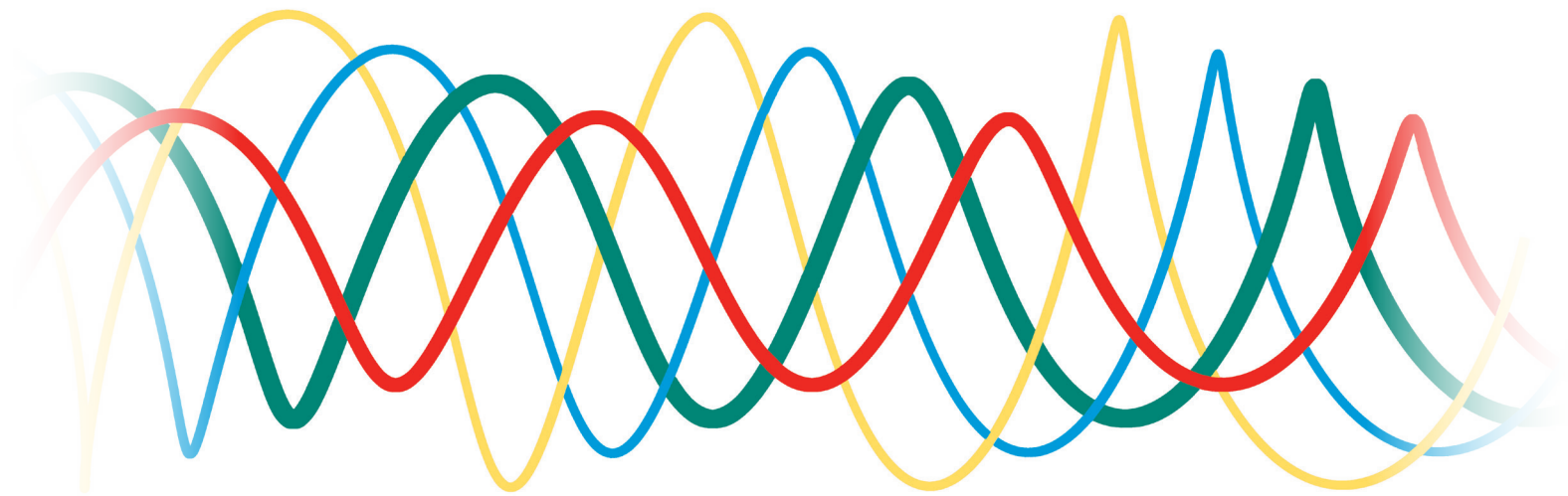


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INDEPENDENT EXAMINATION OF THE CHELMSFORD DRAFT LOCAL PLAN

ID 872955

MATTER 8

INFRASTRUCTURE



GROSVENOR

HAMMONDS
ESTATES

Matter 8 - Infrastructure

- 8.1 On behalf of Grosvenor Developments Limited ('Grosvenor') and Hammonds Estates LLP ('Hammonds Estates') who are development partner and landowner of Hammonds Farm respectively ('the promoters'), the following information is provided in relation to Matter 8 – Infrastructure.

Main issue – Whether the Plan sets out a positively prepared strategy for infrastructure provision to meet the Plan's development strategy and whether this is justified, effective and consistent with national policy. Are the policies relating to infrastructure sound?

Qu75. The Plan sets out a range of infrastructure requirements which have been identified through the Council's Infrastructure Delivery Plan Update' (IDP) (EB018B). Is the approach set out in the IDP for identifying necessary infrastructure justified and consistent with national policy?

- 8.2 Paragraph 1.9 of the IDP states that it details infrastructure identified by the Council and other service providers as being needed to support the delivery of the Local Plan.
- 8.3 Paragraph 1.17 of the IDP categorises infrastructure into:
- **Critical** to the delivery of the Local Plan (i.e. must happen to enable growth);
 - **Essential and necessary** to mitigate the impacts arising from development;
 - **Policy high priority** as it is required to support wider strategic or site-specific objectives set out in planning policy or are subject to a statutory duty but would not necessarily prevent development occurring; and
 - **Desirable** - for infrastructure that is required for sustainable growth but is unlikely to prevent development in the short to medium term (e.g. projects aligned to place-making objectives).
- 8.4 To manage risk to the timely delivery of housing, infrastructure identified as critical or essential and necessary must have greater cost certainty and secured funding than infrastructure deemed to be less fundamentally important to the Pre-Submission Plan (PSP).
- 8.5 The IDP and the PSP has not adopted a delivery strategy to address these uncertainties. It is not positively prepared, justified, effective or consistent with national policy.

Highways, access and transport

- 8.6 Amongst other infrastructure, the IDP reports on the following highways and transport related infrastructure:
- A12 Chelmsford to A120 widening scheme (including A12 Junction 19) – Junction 19 identified as Critical
 - Beaulieu Rail Station – identified as Essential
 - Chelmsford North Eastern Bypass – identified as Critical
 - Junction Improvements – identified as Critical

A12 Chelmsford to A120 widening scheme

- 8.7 The IDP identifies that this scheme is “committed” although whilst Highways England (HE) funding is in place, a definitive scheme is yet to be consented. The IDP identifies that this scheme is on hold as a result of North Essex Authorities Local Plan Examination and that the full scheme costs have not been identified. The IDP states that *‘none of the strategic sites individually triggers the need for improvements, including growth at North East Chelmsford and its impact on the Boreham Interchange (junction 19)’* (paragraph 3.4).
- 8.8 Given the IDP classifies the Junction 19 scheme as critical, it is unclear why the Beaulieu Park funded improvement scheme at Junction 19 does not complement the proposals identified at the same junction by Essex County Council (ECC). The ECC proposals (for the proposed bypass) have informed the land safeguarded by the PSP. Significant uncertainty exists over the A12 widening proposals and the timescales for design resolution at Junction 19. This may impact therefore on the delivery of the Beaulieu Park improvement scheme which is triggered at 1,000 units, or as IDP indicates, 2019/20. Should ‘an end state’ junction not be agreed by this point, the implementation of the Beaulieu Park junction changes could be abortive.
- 8.9 Due to changes in land options since the submission of the Regulation 19 representations, the Hammonds Farm site is able to demonstrate viable access arrangements to both Junction 19 and 18 of the A12 and is thus more flexible to delay in the strategic solution for Junction 19. The Hammonds Farm site also has an improvement scheme for Junction 18 identified which can be delivered on land in control of the promotor and the highway authorities. The provision of a connection between Junction 19 and the A414 at Junction 18 means that the Hammonds Farm proposals could provide some relief to the A12 between Junction 18 and 19.

Beaulieu Station

- 8.10 The realisation of significant sustainable transport opportunities at North East Chelmsford (NEC) is reliant on the delivery of Beaulieu Station. ECC has confirmed the anticipated delivery of Beaulieu Station has slipped from 2022 to 2025. This is reflected in the IDP. Network Rail confirmed GRIP 3 has commenced. The IDP identifies Beaulieu Station as ‘Committed’ although whilst it has planning consent, full funding is not yet secured (see para 8.12 below). Subsequent stages of the GRIP and delivery timescales can vary significantly.
- 8.11 ECC has submitted an expression of interest to the Government’s (DCLG) Housing Infrastructure Fund (HIF) for a £250 million contribution towards the delivery of the station (and the NEC Bypass – considered below) with a decision on the second and final round of bidding (to be submitted in March 2019) due later in 2019. It is clear from paragraph 3.3, bullet 6 of the IDP that full funding for Beaulieu Station and the NEC Bypass is not yet secured.
- 8.12 The HIF funding (if approved) may potentially accelerate delivery assuming the business case and single option development processes (GRIP Stage 4) can be run in parallel. However, assuming GRIP 5 is complete in 2023, GRIP 6 and 7 in 2025, this leaves GRIP 8 complete in 2026, which is later than the ECC envisaged timescale.
- 8.13 Furthermore, the final (eighth) Beaulieu’s developer contribution to Beaulieu Station (set out in the 4th deed of variation of the S106 signed by CCC, ECC and Countryside Zest - 13th July 2018), is no later than the 25th April 2025. Payments are reliant on further written

assurances from Network Rail, the Department for Transport and Chelmsford City Council. The importance of the developer's contribution to the delivery of Beaulieu Station is reinforced by Paragraph 13.17 of the IDP which states that *'The phasing of any of the strategic developments will be critical, both to their deliverability and to how successfully they function in the early phases. In particular, this must align with the ability to secure developer contributions because these will represent a significant proportion of the funding required to deliver the supporting infrastructure.'* A delay in funding will impact on delivery of Beaulieu Station and associated housing growth in the PSP.

- 8.14 SOCG24 identifies Beaulieu Station costs have increased to £158 million (from £150m in the IDP). SELEP Local Growth Funding of £12 million has been allocated to the scheme and £22 million has also been secured from Beaulieu Park and developers of the Channels housing developments. Currently, until HIF funding is confirmed, there is a shortfall of £124 million. If allocated, other strategic sites such as the Hammonds Farm site could positively contribute to the delivery of Beaulieu Station.

Chelmsford North Eastern Bypass

- 8.15 A fundamental element of the proposed allocation at North East Chelmsford (NEC) is the delivery of a single carriageway of the NEC Bypass. Supporting text (paragraph 7.221, PSP) refers to the need to safeguard the preferred corridor route and provide a phased approach to its delivery. The IDP does not consider this as 'Committed' as neither consent nor funding has been secured.
- 8.16 Draft policy text for Strategic Growth Site 4 does not refer to this safeguarding or phased delivery. Given the bypass is identified in the PSP and the IDP as being delivered through the consented site at Beaulieu Park, the allocation at NEC and through financial contributions from other sites north of Chelmsford, the absence of commitment within the policy wording provides uncertainty for overall funding mechanisms for delivery. There is also reference within the IDP (footnote 3 page 22) that development coming forward in the south of Braintree district through the emerging Braintree Local Plan will contribute to this scheme although no further detail is provided.
- 8.17 Slower housing delivery from NEC, together with issues identified relating to the suitability / delivery of other sites in Growth Area 2 (see promoters' response to Matter 1 and 4b) would reduce the level of contributions that could be sought from these sites, impacting on overall funding for the bypass and delivery timescale. This is also applicable to Beaulieu Station. Paragraph 3.10 of the IDP states that delivery of early phases of the bypass are critical to delivery of growth in North Chelmsford and in particular the allocation at NEC. The PSP is therefore not positively prepared or effective.
- 8.18 In addition to the funding gap to deliver the bypass, provision of the bypass is also affected by other major issues:
- The northern section of the bypass is in multiple third-party land ownerships, one of whom has objected to the proposed route (see appendix 4 of Matter 1)
 - There is a potential need for minerals extraction and restoration prior to provision of the bypass, which has the potential to result in considerable delay, increase costs and affect viability.
- 8.19 Therefore, even if funding becomes available for the bypass, there remains significant issues that could further delay delivery.

- 8.20 There is no justification why the PSP has proceeded with a spatial strategy where sites reliant on pooled funding of larger scale infrastructure are preferred in the PSP over sites that are less reliant on these schemes, particularly given the transport modelling results which concluded no significant differences. The plan is therefore not justified.

Junction improvements

- 8.21 The IDP identifies £36 million of junction improvements but states that sufficient work has not been undertaken '...to be definitive as to which junctions will need to be upgraded to serve each strategic site and what the precise costs of any upgrades would be.' (Paragraph 3.26). These items are identified as critical but the junctions, the solutions and the costs are not reported.

Utilities

- 8.22 The Great Leighs Water Recycling Centre (WRC) is at capacity. This is acknowledged in the IDP. AWS confirmed that it cannot take any more flows without the application of a new Dry Weather Flow (DWF) permit so will need to be upgraded to meet the demands of any new flows.
- 8.23 The current facility only has a DWF consent for 650m³, serving a population equivalent of 2700 (roughly 1150 houses). Should the strategic growth sites at Great Leighs come forward then this site alone will need to double the WRC capacity and require significant investment.
- 8.24 Whilst the IDP indicates that no significant development could come forward at Great Leighs until 2024, the Phasing Table 13.13 of the IDP indicates that circa 200 units are envisaged prior to this, representing a 17% increase in demand prior to upgrade. Additionally, the PSP itself refers to a higher quantum of 350 dwellings as set out in para 1.45 of the Matter 1 Statement.

Summary

- 8.25 Whilst the IDP identifies priority items of infrastructure, it is clear that there are significant further technical studies to undertake and funding to be secured before the infrastructure required becomes justified and deliverable. In developing the Preferred Strategy, the IDP and PSP have not considered the delivery risk associated with infrastructure items that are critical or essential.
- 8.26 There is insufficient evidence to demonstrate the deliverability of required infrastructure to support the PSP strategic sites and therefore sites able to come forward with less dependency on major unfunded infrastructure, such as Hammonds Farm, should not have been discounted early and represent a more resilient strategy for growth.

Qu.76 The Plan sets out in Strategic Policy S11 the approach to be taken for the provision of necessary infrastructure and lists some specific infrastructure requirements in relation to transport and highways, flood risk management, community facilities, green and natural infrastructure and utilities.

- a. Are these requirements based on robust evidence, are they all necessary to support development during the Plan period and are they viable and deliverable within the timescales of relevant site developments?***

8.27 The PSP proposes strategic development linked to significant strategic transport infrastructure and, as identified in the IDP, across the overall infrastructure requirements of the Local Plan, there is currently a £616 million (Table 12.2) funding gap, albeit it is acknowledged that this reduces by a figure of £272 million if the phase 2 NEC bypass dualling is excluded. However, Tables 13.4 – 13.6 indicate S106 contributions will be sought to fund the full dualling and therefore clarity on the timing and scale of the contributions by site is sought.

8.28 In terms of highways and transport infrastructure requirements, HIF funding has been applied for in relation to the NEC bypass and Beaulieu Station and this may reduce the overall funding gap by £250 million but this is currently uncertain. Given this significant gap in infrastructure funding, the risk is that the infrastructure necessary to support development during the Plan period is not deliverable and therefore the PSP is not effective and is unsound.

b. The policy states that infrastructure is not limited to those listed. Does this mean that other infrastructure is necessary and has this been clearly identified and set out in other policies?

8.29 The modelling work indicates that other infrastructure improvements are required to support the Site-Specific Policies. Some of these are provided in the supporting text for these sites. Our comments with regard to the Boreham Interchange in this regard and the safeguarding of land set out above apply here.

c. The supporting text in paragraph 6.57 lists transport and highways infrastructure schemes that are 'safeguarded from development or are allocated on the Policies Map'. Are these allocations and safeguarded land clearly set out as such in specific policies?

8.30 For NEC, the safeguarded land for the future extension of Chelmer Park & Ride is identified in the policy text. This policy text also identifies the delivery of a single carriageway of the NEC Bypass, a critical piece of strategic infrastructure. However, supporting text (paragraph 7.221) also refers to the need to safeguard the preferred corridor route and provide a phased approach to its delivery.

8.31 We reiterate the comments set out in paragraph 8.17.

Qu.77 Has the effect of proposed development on the strategic transport network been adequately assessed? Does the Plan provide sufficient measures to avoid any severe cumulative impacts, including through mitigation, and maximise opportunities for sustainable transport?

8.32 The effect of different spatial options has not been adequately assessed. The modelling technique used (fixed demand highway model) only considers the relative impact of vehicular trips across the validated model area. This is not consistent with national policy. This weakness is acknowledged in Document SB026 Section 2.1.3 which states:

"Results and analysis have therefore been caveated on the basis that the modelling represents a 'worst case scenario' that does not account for changes in travel behaviour caused by the increased levels of congestion in the peak hours"

8.33 Given paragraph 3.2.1 of SOCG11 states that it will not be possible to mitigate the impact of the allocated development locations in the PSP without a step change in provision and

uptake of sustainable transport, it is fundamentally important that a modelling process that incorporates sustainable mode dynamics be used during the options testing procedure.

- 8.34 Instead, the preferred option was selected based on an evidence base which only considered and compared highways based outcomes. The methodology at this early stage of sifting does not sufficiently acknowledge sustainable travel as required by NPPF such as the sustainable transport opportunities at Hammonds Farm arising from its close proximity to the existing Sandon Park & Ride (which intercepts trips along the A12 corridor).
- 8.35 Secondly, the validation of the model outside the Chelmsford urban area is acknowledged as less comprehensive (Section 2.1.2, EB026). Section 4.4.2 of EB026 refers to a *“lack of accuracy in the VISUM model in the South Woodham Ferrers area”* and furthermore that highway infrastructure near Great Leighs and South Woodham Ferrers *“are located outside the validated model area of the Chelmsford Strategic Model in VISUM”*. Despite these acknowledged weaknesses, the model was used to define the preferred option.
- 8.36 Reliance on strategic highway modelling, with such limitations, raises doubts regarding the process by which the transport impacts and associated sustainability credentials of the local plan spatial options were assessed. Document EB024, which reports on the sensitivity testing of the Options by assessing the cumulative impact of development at 23 locations, concludes *“it is difficult to differentiate between Sensitivity Tests A-C with regard to the likely impact of development traffic on levels of congestion across the wider Chelmsford urban area. This is understood to be due to the small difference in the quantum of development proposed between the Tests and the broad spread of development proposed across the administrative area.”*
- 8.37 This being the case, the decision to exclude several developments (including Hammonds Farm) from further consideration is not evidenced or justified. The strategic assessment procedures adopted are not sufficiently accurate to quantify local impacts or sustainable mode opportunities consistent with National Policy.
- 8.38 In respect of Hammonds Farm, EB024 page 24, states that *“the larger quantity of housing at the proposed Hammonds Farm development associated with Test B, results in higher modelled traffic flows along the A12, at the A12 Junction 18, and along rural rat-run routes through Sandon, Bicknacre and East Hanningfield”*. Given the assessment tool used is not validated at a local level, such a conclusion at this stage in the formulation of a Preferred Option is not adequately evidenced or justified.
- 8.39 The subsequent work detailed in EB025, presents an appraisal of the Preferred Option to help identify the junctions likely to be most impacted by the Local Plan proposals. This work still uses the fixed demand highway model which is acknowledged should not be used at a local level and thus not appropriate for the task. Given national policy requires consideration of sustainable travel opportunities at the earliest stages, the formulation of the Preferred Option is not adequately evidenced, justified or consistent with national policy.
- 8.40 In conclusion, the strategic, highways-only modelling approach undertaken was not sufficiently detailed to distinguish between the development scenarios. The procedures adopted have stated limitations and are considered insufficient to assess cumulative impact or guide policy formulation. Equally, they are inadequate to determine:

- Composition of the Preferred Option
- Sustainable transport opportunities for each allocation
- Deliverability in terms of self-sufficiency for mitigating impact

8.41 The PSP is not justified or consistent with national policy.

Qu.78 Does Strategic Policy S12 clearly set out how infrastructure will be secured and mitigation provided during the Plan period and is this justified, effective and compliant with national policy? Has the viability of providing necessary infrastructure been adequately assessed?

8.42 Strategic Policy S12 puts forward the principles of securing funding through various sources. It relies heavily on developer contributions. For example, TP003 states *“Site allocation policies and Policy GR1 require developments to provide appropriate mitigation, compensation and enhancements to the local and strategic road network as required by the Local Highway Authority and appropriate measures to promote and enhance sustainable modes of transport. In doing so, planned new development will provide physical local highway mitigation measures as well as opportunities for sustainable transport to enable the modal shift of trips away from car borne to sustainable travel modes”*.

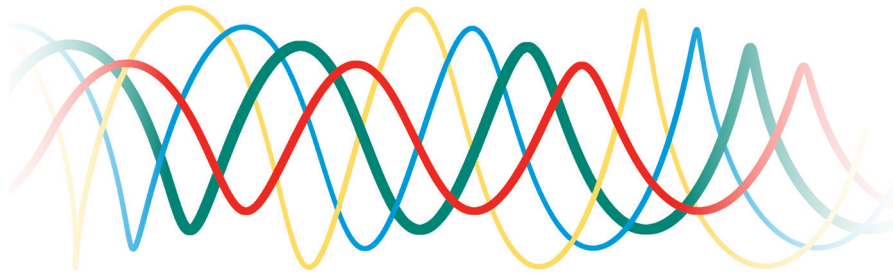
8.43 The funding mechanisms quoted are not supported by an informed assessment of the extent of intervention required and carry a high level of risk.

8.44 This confirms that the dismissal of sites when formulating the Preferred Option was premature, as certainty in deliverability, potential for promoting sustainable travel and ability for self-funding are unaccounted for, i.e. it was to be the subject of subsequent studies.

8.45 The PSP assumes selected sites can be bought forward without due weight being accorded to impact and deliverability risk. Therefore, the PSP is not effective and is unsound.

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