GC POLICY 9: INFRASTRUCTURE DELIVERY AND IMPACT MITIGATION

RE9 Support

Summary of representations:

Anglian Water welcomes the policy requirement to ensure developers work positively with other infrastructure providers throughout the planning process to ensure that the cumulative impact of development is considered and then mitigated, at the appropriate time. As outlined in the IDPFP, Anglian Water publishes an infrastructure charging schedule for connection to our water supply and wastewater networks. As most of the site is under the control of a master-developer, it is considered this should assist with preparing a consistent and efficient approach for planning and phasing infrastructure requirements across the site.

Summary of representation changes to plan:

None

Response:

Support and comment noted. Amendments are suggested to the Infrastructure Delivery Phasing & Funding Plan (IDP) February 2023. The IDP will need to be monitored, reviewed and updated as the policy framework evolves over time (at both local and national levels), and as planning applications come forward.

The schedule of infrastructure requirements and supporting text is therefore treated as 'live' to be updated regularly and monitored over time. The further information provided by way the advise from Anglian Water will inform the next annual update to the IDP and will feed into on-going pre-application discussions and developer engagement.

Action:

None

124

Respondent: Anglian Water Services Ltd (Ms Tessa Saunders, Spatial Planning Advisor) [40]

Change suggested by respondent:

-

Attachments: None

Support

Summary of representations:

Need to ensure there are mechanisms in place to ensure the intent of this section is delivered.
Need to give a higher priority to the A133/A120 link road provision. That link road must be in place before development starts, otherwise other communities east of Colchester will suffer increased delay and disruption.

Summary of representation changes to plan:

None

Response:

Support and Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

Action:

None

172

Respondent: Mr Andrew Scott [141]

Change suggested by respondent:

-

Attachments: None

Object

Summary of representations:

Soundness Objection: Plan text not fully 'justified' as it omits reference to key infrastructure in the form of ambulance, police & firefighting facilities.

Infrastructure Delivery Phasing & Funding Plan:
For the purposes of Strategic Masterplan assumptions, the requirements and phasing of ambulance infrastructure/ facilities and delivery can be assigned into the 4 x phases as shown in the table on page.16 of attached document.

Summary of representation changes to plan:

Amend Justification Text: Para 1, Page 129 to read:
"The Garden community will require the provision of new physical infrastructure such as footways, cycleways, roads, and sewers; social infrastructure such as health, ambulance, police, firefighting, education and community facilities, and green infrastructure such as open and recreational spaces."

Amend Glossary Text: Infrastructure, Page 149 to read:
"Infrastructure means any structure, building, system, facility and/or provision required by an area for its social and/or economic function and/ or well-being including (but not exclusively): footways, cycleways and highways; public transport; drainage and flood protection; waste recycling facilities; education and childcare; healthcare; ambulance, police & firefighting facilities; sports, leisure and recreation facilities; community and social facilities; cultural facilities; emergency services; green infrastructure; open space; affordable housing; broadband; facilities for specific sections of the community such as youth or the elderly."

Response:

Comments Noted. The policy is considered sound, however, upon further assessment the Councils consider that a proposed change to the DPD could be appropriate. See SoCG for further details.

Comment on the Infrastructure Delivery Phasing & Funding Plan (IDP) noted. The IDP will need to be monitored, reviewed and updated as the policy framework evolves over time (at both local and national levels), and as planning applications come forward. The actual scope and scale of infrastructure requirements will be subject to change as a result of more detailed consideration of specific proposals and their impacts, changes in the wider context and ways of living, and potential changes to plans/strategies or priorities provided by infrastructure providers, including the EEAST.

The schedule of infrastructure requirements is therefore treated as 'live' to be updated regularly and monitored over time. The further information provided by way of Rep ID.264 will inform the next annual update to the IDP and will feed into on-going pre-application discussions and developer engagement.

Action:

SoCG prepared with Health Bodies, modifications to policy text suggested.

258

Respondent: East of England Ambulance Service NHS Trust (Ms Zoe May, Head of Business Relationships) [161]

Change suggested by respondent:

Change Requested: Amended Paragraph & 5th bullet point below it to read:
Paragraph change - "The main requirements covered in this Plan, as set out in the policies of the adopted Section 1 Local Plan, and based on the evidence of key infrastructure providers include:
5th bullet point change;
• "Addressing education, healthcare, ambulance, police, firefighting, leisure and sports"

Attachments:

EEAST Reps - https://tcbgardencommunity.oc2.uk/a/sq
EEAST Evidence - https://tcbgardencommunity.oc2.uk/a/tr

259

Respondent: East of England Ambulance Service NHS Trust (Ms Zoe May, Head of Business Relationships) [161]

Change suggested by respondent:

Change Requested: Amended Paragraph to read:
"The Garden community will require the provision of new physical infrastructure such as footways, cycleways, roads, and sewers; social infrastructure such as health, ambulance, police, firefighting, education and community facilities, and green infrastructure such as open and recreational spaces."

Attachments:

EEAST Reps - https://tcbgardencommunity.oc2.uk/a/sq
EEAST Evidence - https://tcbgardencommunity.oc2.uk/a/tr

260

Respondent: East of England Ambulance Service NHS Trust (Ms Zoe May, Head of Business Relationships) [161]

Change suggested by respondent:

Change Requested: Amended Paragraph to read:
"The councils will seek contributions from developers to fund improvements to existing infrastructure and the environment and new infrastructure contributions will be made through the Community Infrastructure Levy (if adopted) which applies a standard charge to developers to fund supporting infrastructure such as transport, schools, community facilities and health, ambulance, police and firefighting facilities, and/or Section 106 agreements which address the provision of affordable housing and more site-specific infrastructure requirements."
The Garden community will require the provision of new physical infrastructure such as footways, cycleways, roads, and sewers; social infrastructure such as health, ambulance, police, firefighting, education and community facilities, and green infrastructure such as open and recreational spaces."

Attachments:

EEAST Reps - https://tcbgardencommunity.oc2.uk/a/sq
EEAST Evidence - https://tcbgardencommunity.oc2.uk/a/tr

264

Respondent: East of England Ambulance Service NHS Trust (Ms Zoe May, Head of Business Relationships) [161]

Change suggested by respondent:

Update the 'Summary Table: Total Infrastructure Requirements and Phasing of Delivery' as shown in the table on page.16 of attached document.

Attachments:

EEAST Reps - https://tcbgardencommunity.oc2.uk/a/sq
EEAST Evidence - https://tcbgardencommunity.oc2.uk/a/tr

Object

Summary of representations:

Generally, the principle of Chapter 9, including GC Policy 9 'Infrastructure delivery and Impact Mitigation' of the DPD is supported. The Chapter seeks to ensure the Garden Community delivers the required infrastructure to support the development in a timely manner, but also recognition that where appropriate, infrastructure may need to be phased.

Summary of representation changes to plan:

Modification to wording of GC Policy 10, see SoCG for further details.

Response:

Comments noted. The Plan is considered to be sound, is in accordance with the NPPF and based on a robust evidence base. As per the viability analysis evidence base, the methodology adopted by Gerald Eve reflects a 'Master-Developer' approach to this scheme reflective of Latimer's role.

The approach of one overarching and comprehensive outline planning application with a related, comprehensive S106 agreement to cover an appropriate land area to be delivered by the developers (acting as Master-Developer) is appropriate. Upon further assessment the Councils consider that a proposed change to the DPD could be appropriate with regard to wording relating to land within the Garden Community area that is not included in planning applications submitted by Latimer, and with regard to an additional reference to the ability of proposals to achieve policy requirements, and where viability is a consideration in the ability of achieving such overall requirement. The wording would provide clarity that viability assessment would only be required if proposals were not achieving requirement due to viability matters.

Action:

Statement of Common Ground is being prepared between the Councils and Latimer. Modification suggested to wording of GC Policy 10 Part A and justification text. Reference to CIL to be resolved.

238

Respondent: Latimer (Tendring Colchester Borders Garden Community) Developments Limited [127]
Agent: Lichfields

Change suggested by respondent:

- Part A, point 1, amendment proposed to S106 and CIL references.
- Part B, removal of requirement for a Viability Assessment is parties are in agreement regarding planning gain provisions (not including HIF recovery).

Attachments:

Latimer Reps - https://tcbgardencommunity.oc2.uk/a/sp

Object

Summary of representations:

' Where infrastructure cannot be provided within, or is not appropriate to be located on, the Garden Community site itself, developers will be expected to make a contribution to the cost to provide the infrastructure elsewhere'
So if needed, where will this end up being?????

Summary of representation changes to plan:

None

Response:

Comment noted. The Plan is considered to be sound, is in accordance with the NPPF and based on a robust evidence base including infrastructure provision, phasing and delivery. The policy wording has been found sound in other Essex local and neighbourhood plans.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' and the transport evidence reports indicate where offsite mitigation may be considered necessary. Whether off-site infrastructure is considered necessary and appropriate will depend on the type of infrastructure and the requirements of the infrastructure provider. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

Action:

None

76

Respondent: Mrs Sasha Phillips [91]

Change suggested by respondent:

If you are not sure, more planning is therefore needed!

Attachments: None

Object

Summary of representations:

The TCBGC viability requires the early provision of the A120-A133 Link Road. In 2020 the GC team secured HIF funding for the Road which would be completed prior to any new homes' occupation.
The Councils announced in February 2023 insufficient funds for the full Road and would first build an A133 access section of the Road and would complete the Link Road an undefined time later, probably through s.106 funding, all within a non-binding MOU with the GC developer.
This radically different plan must be developed for, and examined in detail by, the Inspector to judge its soundness and viability.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

Action:

None

101

Respondent: Mr Philip Robinson CBE [74]

Change suggested by respondent:

As the A120-A133 Link Road is such a fundamental enabler for the GC, this radical change of approach (currently with no certainty re it's outcome) must be developed to a level of confidence in the approach (and in its impact on traffic congestion) and then included within, or linked to, the Development Plan Document .

In addition the detail of the feasibility of the new Road plan must be independently examined, under the direction of the Inspector. The plan and its examination must include the time frame for the completion of the complete Link Road, details of the total funding mechanism, the impact on traffic flows/congestion over the full construction period, the maximum number of dwellings to be occupied prior to the full road opening, and the contingencies included in the plan to ensure that this plan WILL deliver.

As this new Road Plan represents a fundamental change to the infrastructure first concept of the TCBGC, arguably this radically revised plan should also be subject to public consultation.

Attachments: None

Object

Summary of representations:

I have raised concerns in my previous statements that will address this matter.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

Action:

None

159

Respondent: Mrs Susan Burns [69]

Change suggested by respondent:

I have raised my concerns in previous statements that will address this matter.

Attachments: None

Object

Summary of representations:

This is a very vague section of the Plan with little commitment to funding other than through references to possible sources. Given the link road was a key selling point of the scheme, it is concerning that full funding for this is not in place and that it is proposed to build a section rather than the whole road. A community of the scale planned will place significant demands on existing infrastructure and will impact upon existing roads and communities. The link road would help mitigate these.

Summary of representation changes to plan:

None.

Response:

Comment noted.

The policy wording has been found sound in other Essex local and neighbourhood plans. The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

Action:

None.

167

Respondent: Mr Christopher Burns [140]

Change suggested by respondent:

The link road must be built before development begins. If the intentions only to part build the road, the question arises as to whether the Plan is sound as it does not then meet garden community criteria.

Attachments: None

Object

Summary of representations:

- Timely requires clarification, too ambiguous.

Part A

- Off-site capacity improvements supports rumours of temporary school classrooms, and compromises infrastructure first principles.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

The DPD includes policy requirements for school provision which will be phased with development.

Action:

None

187

Respondent: Elmstead Parish Council (Mrs Angela Baxter, Parish Clerk) [145]

Change suggested by respondent:

-

Attachments:

EPC Representation - https://tcbgardencommunity.oc2.uk/a/tc

Object

Summary of representations:

The CLG do not believe that the councils have gone far enough in identifying specifically the infrastructure required for each 'neighbourhood' together with formalising its introduction to align with building homes from the start; that this specification, found to a large part in the Infrastructure Delivery, Phasing and Funding Plan (IDP) should be embedded within the policy where it prescribes these measures, a fundamental flaw has been introduced into the soundness of the DPD and the TCBGC project in allocating £21 million, needed to fully complete the A133-A120 link road, to an ill thought-out, time-limited and extraordinary costly RTS route.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination, including specific requirements for each neighbourhood.

RTS routing options were explored as part of the Section 1 Local Plan RTS evidence base.

Action:

None

190

Respondent: TCBGC Community Liaison Group [104]

Agent: Mrs Manda O'Connell

Change suggested by respondent:

The CLG proposes instead that that same amount is used to fully complete the Link Road, introducing an RTS route that utilises the link road onto the A120 and in an anti-clockwise route around Colchester, using roads which are already fit for purpose, and in some cases (Elmstead Road, Capon Road and Boundary Road) are already dedicated bus routes (First Buses services S1 and 87).

It is the CLG's contention that the Housing Infrastructure Fund should indeed be spent on the necessary Link Road infrastructure it was provided to underpin, and doing this first, coupled with the better proposed RTS route described and shown in the attached document Alt_RTS_Route, will enable the Garden Community to achieve the modal shift required as well as relieving congestion on neighbouring road infrastructure, rather than adding to it as the current plan will do, and will replace the current plan which at great expense will only last 10 years by the author of the TCBGC Transport Evidence Base Part 2 Measures report own admission (p5) for a plan which has the capacity to support a thriving population of 17K plus fifty years and beyond, and achieve the goals and aspirations of the TCBGC – in fact it is fundamental to their achievement.

Attachments:

Alt_RTS_Route.pdf - https://tcbgardencommunity.oc2.uk/a/n

CLG Rep GC Policy 9 - https://tcbgardencommunity.oc2.uk/a/td

Object

Summary of representations:

This statement: "Proposals will need to make financial contributions to the wider local transport infrastructure, including the A120-A133 Link Road and Rapid Transit System in accordance with the conditions of the Housing Infrastructure Fund." is the only part of the consultation that gives some acknowledgement to the fact that the 'A120-A133 Link Road' is not fully funded and cannot be completed without further contributions.
I object to the DPD progressing without the 'A120-A133 Link Road' guaranteed to be completed as per Garden Principles and the planning application, in one phase, prior to house building.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording referring to the Housing Infrastructure Fund meets the requirements of the HIF contract between Essex County Council and Homes England.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

Action:

None

200

Respondent: Mr Mark Cory [147]

Change suggested by respondent:

The 'A120-A133 Link Road' must be fully funded and completion guaranteed in advance of house-building on the site.

Attachments: None

Object

Summary of representations:

- Insufficient detail on which areas of infrastructure will be brought forward at what time, and how this relates to phasing and timing.
- An alternative solution should be considered with regard to the delivery of the Link Road, utilising the funding for the RTS to ensure timely delivery of the link road with its mitigation of surrounding road infrastructure.

Summary of representation changes to plan:

None

Response:

Comment noted. The policy wording has been found sound in other Essex local and neighbourhood plans.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination, including specific requirements for each neighbourhood.

RTS routing options were explored as part of the Section 1 Local Plan RTS evidence base.

Action:

None

216

Respondent: Mrs Manda O'Connell [105]

Change suggested by respondent:

- The Link Road should be brought forward before the RTS and the RTS re-routed.
- Embed specific detail and timings about these key fundamentals of infrastructure that needs to be in place as the first occupants of the Garden Community move in.

Attachments:

Manda OConnell - https://tcbgardencommunity.oc2.uk/a/sv
Manda OConnell - https://tcbgardencommunity.oc2.uk/a/sb

Object

Summary of representations:

We would like this chapter to include what would happen if the modal shift targets were not achieved. For instance - suspending all future building on site until modal shift targets were met.
Deeply concerned with viability work to date. Doubt would have passed section one hearings in current financial climate.
Refer Inspector to submission by William Sunnucks as we fully support the work on viability assessment.
We do not believe the project is currently viable.

Summary of representation changes to plan:

None

Response:

Comment noted. The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

Action:

None

247

Respondent: Wivenhoe Town Council (Mrs Joanne Beighton-Emms, Town Clerk) [96]

Change suggested by respondent:

-

Attachments:

Wivenhoe Town Council - https://tcbgardencommunity.oc2.uk/a/sg

Object

Summary of representations:

Minor amendment to text required re. percentage of journeys and clarity required over levels of modal shift to be achieved.

Summary of representation changes to plan:

Monitoring Indicator of SA Objective 7 on page 133, to be updated as follows:
Percentage of journeys to work, to education (and other land uses) by walking and cycling and percentage of journeys to work by public transport.

Response:

Comments noted. The policy is considered sound, however, upon further assessment the Councils consider that a proposed change to the DPD (with regard to Monitoring) could be appropriate to clarify text.

Action:

Added to Schedule of Modifications.

249

Respondent: Mr TIM BATTS-NEALE [131]

Change suggested by respondent:

See attachment.

Attachments:

DPD Submission Version comments All Tim Batts-Neale.docx - https://tcbgardencommunity.oc2.uk/a/v

Object

Summary of representations:

We are concerned that the delay to the Link Road and the phased delivery of this may undermine the claim that the project will deliver infrastructure first. This is important at very stage for credibility of the project .

Consultation regarding expanded development area A triangular area around Jubilee Lane to the northwest of the maps was added in to the development area at the final stage. There are houses and businesses in this area which had hitherto been unaware that they may form part of the Garden Community. We asked in February for these residents to be directly notified.

Summary of representation changes to plan:

None

Response:

Comments noted.

The proposed approach to phasing the Link Road has been agreed between Essex County Council and Homes England who administer the Housing Infrastructure Fund.

The principle of development has been established by way of the adopted Section 1 Local Plan which under Policy SP6 requires planning consent and full funding approval for the Link Road to have been secured before planning approval is granted for any development at the garden community. There is no requirement for the Link Road to be completed before other development is commenced. Notwithstanding this, the impact of any development must be appropriately mitigated, and this will be considered as part of a future planning application through the applicant's Transport Assessment (TA), regard to the DPD transport evidence base and the full range of transport related planning application requirements detailed in DPD GC Policy 7, Part K. The TA would need to cover requirements related to any 'trigger' for when Phase 2 of the Link Road will be required.

The viability evidence (and the Infrastructure Delivery, Phasing and Funding Plan) prepared on behalf of the Councils demonstrates that the identified increased costs for the Link Road could be met by the developer.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' provides details on infrastructure provision for the garden community. This will be a detailed matter for any future garden community planning application and associated Section 106 agreement when it comes forward for determination.

The Councils have satisfied their statutory requirements with regard to consultation at all appropriate stages, including at Regulation 19 and Regulation 19, as outlined within the Submission Version Consultation Statement.

Action:

None

177

Respondent: Ardleigh Parish Council (Ms Rachel Fletcher, Parish Clerk) [143]

Change suggested by respondent:

Write to residents and businesses in the development area- especially the expanded area. Or confirm when this has happened.

Attachments: None

Object

Summary of representations:

The challenges of delivery need to be recognised. New settlements of 7500 dwellings have rarely (if ever) been delivered since 1970. Please see my appendix 1.

The project isn't financially viable. Please see my appendix 2.

TCBGC doesn't own the land or have any agreement in place with the landowners for land value capture. Please see my appendices 3, 4 and 5.

Summary of representation changes to plan:

None

Response:

Comments noted.

The viability evidence prepared by Gerald Eve has considered the viability of the scheme including all identified infrastructure requirements. This has concluded that the scheme is viable and deliverable, with suitable costed allowances for a broad range of new and improved local and strategic infrastructure. Delivery of the infrastructure has been phased based upon an assumed overall development trajectory and approach to scheme phasing.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' alongside other documents within the evidence base provide further detail on the overall infrastructure context and requirements related to the garden community. This Plan has been prepared as a 'live document' which will be updated as more detail emerges and as the context changes during the lifetime of the development.

The Councils consider they have struck an appropriate balance between setting out a number of specific infrastructure improvements, which are set out across the policies in the DPD, whilst also recognising that a degree of flexibility will be appropriate to ensure that any such infrastructure and/or proposed mitigations remain appropriate and suitable at the point they are considered needed.

The policy requires developers to make direct provision or contribute towards the delivery of relevant infrastructure as required by the development either alone or cumulatively with other developments, as set out across various policies in the DPD and in accordance with the 'Infrastructure Delivery, Phasing and Funding Plan', where such contributions are compliant with national policy, guidance and legal tests

This precise scope of infrastructure requirements and impact mitigation will be subject to the proposals that will come forward and be better defined by future planning application/s and their technical assessments. This will be a detailed matter for any future planning application/s and associated Section 106 agreement/s when they comes forward for determination, including specific requirements for each phase and neighbourhood.

Action:

None

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Respondent: Mr William Sunnucks [113]

Change suggested by respondent:

The IDPFP needs to be legally integrated into the plan - particularly important for Colchester.

We need a phase 1 financial appraisal which shows how the first 10 years can be delivered and monitored.

We need further MOUs with Latimer and Tendring and an agreed procedure for negotiating s106.

Compromises will be needed. There are three possible areas for cut backs i) external transport infrastructure (currently costing £110m including £21m for the link road) ii) sustainable infrastructure (currently costing £94m) or iii) social housing (currently costing £410m).

Attachments:

0 Consultation response .docx - https://tcbgardencommunity.oc2.uk/a/y
Appendix 1 - New towns - The track record.docx - https://tcbgardencommunity.oc2.uk/a/p
Appendix 2 - Viability.docx - https://tcbgardencommunity.oc2.uk/a/q
Appendix 3 - Colchester's resolution explained.docx - https://tcbgardencommunity.oc2.uk/a/sr
Appendix 4 - Land Ownership - https://tcbgardencommunity.oc2.uk/a/sk
Appendix 5 - Cash Contributions - https://tcbgardencommunity.oc2.uk/a/sz
Appendix 6 - Extracts from Latimer's published accounts - https://tcbgardencommunity.oc2.uk/a/sm
Appendix 7.2 Welborne - https://tcbgardencommunity.oc2.uk/a/sn
Appendix 7.2 - The Master Developer Business Model - https://tcbgardencommunity.oc2.uk/a/sy

Monitoring

Object

Summary of representations:

The NHS and in particular Colchester general hospital is already at breaking point and the envisaged demands placed on it by the influx of another 18 thousand plus people is unstainable.
Unless the development is going to have its own hospital current services will only be made worse.

Summary of representation changes to plan:

None

Response:

The Councils are working with all relevant health providers as part of the garden community proposals and have prepared a Statement of Common Ground.

DPD policy makes provision for healthcare, however, a new hospital is not proposed on the site and the NHS does not consider this necessary.

The DPD 'Infrastructure Delivery, Phasing and Funding Plan' alongside other documents within the evidence base provide further detail on the overall infrastructure context and requirements related to the garden community. This Plan has been prepared as a 'live document' which will be updated as more detail emerges and as the context changes during the lifetime of the development.

The Councils consider they have struck an appropriate balance between setting out a number of specific infrastructure improvements, which are set out across the policies in the DPD, whilst also recognising that a degree of flexibility will be appropriate to ensure that any such infrastructure and/or proposed mitigations remain appropriate and suitable at the point they are considered needed.

This precise scope of infrastructure requirements and impact mitigation will be subject to the proposals that will come forward and be better defined by future planning application/s and their technical assessments. This will be a detailed matter for any future planning application/s and associated Section 106 agreement/s when they comes forward for determination, including specific requirements for each phase and neighbourhood.

Action:

None

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Respondent: Mr Gary Plummer [23]

Change suggested by respondent:

The development is unsustainable and the number of people and houses will be an even bigger burden on our health facilities.
The development needs to be abandoned, as no developer is going to have the funds require to facilitate the wealth fare system required.

Attachments: None

Object

Summary of representations:

Monitoring is a powerful tool in assessing the effectiveness of this DPD if the target for every important parameter (that can positively differentiate the outcome of this GC from previous housing developments)is numerically specified from the outset. Only a proportion of the relevant parameters are listed in this DPD and there are no numerically specified targets. The latter is important to inform the Inspector of the expectation for the GC and can later be used by the Councils in their controls to achieve successful outcomes throughout the delivery process. This Monitoring plan as currently stated is not a sound approach.

Summary of representation changes to plan:

Details to follow.

Response:

Comments noted. The Councils consider the Plan to be sound, however it is recognised that there should be a clear link between polices and the monitoring indicators to ensure a robust and successful outcome.

Action:

The Councils are reviewing all monitoring indicators, particularly in light of the updated Heritage Impact Assessment and ongoing discussions with Historic England, and will provide recommended changes to the Inspector.

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Respondent: Mr Philip Robinson CBE [74]

Change suggested by respondent:

As examples, I will concentrate my comments on para 9 and para 6 of the Monitoring List, although a similar process should be applied to all the paras listed in the DPD:

- as currently stated in para 9 the conservation of historic and cultural heritage is to be recorded only if Grade1 and 11+ buildings ,nationally important assets ,and assets on the Colchester Local List are lost.The list must clearly be expanded to include harm as well as loss and, to those assets from the Tendring and Essex County Council lists . For example, the ECC list includes the protected lane that is Turnip Lodge Lane. As defined by the National Planning Policy Framework loss or harm to all designated or non-designated assets and their settings should be recorded and importantly avoided wherever possible.
The Councils should list all these assets and set a target of retaining all (as the list is small) and they should also commit to take all reasonable steps to minimise the detrimental effect on those assets whose setting is affected

- as the DPD has emphasised the importance of the current existing green infrastructure within the GC area, para 6 should set targets for a high percentage of existing hedgerows to be retained; similarly targets should be set for the percentage of existing trees to be retained and; the proclaimed “quiet lanes” should be stated to be retained. Separate green percentage area targets should be identified for the GC overall, for each of the housing development areas, and for the percentage of their accessibility by all.

Attachments: None