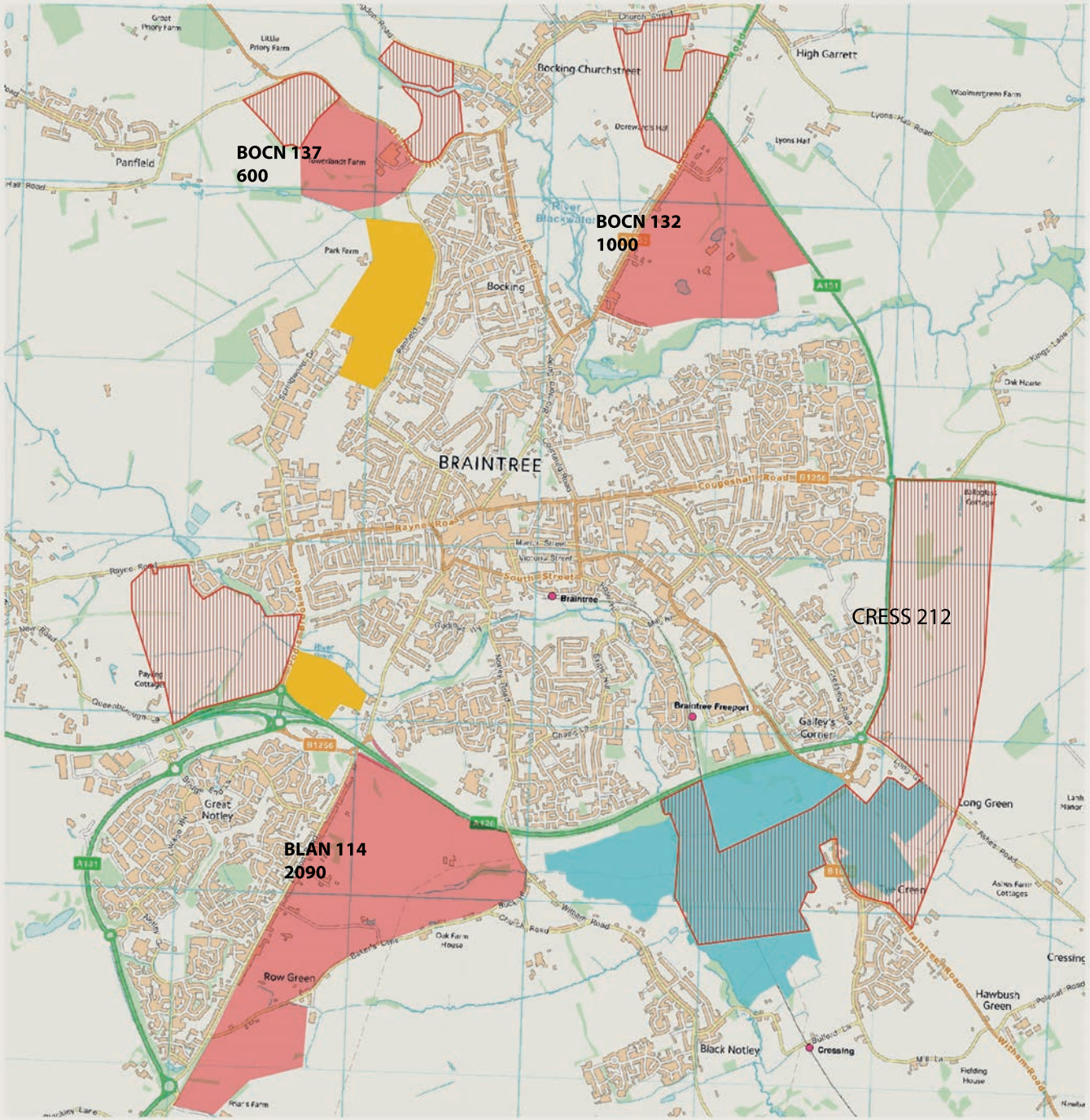
Subsequently URBED were appointed by Grosvenor Estates to act as advisors on a new housing scheme on the edge of Oxford City, in a joint venture with the City Council, after they had seen what was achieved in Brighton. Through a collaborative process which included a study tour to learn from innovative housing schemes in the Netherlands, and various workshops, agreement on the 850 home scheme was reached relatively quickly. Barton Park may well offer a model for the kind of housing and other uses which would work well in the South East Quadrant of Braintree.

5. Conclusions

There is enough land on the South Eastern Quadrant of Braintree, available in a location that would justify a high quality development that Braintree could be proud of, as URBED;s preliminary capacity study indicates (see attachment) Braintree faces a number of challenges, but because of the location of the site, the opportunities are even greater, so long as they are grasped. In particular there is scope for applying some of the principles associated with a new Garden Community, which would be attractive to the Council, while also achieving the Council's wider housing ambitions and strengthening the existing town.

By creating somewhere different alongside retail and business space, the place will be much more sustainable, as well as more desirable. There are a number of successful projects that show what is possible, once the developer and local authority work together. . Furthermore it should be possible to undertake the development in phases, to take account of uncertainties over the A120 upgrade, and hence deliver some additional housing early on.

Appendix A
Capacity Study

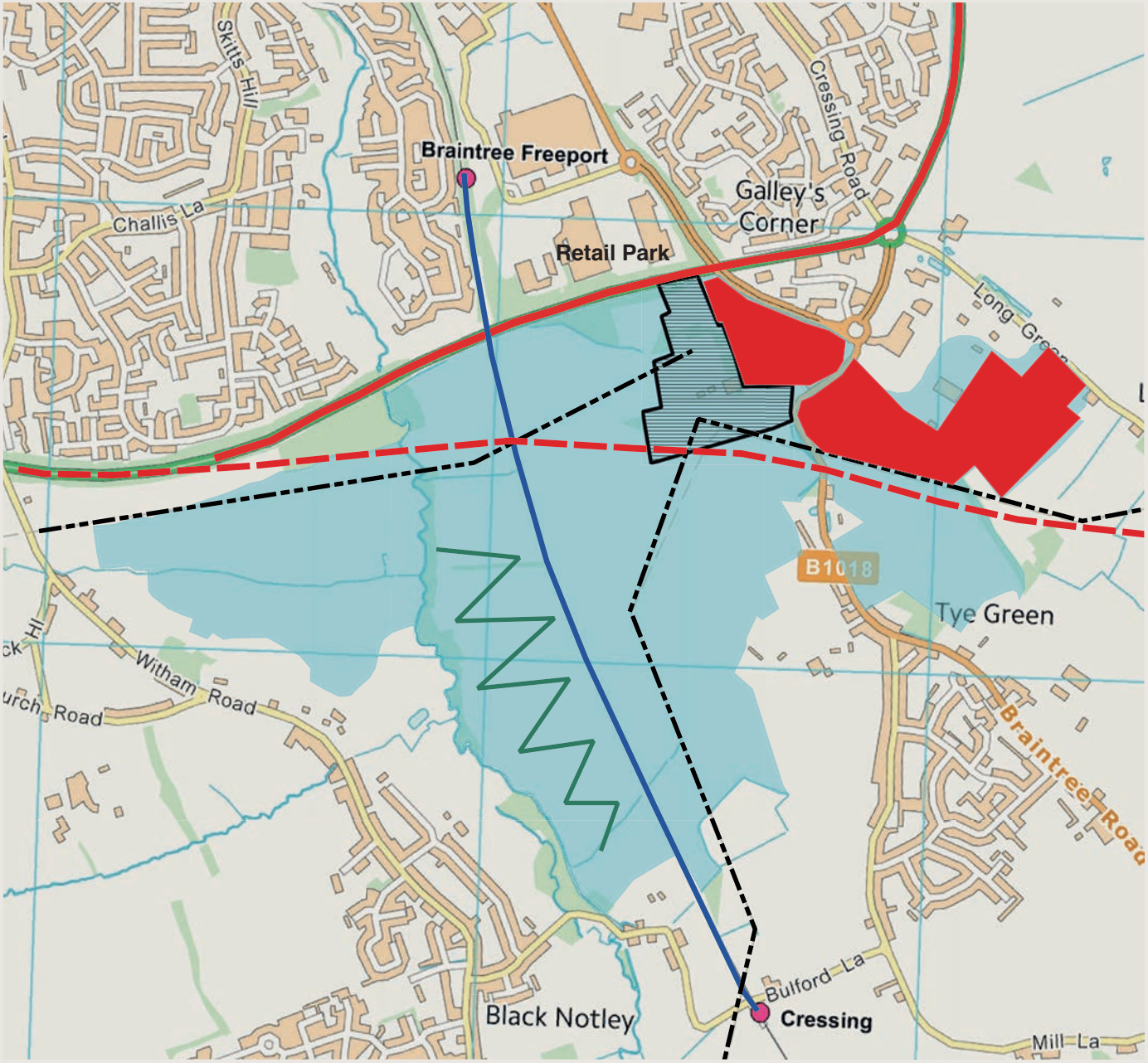


Braintree Draft Local Plan

In Braintree about a third of the housing requirement is being delivered through three allocated housing sites (shown in red on the plan opposite). Two new garden communities are also planned.

Williams Group argue that:

- Braintree should take a greater share of the housing requirement as it is at the top of the settlement hierarchy.
- More sites need to be found to improve housing delivery.
- The most sustainable sites should be selected.
- The Garden Communities will not deliver the amount of development projected.



Which areas are most suited to housing?

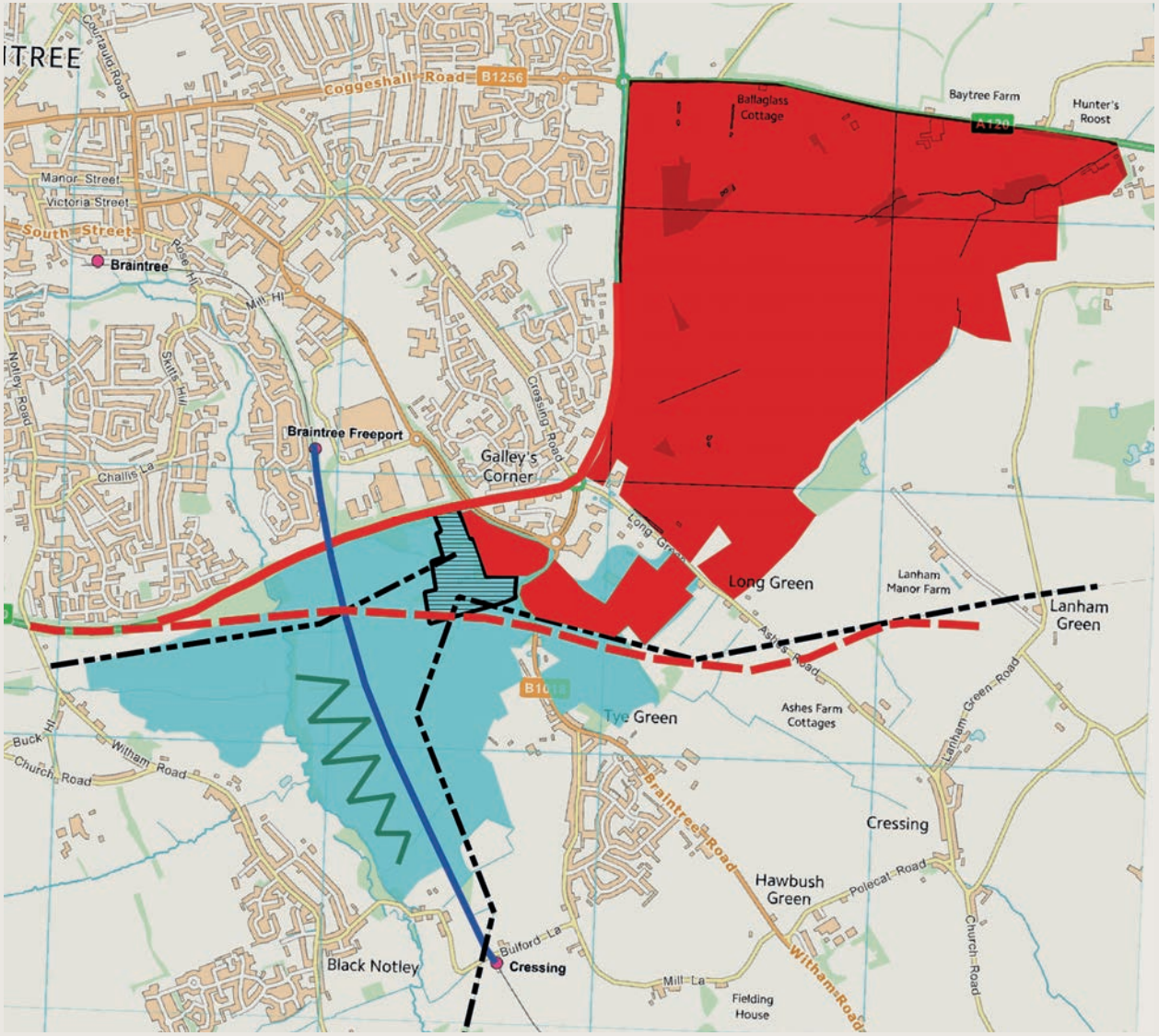
The initial site extent (blue, promoted) is constrained in a number of ways shown opposite.

The west of the site is severed from Braintree by the A120 Trunk Road and bisected by the train line and pylons. There is also a large utilities site to the south of Braintree Retail Park.

While these constraints are not incompatible with employment and retail uses shown in Williams Groups current masterplan some of the western parts make for quite an unattractive and unsustainable housing site.

Land to the east however (shown in red) links more easily to existing bus routes into the centre of town. Housing here could effectively turn its back on elements suchas utilities and pylons that house buyers are likely to find unattractive.

- Pylons
- Flooding/Landscape Quality
- Existing A120 Route
- Possible A120 Realignment
- Railway
- Utilities
- Developable Area



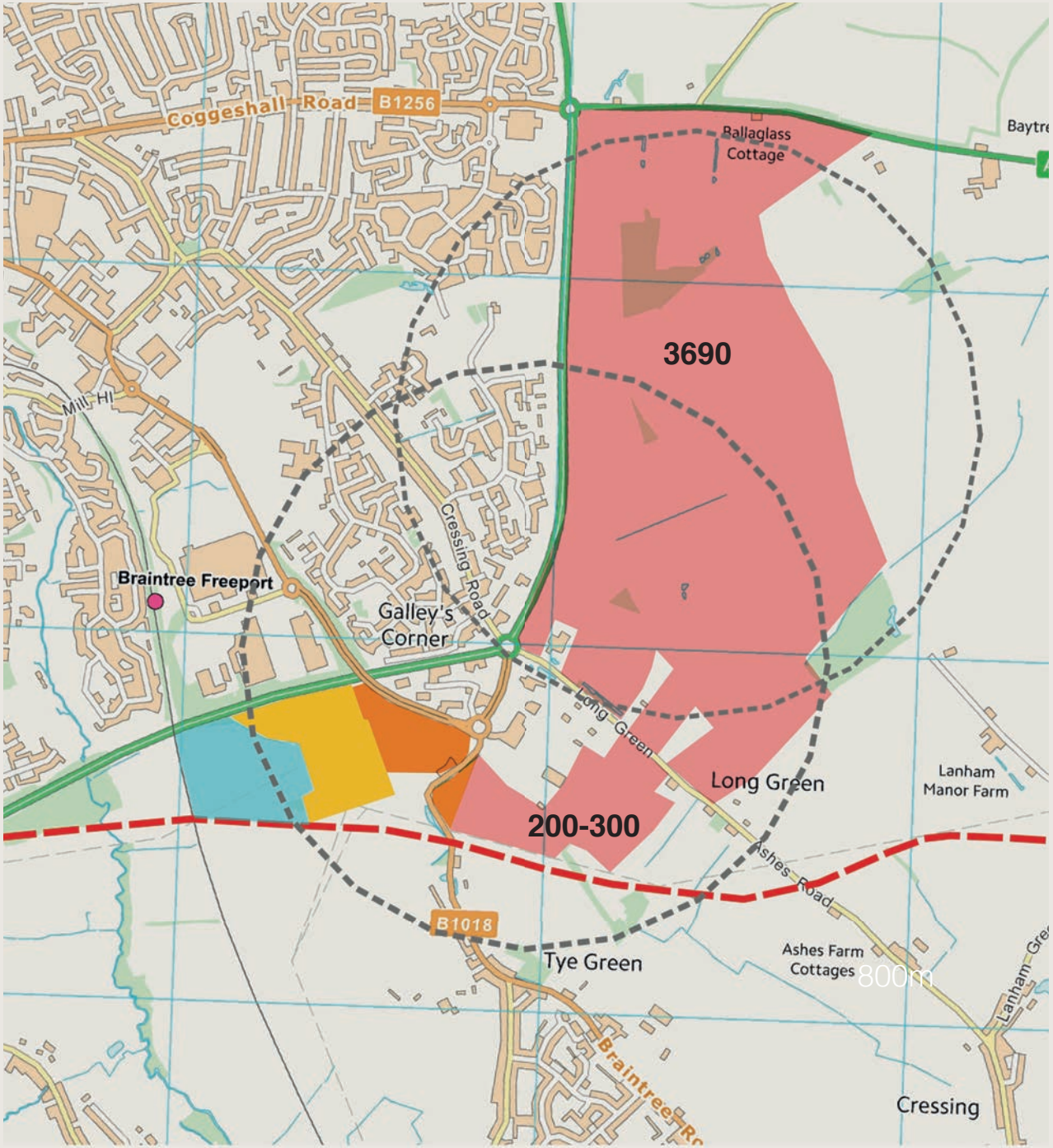
Expanding the housing area

Due to the constraints illustrated on the previous page, if additional housing were desirable the area would most logically expand out towards the east of Braintree, into "alternative site CRESS 212" in the Draft Local Plan.

This land (shown in red opposite) was considered for development within the Site Allocations and Development Management Plan in 2013. It was at one point a possible strategic Local Plan site associated with dualling the road linking Braintree with Marks Tey to the east. Known as "Temple Border" the site was rejected from the draft Local Plan at a committee in May 2016.

However the Williams Group argue that the land can accommodate a sustainable urban extension that meets the opportunities identified in this report and could:

- Make the most of existing infrastructure.
- Capitalise on the A120 investment.
- Be well connected to existing shops and services in the Town Centre by bus.
- Be well located for employment uses.



Potential housing numbers

Land to the south of Long Green (10 ha) could yield around 300 units at 30dph, possibly less, having regards to local constraints.

Expanding to the east (123 ha) could yield 3690 units at 30dph.

The site could therefore provide around 4000 units in total.

We would suggest that the first phases are developed within the 800m radius of existing public transport links into Braintree Town Centre.

It is assumed that if the larger site to the east is brought forward for residential development provision would be made within the site for services, amenities and public transport in order to acheive sustainable development.

Housing

Retail

Utilities

Employment

Potential route of A120