HS8.2

Hearing Statement- Main Matter 8 – Sustainable Infrastructure

Tendring Colchester Borders Garden Community Development Plan Document (DPD)

Wivenhoe Town Council

23.160

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1. Introduction

1.1 Cerda are instructed on behalf of Wivenhoe Town Council to act on its behalf in respect of the Examination into the Tendring Colchester Borders Garden Community DPD.

1.2 The Town Council are a key stakeholder and provided representations to the Regulation 19 consultation, making strong objections to the plan.

1.3 This document has been prepared in response to the Planning Inspectors invitation to provide further statements on the soundness of the plan and other elements of the plan ahead of the Examination in Public which starts on May 7th.

2. Matter 8 Questions and Responses

2.1 ***Question 1*** *– Are the requirements of the Policy justified by appropriate available evidence, having regard to national guidance, and local context?*

Both Councils have declared a Climate Emergency. But as part of the evidence to support the plan there is very little information to support the policies propose ~~d~~in this section. Where there is evidence to support parts of the policy it does not always tally. For instance, the policy for water consumption requires that homes use no more than 110 litres per day but the Statement of Common Ground with Anglian Water has agreed 100 litres per day.

The justification section does not provide justification for all of the measures which are sometimes a "must" and sometimes a "should", the second of which are not always fully justified.

ECC's own traffic modelling for the DPD reg 19 consultation is flawed, and modal shift aspirations at such scale have never been achieved in this country. This view is not exclusive to us. Highways England have also submitted an objection to the DPD consultation on the basis that they

There are no details available for the RTS traffic priority measures which was a stipulation for section one policy. There are no dates set, costs, or details of, the remodelling of Greenstead roundabout that ECC have said needs to be remodelled to cope with future capacity. Therefore, it isn't clear if this has been re-scoped since it was accepted in principle by the section 1 Inspector. We are also aware that all operational costs must be found from somewhere, as yet undisclosed, as it is not included in the HIF funding.

Section 1 says 'a phasing and implementation strategy which sets out how the rate of development will be linked to the provision of the necessary social, physical and environmental infrastructure to ensure that the respective phases of the development do not come forward until the necessary infrastructure has been secured.'

The Colchester infrastructure delivery plan 2017 identifies at 6.37 that: 'Greenstead

Roundabout is overcapacity in the AM peak period. In the PM peak the westbound approach from Clingoe Hill is over capacity.' In Appendix C - List of potential transport mitigation measures it says 'The Greenstead roundabout is heavily congested in the AM peak period. During the PM peak period traffic flow performance improves, however, the westbound direction from the Clingoe Hill remains overcapacity. General traffic growth and developments cumulatively

contribute to overcapacity. ….In the sensitivity tests in which the Greenstead rbt is improved, overcapacity is partially alleviated in the AM peak period, however, the PM model remains the same.' Traffic management and infrastructure remodelling is detailed yet none of this is detailed as part of the mitigation works needed for the RTS in the DPD.

2.2 ***Question 2*** *– Does the Policy provide clear direction as to how a decision maker should react to a development proposal?*

With regard to the part A Net Zero. The introduction of the 2021 Part L uplift to the Building Regulations set national minimum energy efficiency standards. A further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continues to decarbonise.

Part C only state that renewable energy measures should be installed on every building and only when it is feasible. This seems to mean that it might be optional, and developers will be able to demonstrate it is not feasible for any reason, most likely viability. There seems little chance of this policy being delivered.

Part D is contrary to what has been agreed in the Statement of Common Ground. Notwithstanding this a 100 litre per person per day limit is quite high compared to development proposals in the South which can achieve much lower.

Part I is not clear to developers because many of the requirements are “should” which are likely to be considered optional, it is not clear why they have been written this way but the evidence is light and the Justification does not directly relate to all of the points should or must requirements of the policy.

The policy relies on unrealistic assumptions and gives too much flexibility for interpretation.

Regardless of the numerous traffic studies done to date ECC have pushed assessment of the schemes traffic impact on the road network to the developer to assess. Thus, letting them set targets for the link road completion and other mitigating measures to be implemented. Leaving the assessment to how many houses can be built without a fully functioning RTS and link road in place, to Cllrs, who are unqualified to make those assessments, is deeply concerning. Specific triggers need to be included within the DPD as a reference to what can be considered policy compliant. Leaving such critical details to the planning application stage is reckless and unacceptable.

Unless radical measures are successful in persuading drivers to switch to walking, cycling & using public transport before TCBGC phase 1, extra traffic from TCBGC will significantly worsen congestion. Especially along the A133 & A134 corridors. A real change in travel habits (in all areas) is needed to free up capacity for additional journeys by essential vehicles as well as Active Travel, yet there is no security that this can, or will take place.

The DPD manages to be uniquely both alarming and unambitious with regard to public transport. There are no plans to increase the frequency of rail services, and no proposals for a new rail station at or near TCBGC. The proposed 'Rapid Transit System' is not a tram, but a bus, which will only be separated from traffic for part of the way, and will not provide a fast link to Colchester North mainline. The Park & Choose is unproven and unlikely to significantly reduce congestion. This can be evidenced by the failure of the ECC Park & Ride facilities off the A12.

The DPD is therefore heavily dependent on Active Travel, with over ambitious targets for cycling and walking. Achieving these ''aspirational'' targets would put Colchester on a par with Amsterdam, and catapult Colchester to the top of the UK cycling league; way ahead of Cambridge. We very much doubt this is even remotely achievable.

Wivenhoe and other settlements are likely to receive a significant amount of traffic and air pollution from TCBGC, which the mitigation measured outlined comes nowhere near resolving. Indeed, Colchester has AQMA zones which additional significant development will contribute to, especially as the scheme does not integrate well with existing public transport.

The link road from the A133 to the A120 and a 'state of the art' rapid transport system were recognised as essential for this development. The DPD is deceptively unclear that the entire link road will not be provided from the outset. No timing for its full delivery is given, nor the implications of this not ever happening discussed why is our greatest fear and looking highly possible. Traffic issues on the A133 will not only affect existing local communities but also Garden Community residents.

There is no discussion of the RTS route in the DPD itself nor is justification given for the route implied in the supporting transport evidence. The costs of building the RTS and reconfiguring junctions are not discussed at all.

The proposed mitigation measures associated with the project are set to go ahead across the entire road network of Colchester. Although this investment is welcomed, a lot of the mitigation appears to be there to tackle general rises in traffic, which are unrelated to the GC and therefore we do not see how the developer will be convinced to pay for it as part of a s106 agreement. The park and chose is not planned for the first phase and the RTS so will do nothing to reduce the existing traffic congestion on the A133. It is much more probable a dedicated bus lane will increase traffic congestion by reducing road capacity at Greenstead roundabout by half on the west bound route- where most of the of existing congestion occurs.

There is so little detail of what the mitigation measures will be, it is impossible to comment on if they will have a positive impact. The parish are qualified to know what would work for Wivenhoe as we are familiar with travel behaviour there. They fail to see how adding various crossings and junctions on the A133 will do anything

but slow the road down for both cars and the public transport that uses it. Also, as part of the side road orders ECC have set a 20mph speed reducing on both carriage ways around the link road roundabout, therefore further reducing traffic flows.

A safe walking or cycling route, from Wivenhoe (or any of the surrounding settlements), to a secondary school, would make a difference to the amounts of car-based parents getting their children to school. This is completely absent from the mitigation measures.

The Policies Map has the RTS joining the A133 at the junction with the B1027. However, this junction provides access from Wivenhoe and other communities all the way to Brightlingsea into Colchester. This junction works reasonably at present, but can be subject to tailbacks. Reconfiguration works of this intersection will create severe and unnecessary problems. A more direct RTS route, to a junction opposite the current Knowledge Gateway site (where the bus lane is proposed to start from) would be far more productive. Yet the local authorities seem reluctant to commit to where any new junctions will be and what their format will be. This is bound to create problems for the decision makers, as they may be faced with a scheme that does not compere to the DPD. Also, it raises questions as to whether the viability has adequately covered them. Additionally, all the pedestrian and cycle crossings (up to 4 new ones are shown on the DPD maps) on the A133 should be provided via bridges as these would be safer for users and prevent increased delays for vehicle-based traffic along the A133. Again, this has cost implications we do not think have been covered by the viability.

The RTS routes on site can of course be designed to be of use from the start of the project. However most off-site destinations (work, retail and leisure) have gradually been relocated to sites that are far more accessible by car and less accessible by other means. Destination dispersal is ignored in all the evidence base. It is becoming even more evident in Colchester that customers are moving away from the town centre that is easy to commute to by public transport, in favour of 'out of town' retail and leisure parks. Commuting to these destinations on public transport takes twice as long on average compared to getting to the town centre.

The local authorities are not willing to introduce effective initiatives such as a congestion charge, increased public parking fees, the removal of on street parking on bus routes, or the removal of free employer parking in the city centre. This significantly reduces the measures available to combat congestion caused by the Garden Community.

A huge problem in Colchester comes from the large amounts of free, or cheap employer parking. The simple solution for Councils to control private parking would be the introduction of a Workplace Parking Levy, but no one is prepared to do this.

The DPD documents give modal share figures up to 2041 and 2051. However, these predictions are not evidence based, and there are no comparable examples in the country that back up the LA's predictions. Also looking too far into the future cannot take account of unknown technology advances or changes in behavioural patterns.

The DPD's in their current state do not offer the decision makers any route to prevent or reverse the building program in the future when the realities of failed modal shift are realised.

There is no identified funding stream to prop up the RTS, even though the current park and ride service for Colchester has not been financially successful and still requires large subsidises from ECC to keep it operating. This current Park and Ride has also not achieved its principal aim of reducing peak congestion.

To comply with Policy SP6.1 of the local plan the DPD needs to give details of Route 1. We believe this should include schematic drawings for any bus lanes routes proposed (and not as an illustrative only) within the GC, with a full specification of what the stops include, and the location and description of all signal priority measures along the route (when it is not possible to provide a dedicated bus lane). We have not been able to review any of these.

Clarification is also needed on the 'Express Route' to North Station and the location of the park and chose. We are particularly concerned about the use of a 'temporary' site, followed by a 'permanent' site. There is no explanation of why it is necessary, or desirable to do this as it will greatly increase the total cost. This also makes determination by the decision maker extremely difficult.

The route for the RTS does not link up with the university campus (only a stop adjacent to the Knowledge Gateway) or local bus routes from Brightlingsea via Wivenhoe to Colchester, new residents travelling from the Garden Community would not be able to interchange to the local bus network which gives access to the industrial/commercial sites. For at least the first phase of the development secondary school age children would need to access either Greenstead or Brightlingsea for their nearest school and neither are commutable by bus from the Garden Community.

In conclusion the DPD and associated reports are too lacking in detail on the RTS to be able to judge fully its potential effectiveness and viability. Even if there was not a Section One policy requiring this detail, the continued contradictions and omissions render the DPD inadequate.

Given the overspend associated with the link road we cannot understand why there has been no such problems with the RTS given it has many similar elements. We can only assume that the overall scheme has been downgraded which would be in direct conflict with the advice of the Section 1 Inspector that said the only way to achieve success was to plan for the highest specification considered to

date. Unless there is an undertaking from ECC incorporated into the DPD to make up losses in the early years beyond the developer's contribution, the RTS does not have a 'sustainable' financial position.

It is extremely worrying that the DPD fails to mention at any point the extreme difficulties there are with the delivery of the link road. Given that this site was only rated as sustainable in the sustainability appraisal, based on securing both the link road and a 'state of the art rapid transport system', WTC does not see how it can still be considered the most appropriate site, or indeed sustainable at all, without both measures being proven as deliverable-which the DPD fails to do.

We also note that critical funding (all had assumed would arrive) for the A120 has failed all government RIS applications. Yet this does not seem to have limited ambition to push more traffic onto it. Section 1 of the local plan (6 Infrastructure and Connectivity – 6.11 page 32), includes the statement that :- 'ECC and Highways England have progressed work with regards a new and improved A120 between Braintree and the A12. The new A120 is necessary to help address the volume of existing A120 movements which by far exceeds the current standard of carriageway provision. The route will be instrumental in catering for growth in the corridor and will provide a better route for freight traffic, improve safety and relieve existing communities from a range of externalities such as through traffic, noise, severance and poor air quality. ECC has identified its favoured Route D which would join the A12 south of Kelvedon. In March 2020, the government announced its Road Investment Strategy (RIS2) which included a commitment to progressing further development work on the A120 dualling to prepare the scheme for delivery.'

Lastly Section One SP6 requires that 'sustainable transport measures' be in place from first occupation'. But there is not a defined start date for the RTS in the DPD.