CLG Further Statement on Main Matter 9 (GC Policy 9) Infrastructure Delivery, Impact Mitigation & Monitoring

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

Will the Council's monitoring and review processes for the DPD be effective in assessing the success or failure of delivery and what alternatives might reasonably be provided if necessary?

Whilst it can be said that the requirements of the Policy to deliver the 'required infrastructure to support the development' … 'in a timely and, where appropriate, phased manner' are fully justified by the basic needs of communities in any locality, such as nursery facilities and a primary school, GP healthcare facility and community space, specific details of such 'infrastructure to support the development', whilst listed helpfully in the DPD glossary, are noticeably absent in the text of Policy 9, which talks generally about infrastructure without any prioritisation and also fails to define what constitutes delivery 'in a timely manner'.

The TCBGC Infrastructure Delivery Phasing Funding Plan (p5) states: 'There is a general requirement for infrastructure to be in place at the time it is needed and aligned with each phase of development. This leads to a general front-loading of requirements to ensure that the impacts of growth can be satisfactorily accommodated, and that certain services and facilities are available to people from when they are needed.' The delivery of homes needs therefore to be clearly and quantifiably linked to the delivery alongside of specific infrastructure to support those homes, with a specific ratio of homes to specified infrastructure and further planning permission not provided for the next swathe of dwellings until such infrastructure provision is met. Currently this is not the case and without such SMART (Specific Measurable Achievable Realistic and Time-bound) objectives built in to the DPD, no clear plan or accountability can be said to exist, and developers may not be held to account for non-delivery, measures of infrastructure delivery success cannot be ascertained.

The importance of 'writing in' the types of infrastructure specifically and in relation to specific numbers of dwellings, which is currently not the case in the DPD but needs to be, also draws evidence from the local context of oversubscribed education (nursery and primary) and healthcare facilities in the local communities of Elmstead Market and Wivenhoe. Ensuring these extremely important infrastructure facilities are named, committed to and their provision inextricably linked to simultaneous building of first houses in neighbourhoods in the Garden Community will avoid pressure on these already oversubscribed facilities in surrounding communities. It also means there is no reason to seek this provision further afield from the Garden Community, and thus avoids putting pressure on already congested local road infrastructure, either into Colchester or to Wivenhoe or Elmstead Market. It will also help to fulfil other objectives for the Garden Community as in modal shift, as these facilities should be in walking distance of homes, so no need to use the car.

This requirement is also in line with GC Policy 6: Community and Social Infrastructure which states that: 'The provision of a local centre within each of the neighbourhoods will provide residents with access to services and facilities, reducing the need to travel and contributing to the creation of 'walkable neighbourhoods' and 'Infrastructure first is a Garden Community principle'.

I would respectfully request the Inspector therefore to include as main modifications in their recommendations to embed specific detail and timings about these key fundamentals of infrastructure that need to be in place as the first occupants of the Garden Community move in. This will also help to attract residents / families – in line with the new development being a 'great place to live, work and play'.

And similarly whilst it is appreciated that an IDPFP (Infrastructure Delivery Phasing Funding Plan) exists, it is suggested that a greater level of prescription of infrastructure from that IDPFP be tied in

with each phase of the development specifically in terms of allocation per numbers of dwellings built. This again is essential to be able to link delivery with desired metrics of success, and to act as a trigger for further permissions to be granted and allow build out in a controlled way and ensuring garden community principles of 'infrastructure first'. So whilst the national and local evidence justifies the rather general provisions of infrastructure delivery in the DPD, the descriptors thereof are not at all stringent enough nor linked stringently enough with phasing, it is suggested, to drive and maintain a controlled delivery to measure (monitor) and ensure success.

This approach applies equally to financial viability assessments which need to be firmly linked to individual phases 1-4 as defined in the IDPFP. This allows for responsible financial management in self-contained viability 'chunks' or accounting periods, which will also permit ongoing control and monitoring of solvency/viability over the 30+ years of the development, with all the variability of costs, legislation and other unforeseen factors over that period. This will allow the granularity necessary to make decisions, adapt and mitigate at a local and current level when / if unexpected risks or threats occur, without threatening the development as a whole.

With regard to road infrastructure, whilst this is specifically dealt with under Main Matter 7, Movement and Connections, it is deemed nonetheless vital to state here how essential to the success and aspirational goals of the Garden Community – as well as attractiveness to potential homebuyers - is the delivery of the full link road infrastructure before the building of housing, in true garden community 'infrastructure first' style. As discussed in that statement, all evidence indicates that a less highly specified design, with light-controlled junctions on a single carriageway for the 2.4km stretch as opposed to expensive roundabouts on the same carriageway, dualled, and replacement of a very costly grade-separated dumbbell junction for an 'at grade' roundabout like those that have existed on the arterial A1 for decades, should at the very least be explored and could make this feasible.

This would then have the effect of removing the need for impact mitigation of a link road that does not link and the absurdity of a dual carriageway that goes nowhere – and may not link for 7, 15 or 20 years or ever, depending on many factors over which the Councils have no control. Now is the time to adapt the design to match the purse available – all the evidence points to the desirability and benefits for all, future residents and existing communities, of the linking of the A133 and the A120, the HIF funding was provided for it, it is entirely justified – but in its entirety and from the outset. Otherwise there is the real danger of it becoming a huge white elephant – and the longer that a road is not used, the more it deteriorates, potentially leading to more monies to maintain it whilst it is waiting for funds to be made available to complete it – and who can specify or legislate when that might be? There is currently no specific trigger or commitment to this end written into the DPD, nor, for that matter, in the IDPFP. In fact, this still states on p21 that 'The A120-A133 Link Road received planning permission in 2021 and is scheduled to open in 2026' even though p24 lists under Other transport measures and improvements:

> 'A120/A133 Link Rd: new dual carriageway link: Secured funding via the Housing Infrastructure Fund. Contributions to enable delivery of the Link Road (HIF monies with gap funding via developer contributions).' (IDPFP, p24)

and under '***Transport measures – phasing of provision***'

> 'Mitigation Phase 1 aligned with first completions in 2026 through to the end of the Local Plan period in 2033, with measures required broadly in line with Phase 1 of the Garden

> Community. This also includes delivery of the HIF & developer funded A120-A133 Link Rd and wider RTS works.' (IDPFP, p25)

Indicating that it may not be completed until 2033, seven years after the first housing is built in 2026.

A fully connecting link road was deemed to be fundamental to the soundness of the TCB Garden Community by the last inspection and on it hang very many of the Garden Community's goals and aspirations. To leave it undone is to strike at the very heart of the soundness of the project. I would therefore urge the Inspector to include the CLG proposals – to complete the link road with this simpler, more appropriate and less costly design from the outset and to re-route the RTS using this same link road for a different non-A133 access to Colchester and other destinations – as main modifications in his inspection report to transform this aspect of the DPD from what is otherwise seriously unsound, the weakest link (no pun intended) and which may even see the vision of the TCBGC dashed entirely, to a transport infrastructure plan that is sound, pragmatic, attractive to home-buyers and meets all its aspirations.

Finally, with regard to monitoring, the DPD p105 currently sets modal shift and travel behaviour change targets for the developer to deliver that are unprecedented anywhere in the UK with the threat of withholding further planning permissions unless these targets are met, stating 'Permission for latter phases of development may not be given if modal split targets for early phases are not being met'. At the same time these targets have been made impossible to fulfil given the ill-thought out Route 1 for the RTS and the lack of joined up link road. And these are things which you cannot make people do; such targets are unrealistic, given the clear obstacles - people will always fall back on whichever is easiest and most convenient. There is also the question of how this will be monitored – there need to be clear and quantifiable targets set in the DPD with transparent and agreed mechanisms for assessment – and currently there are not.

Community Liaison Group Statement, GC Policy 9 Infrastructure Delivery, Impact Mitigation & Monitoring, TCBGC DPD Examination in Public

16 April 2024