

LOCAL PLAN SUB-COMMITTEE AGENDA

Thursday, 18 July 2019 at 6:00pm

**Council Chamber, Braintree District Council, Causeway House, Bocking
End, Braintree, CM7 9HB**

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Members of the Local Plan Sub-Committee are requested to attend this meeting to transact the business set out in the Agenda.

Membership:-

Councillor D Bebb (Vice Chairman)	Councillor P Horner
Councillor K Bowers	Councillor D Hume
Councillor G Butland	Councillor Mrs G Spray (Chairman)
Councillor T Cunningham	Councillor T Walsh
Councillor A Everard	Councillor J Wrench

Members unable to attend the meeting are requested to forward their apologies for absence to the Governance and Members Team on 01376 552525 or email governance@braintree.gov.uk by 3pm on the day of the meeting.

A WRIGHT
Chief Executive

INFORMATION FOR MEMBERS - DECLARATIONS OF INTERESTS

Declarations of Disclosable Pecuniary Interest, Other Pecuniary Interest or Non-Pecuniary Interest

Any member with a Disclosable Pecuniary Interest, other Pecuniary Interest or Non-Pecuniary Interest must declare the nature of their interest in accordance with the Code of Conduct. Members must not participate in any discussion of the matter in which they have declared a Disclosable Pecuniary Interest or other Pecuniary Interest or participate in any vote, or further vote, taken on the matter at the meeting. In addition, the Member must withdraw from the chamber where the meeting considering the business is being held unless the Member has received a dispensation from the Monitoring Officer.

Question Time

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PUBLIC SESSION	Page
1 Apologies for Absence	
2 Declarations of Interest To declare the existence and nature of any Disclosable Pecuniary Interest, other Pecuniary Interest, or Non-Pecuniary Interest relating to Items on the Agenda having regard to the Code of Conduct for Members and having taken appropriate advice where necessary before the meeting.	
3 Minutes of the Previous Meeting To approve as a correct record the Minutes of the meeting of the Local Plan Sub-Committee held on 11th July 2019 (copy to follow).	
4 Public Question Time (See paragraph above)	
5 Section 1 Local Plan Examination - Additional Sustainability Appraisal, Evidence and Proposed Amendments	4 - 30
6 Additional Habitats Regulation Assessment	31 - 34
7 Viability Assessment Update	35 - 40
8 Phasing and Delivery Update	41 - 44
9 Urgent Business - Public Session To consider any matter which, in the opinion of the Chairman, should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	
10 Exclusion of the Public and Press To agree the exclusion of the public and press for the consideration of any Items for the reasons set out in Part 1 of Schedule 12(A) of the Local Government Act 1972. <i>At the time of compiling this Agenda there were none.</i>	

PRIVATE SESSION	Page
11 Urgent Business - Private Session To consider any matter which, in the opinion of the Chairman, should be considered in private by reason of special circumstances (to be specified) as a matter of urgency.	

Section 1 Local Plan Examination: Additional Sustainability Appraisal, Evidence and Proposed Amendments		Agenda No: 5
Portfolio: Planning and Housing Corporate Outcome: Securing appropriate infrastructure and housing growth Report Presented by: Emma Goodings Head of Planning and Economic Development Report Prepared by: Emma Goodings		
Background Papers: National Planning Policy Framework Publication Draft Local Plan 2017 IED011 Inspectors response to the North Essex Authorities June 2018 Local Plan sub-committee agenda and minutes 11 th July 2019		Public Report: Yes Key Decision: No
Executive Summary: <p>Section 1 of the submitted Local Plan ('the Section 1 Plan') sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan proposes three new cross-boundary 'Garden Communities' along the A120 corridor with the potential for longer-term and comprehensively-planned growth. In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area.</p> <p>Before a Local Plan can be formally adopted by a Council, it must be examined by a government-appointed Inspector whose job it is to check that 1) the plan has been prepared in line with various legal requirements and 2) that the policies and proposals in the plan comply with the 'tests of soundness' contained within the National Planning Policy Framework (NPPF). Examination hearings for the Section 1 Plan took place between January and May 2018; and in June 2018 the Inspector wrote to the North Essex Authorities setting out his initial findings. Whilst he confirmed the legal compliance and soundness of some elements of the plan and praised the NEAs' innovation and ambition, the Inspector found some of the evidence and justification in support of Garden Communities to be lacking and was therefore unable to pass the Section 1 Plan as sound. The Inspector's specific concerns were reported to Members in October 2018.</p>		

In his letter, the Inspector offered the NEAs advice and options for how best to proceed. Having considered his advice, the NEAs in October 2018 confirmed that they remained committed to using Garden Communities principles to secure the future housing requirements in North Essex and would produce additional evidence to address each of the Inspector's concerns. On the 10th December 2018, the Inspector confirmed that he was satisfied that the proposals for further work on the evidence base satisfactorily responded to the points he had raised as identified issues and paused the examination until the NEAs' further work on the evidence base and an Additional Sustainability Appraisal was completed. Monthly updates have been submitted to the Inspector on the programme timetable as requested.

Additional evidence has now been completed in the following areas to address the Inspectors concerns and their findings are summarised within this report;

- Housing Infrastructure Fund (HIF) Bids
- A120 dualling
- Rapid Transit
- Modal Shift
- Marks Tey railway station
- Housing Delivery
- Viability
- Employment Land
- Phasing and Delivery
- Infrastructure
- Habitats Regulation Assessment (HRA)
- Delivery Mechanisms

Some of the Inspector's biggest concerns were about the previous Sustainability Appraisal (SA) which is both a legal requirement of the plan making process and a key piece of evidence in determining the most appropriate 'spatial' strategy for growth. The Inspector found that some of its assumptions were either not properly justified or were biased in favour of the NEA's preferred spatial strategy for three Garden Communities and therefore did not represent an objective or reliable assessment. He advised that further work would be needed to rectify these problems and advised different consultants ought to be selected for that work.

The Additional SA has been undertaken by consultants LUC who have followed a revised methodology that has been shared with the Inspector himself and has been the subject of consultation and engagement with statutory bodies and key participants in the Local Plan examination – taking particular care to ensure it addresses the Inspector's previous concerns. The Additional SA first tests a range of alternative development site proposals against a series of tried and tested 'sustainability criteria' applying assumptions guided, where possible, by information provided by site promoters themselves. The second stage of the SA then tests different combinations of those site

proposals against the sustainability criteria which represent a reasonable range of alternative spatial strategies for the authorities to consider in determining the most appropriate approach for the Local Plan.

The findings of the Additional SA indicate that many of the site proposals and alternative spatial strategy options are closely matched when assessed against the sustainability objectives. However, none of the alternative spatial strategies stand out as performing notably stronger than the current strategy in the submitted Section 1 Local Plan. There is consequently nothing arising from this new evidence that would suggest that the current spatial strategy is not justified or needs to change to make way for an alternative approach. Officers therefore recommend that the NEAs continue to promote the current spatial strategy involving the creation of three new Garden Communities in the locations currently proposed.

All of the above evidence supports Officers' view that the current proposals in the Section 1 Local Plan are sound and, when presented to the Planning Inspector, will address all of his previous concerns.

As well as producing the above evidence in response to the Planning Inspector's concerns about Garden Communities, the North Essex Authorities have also compiled a table of proposed amendments to the Section 1 Plan. These amendments are aimed at addressing certain issues identified by the Inspector, partner organisations and objectors to the Plan and ensuring the plan meets the tests of soundness. Many of the proposed amendments arose from suggestions and discussions at the examination hearings in 2018 and the Inspector's interim findings whereas others arise from the findings of the additional evidence base.

Importantly, Officers are not recommending any substantial changes to the strategy for growth as set out in the Section 1 Local Plan. The additional evidence prepared in response to the Inspector's original concerns demonstrates that the establishment of three Garden Communities in the broad locations already identified in the plan is justified and represents an appropriate, sustainable and deliverable strategy.

Notable amendments include:

- New policies (SP1A and SP1B) to clarify how the Local Plan, taken as a whole, will operate in practice in the determination of planning applications; and to reflect the new Essex-wide approach to recreational disturbance avoidance and mitigation in relation to internationally important wildlife sites.
- Additional wording in Policy SP3: 'Meeting Housing Needs' to explain how the housing figures in the policy will be used for assessing authority's five-year housing supply requirements.
- Corrections to the employment land figures in Policy SP4 for the individual NEAs following the discussions at the examination hearings and the Inspector's

subsequent advice.

- Additional wording for the infrastructure and connectivity policy (SP5) to provide greater clarity over what would happen if, for whatever reason, it becomes clear that the infrastructure required for the Garden Communities will not be funded or delivered; as well as identifying the key infrastructure projects that would need to be secured in advance of the start of the Garden Communities.
- The inclusion of specific employment land figures in the Garden Community policies SP7, SP8, SP9 and SP10 as well as additional wording in relation to waste water, the protection European designated sites and the historic environment and specific infrastructure priorities relevant to specific Garden Communities.

It will be the Inspector's choice whether or not to accept the proposed amendments to the Local Plan through the resumed examination process, in determining whether it satisfies the necessary statutory requirements and is sound. Section 20(7C) of the 2004 Act provides that the Inspector must, if asked to do so by the local planning authority, recommend formal modifications to the local plan that would satisfy the requirements mentioned in subsection 20(5)(a) and is sound, therefore such modifications could be suggested by the Inspector following conclusion of the examination.

If Full Council approves and the other NEAs agree, the Additional Sustainability Appraisal, all of the additional new evidence base documents listed above and the table of proposed amendments are published for six weeks public consultation between 19th August and 30th September 2019 before they are submitted, along with any representations received, to the Planning Inspector to enable him to resume the examination. It is expected that the further examination hearings will take place in late 2019 or early 2020.

Recommendation

That the Local Plan Sub Committee recommends to Council that:

- a) the additional evidence base summarised within this report are accepted as part of the evidence base for Section 1 of the submitted Local Plan which contains strategic planning policies and proposals common to the North Essex Authorities of Braintree, Colchester and Tendring;**
- b) to note that the evidence base confirms the need for the infrastructure contained in the current HIF Bids submitted by Essex CC with regard to the North Essex Garden Communities and as currently being considered by Government and that the Council's would expect a decision on those Bids before submitting further evidence to the Secretary of State under recommendation (g) below**

- c) it approves the findings of the Additional Sustainability Appraisal work which appraises the submitted Local Plan strategy for three cross-border Garden Communities and the reasonable alternatives to such strategy;
- d) it agrees that the Additional Sustainability Appraisal work and evidence base (including the additional evidence) supports the existing spatial strategy for growth in the submitted Local Plan proposing three cross-border Garden Communities and that it is justified as being the most appropriate strategy;
- e) It approves the schedule of proposed amendments to the submitted Local Plan
- f) a six-week public consultation on the schedule of proposed amendments, the Additional Sustainability Appraisal work and the additional evidence base be undertaken, starting on 19 August 2019 and ending on 30 September 2019;
- g) following the period of consultation, the above documents along with any duly-made representations received during the consultation period, be submitted to the Secretary of State to enable the Local Plan Inspector to resume and complete the examination of the Section 1 Local Plan; and
- h) the Council requests the Local Plan Inspector to recommend any further modifications to the Publication Draft Local Plan as necessary to make it sound.

Purpose of Decision:

- a) To recommend to Full Council approval of the Additional Sustainability Appraisal and to report to the Planning Policy and Local Plan Committee the findings of the additional evidence base having been prepared in response to the Planning Inspector's concerns about the new Garden Communities proposed as part of the Section 1 Local Plan for North Essex.
- b) To seek the Committee's recommendation to Full Council that a series of proposed amendments to the Local Plan be submitted to the Inspector for consideration as minor and major modifications.
- c) To seek the Committee's recommendation to Full Council that six weeks public consultation is undertaken on the Additional Sustainability Appraisal, additional evidence base and proposed amendments before they are submitted to the Secretary of State to then enable the Local Plan Inspector to resume and conclude their examination.

Corporate Implications	
Financial:	Cost of evidence preparation is being met from base budget
Legal:	The Local Plan and Additional Sustainability Appraisal must comply with all relevant Government and European legislation and related guidance.
Equalities/Diversity:	<p>Equality Impact Assessment of the Local Plan has been produced and is available at the following link. https://www.braintree.gov.uk/downloads/file/6377/equality_impact_assessment_-_june_2017</p> <p>The changes proposed within this document do not change the equalities impact of the Local Plan</p>
Safeguarding:	None
Customer Impact:	The Local Plan will have an impact on customers across the District.
Environment and Climate Change:	Policies within the Plan are in accordance with national planning guidance in relation to the environment and climate change.
Consultation/Community Engagement:	As set out within the next steps, if approved the additional evidence base, additional Sustainability Appraisal and modifications to the Local Plan will be subject of a 6 week public consultation between the 19 th August and the 30 th September 2019.
Risks:	<p>There is a risk of legal challenge following the adoption of the Local Plan if any party believes that the Inspector or the Councils have made any legal or procedural errors.</p> <p>If Members decide to proceed with substantially different approach to existing strategy would necessitate the formal withdrawal of the Section 1 Plan and all three Section 2 Plans from the examination process – requiring the authorities to begin the plan-making process again, either jointly, in partnership or individually. To meet with legal and procedural requirements, the three-stage plan-making process would need to start from scratch with the first stage being consultation on issues and options.</p> <p>Section 1 of the Local Plan is individually submitted by the North Essex Authorities but applies equally to all three Councils, therefore for the Examination to be resumed and proceed, each authority must agree to continue with the existing strategy and submitted plan. Should either Tendring District or Colchester Borough Councils postpone</p>

	or make an alternative decision Members at Braintree will need to consider their position.
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1. Background

- 1.1 Section 1 of the emerging Local Plan ('the Section 1 Plan') sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan proposes three new cross-boundary 'Garden Communities' along the A120 corridor. In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area.
- 1.2 The three Garden Communities proposed in the Section 1 Plan are:
- Tendring/Colchester Borders Garden Community (Policy SP8) – 7,000-9,000 homes on land between Elmstead Market and Colchester.
 - Colchester/Braintree Borders Garden Community (Policy SP9) – 15,000 to 24,000 homes on land around Marks Tey.
 - West of Braintree Garden Community (Policy SP10) – 7,000 to 10,000 homes on land north of the A120 west of Rayne.
- 1.3 These are long-term comprehensively-planned development proposals designed to follow 'Garden Community Principles' including pro-active collaboration between the public and private sectors, community empowerment and engagement, high quality design and management of the built and public realm, integration of infrastructure and development and long-term governance and stewardship arrangements. The developments are expected to take place partly within the timescale of the Local Plan (to 2033) but mostly beyond that period. The Section 1 Plan currently envisages that each of the three Garden Communities will deliver 2,500 new homes in the plan period up to 2033; i.e. 7,500 homes across North Essex. The majority of new housing development expected in the period between now and 2033 will still however come from sites that are already under construction or have already obtained planning permission and sites that are allocated for housing development in each of the authorities' Section 2 Local Plans.

- 1.4 The final part of the process for the preparation of a Local Plan, before it can be formally adopted, is the examination. The purpose of the examination is for a government-appointed Planning Inspector to ensure the Council has followed relevant legal and procedural requirements and to test the plan for its 'soundness' which includes ensuring that it is consistency with national planning policy. Key legal tests include ensuring the Council has complied with the legal duty to cooperate, the requirements for sustainability appraisal and requirements for community consultation. The 'tests of soundness' which are set out in the National Planning Policy Framework (NPPF) are:
- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
 - **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.
- 1.5 In October 2017, the North Essex Authorities submitted their Local Plans to the Secretary of State to begin the formal process of examination. The Secretary of State then appointed an experienced Planning Inspector, Mr. Roger Clews, to undertake the examination for Section 1 of the plan.
- 1.6 Following the examination hearings, the Councils received three letters from the Local Plan Inspector containing interim feedback on the soundness and legal compliance of the Section 1 Local Plan. The first letter dated 8th June 2018 set out the Inspector's initial findings mainly in respect of legal compliance and the soundness of the Garden Community proposals. The second letter dated 27th June 2018 set out the Inspector's findings in respect of the need for new homes. The third letter dated 2nd August 2018 contained the Inspector's response to questions of clarification raised by the NEAs in respect of the Inspector's first letter. The content of these letters were all reported to Members in 2018.

- 1.7 Overall, the Inspector was satisfied that the authorities had complied with the legal duty to cooperate and other legal and procedural matters and was also satisfied that the overarching employment and housing targets in the plan had been justified on the basis sound evidence. He also praised the authorities for their innovation and ambition in promoting three new Garden Communities in North Essex and stated that if carried out successfully it has the potential to provide for housing and employment needs not just in the current Plan period but well beyond it.
- 1.8 However, the Inspector found the evidence provided to support the Garden Communities was lacking in a number of respects. The main areas of concern related to:
- Transport infrastructure – in particular the lack of certainty over its practical delivery, timing, costs and funding;
 - Housing delivery – in particular the assumptions about how many new homes could realistically be built at the Garden Communities in the period up to 2033;
 - Employment provision – the lack of any indication as to how much employment land would be provided as part of the new Garden Communities;
 - Viability – in particular some of the assumption made in respect of transport infrastructure costs, land purchase and interest costs and contingency allowances.
 - Delivery mechanisms - questions over the NEAs approach to delivering Garden Communities through the formation of a locally-led 'development corporation' and whether the development could be delivered through other alternative methods.
 - Sustainability appraisal – in particular the objectivity of the appraisal and concerns that it was biased in favour of the NEA's preferred strategy.
- 1.9 In summary, the Inspector identified a number of key issues about the viability and deliverability of the Garden Community proposals and the way in which the authorities had selected the option of Garden Communities over other reasonable alternatives. Because of this, he was unable to endorse the Section 1 Local Plan as being sound. Instead, the Inspector provided the authorities with three options for how to progress a Local Plan towards adoption.
- 1.10 Option 1 would have involved removing Garden Communities from the Local Plan and proceeding with the examination of Section 2, so long as the Local Plan was reviewed again within 2-3 years (at which point the evidence in support of Garden Communities might have been stronger). Option 2

effectively meant undertaking more work to fill the gaps in the evidence and delaying the examination of Section 2 until the Inspector had been satisfied that the Garden Communities were deliverable and that Section 1 of the Plan was sound. Option 3 would have meant withdrawing the Local Plan and starting again.

- 1.11 On 22nd October 2018, the NEAs wrote to the Inspector to advise him that the Councils remained committed to using Garden Communities principles to secure the future housing requirements in the North Essex Authorities area and would provide the further evidence requested by the Inspector including evidence on:
- The availability of funding for the necessary strategic infrastructure;
 - the financial viability of the proposed communities;
 - the environmental effects, including transport issues;
 - employment provision within the Communities (and elsewhere) to ensure housing growth is matched with economic growth; and
 - continuing engagement with the local communities.
- 1.12 The Councils also committed to reviewing the 'Sustainability Appraisal' underpinning the choice of strategy in the Local Plan, ensuring that it considered a full range of reasonable alternatives to the Garden Communities, at a range of different sizes. Importantly, the Councils committed to reviewing all of the above evidence before submitting it to the Inspector and before any further consultation – to see whether any changes to the plan or the overall strategy were necessary.

2. Additional Sustainability Appraisal (SA)

The role of Sustainability Appraisal (SA)

- 2.1 The strategy for growth or 'spatial strategy' in the Section 1 Local Plan includes the establishment of three Garden Communities along the A120 corridor to deliver long-term growth within the current plan period to 2033 and beyond. One of the tests of soundness is to ensure that the plan and its spatial strategy is 'justified'. To be justified, the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. The Sustainability Appraisal (SA) is a legal requirement and key piece of evidence designed to test different policies, proposals and alternative strategies and to inform the decisions a planning authority takes when choosing its strategy for growth.
- 2.2 The purpose of the SA is to ensure that potential environmental effects are given full consideration alongside social and economic issues. SA is also a legal requirement and should be undertaken at each of the key stages of the plan making process. Section 19 of the Planning and Compulsory Purchase Act 2004 requires a local planning authority to carry out an SA of each of the

proposals in a Local Plan and the consequence of reasonable alternatives, during its preparation. More generally, section 39 of the Act requires that the authority preparing a Local Plan must do so “with the objective of contributing to the achievement of sustainable development”. SAs also incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the ‘Strategic Environmental Assessment Regulations’), which implement the requirements of the European Directive 2001/42/EC (the ‘Strategic Environmental Assessment Directive’) on the assessment of the effects of certain plans and programmes on the environment.

The Inspector’s concerns and suggestions for further work

- 2.3 In his June 2018 letter (paragraphs 93-129) the Inspector raised a number of concerns about the previous SA prepared and submitted alongside the Section 1 Local Plan. He firstly questioned the objectivity of the assessment; concluding that its authors had made optimistic assumptions about the benefits of Garden Communities and correspondingly negative assumptions about the alternatives, without evidence to support many of those assumptions - thus he felt that the assessment lacked objectivity and was unreliable. He secondly questioned the rationale behind the choice of alternative strategies that were tested as part of the assessment and identified a lack of clarity in the description of the alternatives and why they were tested at certain scales – making it difficult for the public to understand the alternatives and to give an effective opinion. Thirdly, the Inspector questioned the combinations of sites that were tested, in particular the reasons for excluding of the alternative ‘Monks Wood’ development proposal from Lightwood Strategic as an option for testing in combination with other Garden Communities. Because of the shortfalls identified in the previous SA, the Inspector concluded that the choice of three Garden Communities as part of the preferred spatial strategy had not been properly justified and it had not been demonstrated that the chosen strategy was the most appropriate when considered against the reasonable alternatives.
- 2.4 In advising the NEAs on how to proceed, the Inspector provided some suggestions in his letter as to how the shortcomings in the SA might be rectified. He first suggested (paragraph 122) that before embarking on any Additional SA work the NEAs re-examine the evidence base for any Garden Community proposals they wish to assess, especially with regard to viability, the provision of transport infrastructure and employment opportunities, in order to ensure that they have a sound basis on which to score them against the SA objectives. As explained elsewhere in this report, additional evidence in respect of each of these subjects has now been prepared.
- 2.5 The Inspector also advised (paragraph 123) that Additional SA work must be an objective comparison of individual Garden Community site options at a

range of different sizes, insuring (in particular) that the Monks Wood proposal is assessed as an alternative at an appropriate scale. Adequate reasons (paragraph 124) would have to be given for taking forward or rejecting certain options from the first stage of the assessment. In the second stage of the assessment, the Inspector (paragraph 125) would expect an assessment of alternative spatial strategies for the Plan area including, as a minimum, the following:

- Proportionate growth at and around existing settlements;
- CAUSE's Metro Town proposal; and
- One, two or more Garden Communities (depending on the outcomes of the first-stage of the assessment).

- 2.6 The Inspector also advised (paragraph 128) that different consultants be used to undertake the Additional SA work than the authors of the previous SA to help ensure that the further work is free from any earlier influences and is therefore fully objective.

Methodology for the Additional Sustainability Appraisal (SA)

- 2.7 Independent consultants LUC have been appointed to undertake the Additional SA advised by the Inspector. The methodology that LUC has applied takes on board the Inspector's advice and was the subject of consultation in its own right with statutory consultees, other partner organisations and participants in the Local Plan Examination (including campaign groups and site promoters). The methodology has also been shared with the Inspector himself to allow him the opportunity to indicate any suggestions or concerns with the Additional Sustainability Appraisal [SA] Method Scoping Statement. In his letter in December 2018, the Inspector confirmed he was satisfied with the approach being adopted. There has also been engagement between LUC and various stakeholders in the form of meetings, a 'check and challenge workshop' and requests for information from alternative site promoters which have all helped to ensure that the assessment is as robust, and transparent, as possible.
- 2.8 The methodology for the Additional SA work has followed a two-stage process – the first involving an assessment of a range of potential development sites throughout North Essex at different scales of development; and the second involving an assessment of different 'spatial strategy' alternatives derived from different combinations of those sites, ensuring that the alternatives identified specifically by the Inspector are tested.
- 2.9 All sites and spatial strategy alternatives are assessed against the established 15 sustainability objectives which include creating safe, cohesive communities; meeting housing needs; achieving more sustainable travel behaviour; conserving and enhancing wildlife and geological sites; improving

air quality; conserving and enhancing landscape quality; and safeguarding and enhancing soil quality and mineral deposits.

Options tested

- 2.10 The alternative spatial strategy options tested as part of the Additional SA work have been derived following some key principles to ensure they represent a good range of reasonable alternatives. The principles include: ensuring all options meet the required housing need in the plan period to 2033; reflecting the relative housing need and commuting patterns as they affect different parts of North Essex; and ensuring alternative strategies are coherent, logical and reasonable. 17 spatial strategy options have been tested which comprise 11 options for the area of North Essex to the west of Colchester (mainly affecting Braintree district) and 6 options for the area east of Colchester (mainly affecting Tendring) – with the idea being that the most appropriate option to the west is combined with the most appropriate option to the east to result in the most appropriate spatial strategy for North Essex overall.
- 2.11 As required by the Inspector, the option of proportionate growth around existing settlements has been tested. It takes two forms in the assessment – a ‘percentage-based’ approach to growth which requires all towns and villages in North Essex area to accommodate the same percentage increase in dwelling stock in the period up to 2033; and a ‘hierarchy-based’ approach which directs more development towards larger towns and less development towards smaller villages with limited services and facilities. Both approaches take into account the amount of housing development that is already proposed through existing planning permissions and housing allocations in respective Section 2 Local Plans – which already account for some 80% of expected growth. The percentage-based growth scenario involves a ‘thin spread’ of development around nearly every town and village in the western part of the North Essex area (Option West 1) and a stronger focus for major development around the coastal towns to the east, including Clacton, Harwich, Frinton, Walton, West Mersea and Wivenhoe (Option East 1). In contrast, the hierarchy-based growth scenario involves a greater focus on development on the edge of Braintree and at Hatfield Peverel and Halstead to the west (Option West 2); and significant growth around the coastal town of Brightlingsea to the east (Option East 2).
- 2.12 Options involving different numbers and different combinations of Garden Communities have been also tested in line with the Inspector’s advice. To the west of North Essex, the current strategy in the Section 1 Local Plan of Garden Communities west of Braintree and at the Colchester/Braintree border at Marks Tey (Option West 3) has been re-assessed as well alternatives incorporating the Monks Wood alternative Garden Community proposal from Lightwood Strategic. These include Monks Wood being developed alongside

and in addition to the existing Local Plan Garden Community proposals (Option West 4); and as a direct alternative to either of the two current proposals (Options West 5 and West 6).

- 2.13 Strategic developments in the form of major urban extensions to the east of Braintree (Option West 7) and on land at Halstead (Option West 8) have been tested alongside proportionate growth around other settlements; and the option of just having one single Garden Community alongside proportionate growth around existing settlements has also been tested in a different combinations involving the West of Braintree Garden Community alone (Option West 9); the Colchester/Braintree Borders Garden Community alone (Option West 10); and the Monks Wood alternative Garden Community alone (Options West 11).
- 2.14 For the eastern part of North Essex, the alternative options that have been tested are the current Tendring/Colchester borders Garden Community (Option East 3); a north-east urban extension to Colchester crossing the administrative boundary at Ardleigh (Option East 4); 'Tendring Central Garden Village' – a proposal for major development on land around Frating, as promoted by Edward Gittins & Associates (Option East 5); and, in line with the Inspector's advice, the 'Metro Plan' concept promoted as an alternative by the Campaign Against Urban Sprawl in Essex (CAUSE) which involves developing land around the railway stations at the villages of Alresford, Great Bentley, Weeley and Thorpe le Soken which are all along the Colchester to Clacton branch line.

Assessment findings

- 2.15 The Councils have now received from LUC the 'Summary of Draft Findings' with the full SA report to be completed in time for the meetings of the three authorities' respective Committees.
- 2.16 The options for further proportionate growth around existing settlements to end of the plan period in 2033 performed relatively poorly against the various sustainability objectives compared to alternatives that involved more focussed strategic development in the form of new settlements or major urban extensions – particularly in relation to travel patterns, modes of transport and the delivery of affordable housing. The proportionate growth scenarios have therefore been found to be less sustainable - which demonstrates, importantly, that the NEAs are justified in exploring more strategic alternatives that involve the establishment of new communities.
- 2.17 For those more strategic spatial strategy alternatives to the west of Colchester, the SA finds that performance against the various sustainability objectives is fairly similar and there is consequently 'little to choose' between

the different options. Professional judgement is therefore required to distinguish between them, taking other factors into account.

- 2.18 For the spatial strategy alternatives to the east of Colchester, again the options perform similarly against the sustainability objectives although the proposal for a north-east extension to Colchester (Options East 4) is considered to be the weakest due to its potential negative impacts on the Bullock Wood SSSI and limited transport connections into Colchester. The Tendring/Colchester Borders Garden Community (Option East 3) and Tendring Central Garden Village (Option East 5) perform better than the CAUSE Metro Plan (Option East 6) in the longer term because they would provide for a scale of development sufficient to accommodate a health care facility; although Tendring Central is likely to be subject to significant adverse effects from noise pollution.
- 2.19 The Tendring/Colchester Borders Garden Community performs well in terms of potential economic growth. Metro Plan performs well in terms of is easy access to railway stations which could help to reduce carbon emissions, however the rural location of the Metro Plan developments could lead to longer journeys by car where rail is not a realistic choice. For shorter journeys, the Garden Community performs most strongly.
- 2.20 In many respects Tendring Central Garden Village performs as well as the Tendring/Colchester Garden Community, although no better; and whilst it has the advantage of an existing employment area and would retain its own distinctiveness being separated by some distance from Colchester, its location and distance from Colchester is likely to encourage a high proportion of journeys by car.

Conclusion following the findings of the Additional SA work

- 2.21 Whilst many of the alternative spatial strategy options perform similarly against the various sustainability objectives, the findings of the Additional SA work do not suggest in any way that there is a clearly stronger alternative to the current strategy for three Garden Communities set out in the submitted Section 1 Local Plan. On this basis, there are no reasons arising from the SA findings for Officers to change their recommendation in respect of the most appropriate strategy for growth in North Essex. It is considered that the Additional SA work will satisfy the Inspector that reasonable alternatives have been considered in an objective way and that the choice of spatial strategy for the Section 1 Plan is both justified and sound.

3 Additional evidence base

- 3.1 As well as the additional work on the Sustainability Appraisal, there are various pieces of other evidence aimed at addressing the Inspector's specific

concerns. These evidence base documents have been considered individually by reports to the Local Plan sub-committee on the 11th and 18th of July 2019 and are summarised below.

- 3.2 HIF Bids: A progress update on two bids to the government's 'Housing Infrastructure Fund' (HIF) by Essex County Council to secure funding a) for the realignment of the A12 between Marks Tey and Kelvedon and b) for the construction of a link road between the A133 and A120 and a rapid transit system to the east of Colchester. This will demonstrate to the Inspector that positive progress is being made in securing the road infrastructure that will be key to the delivery of the proposed Garden Communities. The bids are currently being evaluated by Homes England. ECC has written to Government Ministers setting out the importance of announcements on the outcome of the HIF bids as quickly as possible.
- 3.3 A120 Dualling: Indicative timescales for constructing of a new dual carriageway between Braintree and the A12 south of Kelvedon following Essex County Council's favoured route announcement in June 2018. This will provide greater clarity to the Inspector over the timing of works and their implications for highway capacity and the delivery of Garden Communities.
- 3.4 Rapid Transit: Technical feasibility study from transport consultants Jacobs showing how and when a 'Rapid Transit System' (RTS) can be delivered to connect the new Garden Communities to key services, facilities and employment opportunities in and around Colchester, Braintree and Stanstead; and how much it is likely to cost. This will address the specific shortcomings in the previous evidence identified by the Inspector in his letter.
- 3.5 Modal Shift: Technical paper from consultants ITP explaining how, through RTS proposals and other measures, the NEAs can achieve a 'modal shift' target for 30% of all journeys to, from and within the Garden Communities to be made by rapid transit. Again, this will address the Inspector's previous concern about the likelihood of achieving that target.
- 3.6 Marks Tey Station: Update from discussions with Network Rail that suggest relocating Marks Tey Station to the centre of the proposed Garden Community for the Colchester/Braintree Borders Garden Community is unlikely to be practical option. Although the Garden Community was never reliant on the station being relocated, there is now clarity in moving forward that the development will need to be planned to integrate with the station's existing location.

- 3.7 Housing Delivery: Research by the NEAs on the rates of housing development that can be achieved on large scale developments following different models and approaches to satisfy the Inspector that the scales of development proposed for the Garden Communities are realistically deliverable.
- 3.8 Viability: Viability Assessment Update from consultants Hyas which re-tests the economic viability of three Garden Community proposals in light of updated cost and value assumptions, and addresses the specific concerns raised by the Inspector in relation to assumptions made in the previous assessment – including the cost of RTS. The updated assessment confirms that all three Garden Communities can be considered to be economically viable under a range of situations and scenarios which are considered to be rational and reasonable. West of Braintree Garden Community is viable under all modelled scenarios. The viability of the Colchester Braintree Borders Garden Community and (to a lesser degree) the Tendring Colchester Borders Garden Community are more dependent on securing Government investment for upfront infrastructure and/or inflation in future property values.
- 3.9 Employment Land: Paper prepared by the Centre of Economics and Business Research (Cebr) advising on the calculation of how much ‘employment land’ ought to be incorporated into the Garden Community proposals to meet the needs likely to arise from growth in business and industrial activities and to contribute towards overall employment growth. This addresses the Inspector’s specific concern about the lack of any indication as to how much employment land would be provided at each of the three Garden Communities. Cebr’s paper provides figures which form the basis of proposed modifications to the Section 1 Plan.
- 3.10 Phasing and Delivery: Infrastructure Planning, Phasing and Delivery report prepared by consultants AECOM which explores and sets out reasonable assumptions for how each of the three Garden Communities could be delivered in a phased manner. The assumptions in this report are particularly useful in informing wider assumptions about infrastructure delivery and economic viability.
- 3.11 Infrastructure Costs: A detailed cost estimate produced by Gleeds has set out the overall scope, scale and estimated costs of all strategic infrastructure requirements for each proposed Garden Community.
- 3.12 Habitats Regulation Assessment (HRA): An assessment undertaken by consultants LUC of the likely effects of development in the Local Plan on wildlife sites of European importance. HRA is a legal requirement and the report has been updated to take into account an important legal ruling from

the Court of Justice for the European Union and the progress that Essex Authorities have made in developing the Essex Recreation disturbance Avoidance Mitigation Strategy (RAMS).

- 3.13 Delivery Mechanisms: A paper from legal firm Dentons which explains how it is intended that a public and private sector partnership in the form of a Local Delivery Vehicle will be used to deliver the Garden Communities and how this fits with current government thinking. This evidence also included a paper on State Aid considerations.
- 3.14 All of the above evidence supports Officers' view that the current proposals in the Section 1 Local Plan are sound and, when presented to the Planning Inspector, will address all of his previous

4 Overall Conclusions

- 4.1 Officers consider that the findings of the further Sustainability work and the additional pieces of evidence outlined above provide responses to all of the issues raised by the Inspector in his 2018 letters and demonstrate that the spatial strategy for growth set out in the submitted Section 1 Local Plan, including the three Garden Communities, meets the tests of soundness set out in the National Planning Policy Framework (NPPF).
- 4.2 The further SA work provides an objective assessment that addresses the Inspector's concerns about the previous assessment and follows a robust and transparent methodology developed through positive engagement with objectors to the plan and promoters of alternative development proposals. The findings of the SA work demonstrate that none of the reasonable alternative spatial strategy options perform notably better than the current strategy in the Section 1 Plan and provides no reason for Officers to conclude that the strategy should change. Given that the findings of the additional SA work suggest that many of the options perform similarly against the sustainability objections, planning judgement based on wider factors has to be exercised in determining the most appropriate strategy for growth in North Essex.
- 4.3 The alternative of further proportionate growth around existing settlements up to 2033 has been assessed as part of the additional SA work to help determine whether or not the NEAs are justified in taking a more strategic cross-border approach involving the establishment of new communities. However, the Local Plan process has already considered options relating to growing the main urban areas across North Essex and the majority of housing allocations in the three authorities' Section 2 Local Plans comprise such sites. The NEAs consider that reasonable opportunities to accommodate growth

around existing settlements have been exhausted for the purposes of the plan period to 2033. It should be noted that the NEAs have also had a strong record in making use of existing previously developed 'brownfield' sites within settlements where possible.

- 4.4 Adding more development to existing towns and villages to make up the residual housing requirement to 2033 raises some genuine concerns about the efficient provision of infrastructure with existing and future residents having to cope with unnecessary pressure and demand on existing services and facilities that are not able to be efficiently expanded to cater for growth. Applying a 'percentage-based' approach to achieving further proportionate growth around existing settlements, including rural settlements would result in a thin distribution of development around numerous settlements, particularly to the west of Colchester and from a transportation perspective, such a thin distribution of growth is likely to lead to further dependence on the private car. The percentage-based approach would also push more development to coastal towns such as Clacton, Harwich, Frinton/Walton, Brightlingsea, Wivenhoe and West Mersea and this raises serious concerns about environmental impacts on internationally important wildlife areas, impacts on existing transport infrastructure and the ability for the market to realistically deliver the number of homes required given the weaker housing market conditions to the east.
- 4.5 A 'hierarchy-based' approach to proportionate growth which directs additional housing to larger settlements would, in contrast, place a large proportion of North Essex's development to land on the edge of Braintree (a town that is already earmarked for significant growth in the plan period to 2033 in the Braintree Section 2 Plan); and, to a lesser extent, Halstead and Hatfield Peverel. In the face of highly challenging housing requirements going into the future and the constraints and challenges associated with continuing to expand existing settlements, the NEAs are justified in working together to establish new communities in line with Garden Community principles that provide scope for long-term managed growth in strategically important locations extending beyond the timeframes of the current plan that achieve a scale of development that will incorporate and deliver new infrastructure and thus reduce the pressure for expansion of existing communities.
- 4.6 To the west of Colchester, whilst many of the alternative strategies for strategic growth perform similarly against the sustainability objectives in the additional SA work, the proposals for Garden Communities to the West of Braintree and crossing the Colchester/Braintree Border carry genuine advantages. The proposal West of Braintree provides a strategic long term opportunity to deliver growth within the current plan period and beyond and to address needs in the western part of North Essex with direct access to the

A120. It is well located to Stansted Airport both as a centre of local employment but also providing opportunities for new business growth. It also provides access to the M11 and the London Stanstead Cambridge Corridor. It is well located to the urban area of Braintree thus enabling it to benefit from the services and facilities provided in that higher order settlement, with a rapid transport system integral to realising that benefit.

- 4.7 The Colchester/Braintree Borders Garden Community also provides the potential for long term growth on a site with close proximity to the mainline railway station at Marks Tey and regular train links to London, Colchester and beyond within walking, cycling or bus rapid transport system to the station. It is well located at the intersection of the A12 and A120 thus providing opportunities for good accessibility and attractiveness to prospective residents and employers alike. There are also more opportunities for sustainable travel links into Colchester, a regionally important centre of employment offering a full range of facilities including a hospital and a major shopping and cultural destination.
- 4.8 Lightwood Strategic's proposal for an alternative Garden Community at Monks Wood (Pattiswick) is located within 3km of the proposed Colchester/Braintree Borders Garden Community with Coggeshall located between the two. It performs similarly against the sustainability objectives in the additional SA work but given the scale and proximity of these two proposals, it is not considered appropriate to include Monks Wood in the plan as well as the current Colchester/Braintree Garden Community given the impact on infrastructure, landscape and the existing resident population that these two large developments would have. Monks Wood is accessible to a much smaller, albeit very successful, cluster around Earls Colne Airfield and Coggeshall and is closer to Braintree than the Colchester/Braintree Borders Garden Community. However, the employment market in Braintree is not as strong as Colchester's and major new employment areas are proposed on the west side of Braintree which is in closer proximity to the proposed West of Braintree Garden Community. A Garden Community at Monks Wood would be located on the highly trafficked single carriageway of the A120 and whilst it is proposed that the A120 is dualled and realigned further south (between Kelvedon and Braintree), the only other roads in the vicinity are rural lanes with very limited opportunity to access a site of this size by other routes. The impact on the historic character of the dispersed settlement of Pattiswick is also considered to be greater than on the character of Marks Tey which is much more of a modern settlement.
- 4.9 To the east of Colchester, the Tendring/Colchester borders Garden Community offers multiple benefits to both Colchester and Tendring in terms of housing delivery, the A133/120 link road and the opportunities to relieve

traffic and unlock the economic potential for more expansion of the University of Essex and the Knowledge Gateway whilst relieving pressure caused by continued growth on the edge of existing towns and villages. CAUSE's Metro Plan concept does not offer such mutually beneficial outcomes, raises concerns about encouraging car-borne journeys where rail is not a viable alternative, and would significantly and unnecessarily alter the character of a number of rural communities in Tendring that are already under pressure from current developments, and in a district that does not need any further housing sites to meet its objectively assessed housing need up to 2033 over and above the allocations in its Section 2 Local Plan. The Tendring Central Garden Village concept scores similarly to the Tendring/Colchester Borders Garden Community in the additional SA work, but critically does not offer the mutual cross-border benefits to Colchester and Tendring that arise from the link road and potential for growth at the University of Essex and the Knowledge Gateway – it would be an unnecessary standalone development further east into Tendring that would encourage longer car journeys.

- 4.10 Officers therefore consider that the current strategy in the Section 1 Local Plan which proposed three Garden Communities in the locations currently suggested remains the most appropriate strategy for North Essex. The other additional evidence, including studies on rapid transit, housing delivery and viability respond directly to the issues raised by the Inspector and demonstrate that the three proposed Garden Communities are viable and deliverable.

5 Proposed amendments

- 5.1 If, through the examination process, an Inspector identifies certain issues with the soundness of a Local Plan that can be easily resolved, they can recommend 'modifications' to the plan. Under normal circumstances, modifications are published for consultation following the completion of the examination and responses are considered by the Inspector before they confirm that the plan is sound and can be formally adopted.
- 5.2 For the Section 1 Plan for North Essex, a number of areas have already been identified which would benefit from amendments which have arisen from a number of sources, including representations received in response to the publication of the plan in 2017; statements of common ground entered into with statutory consultees in the run up to the examination hearings; responses to the Inspector's initial Matters Issues and Questions (MIQs) before the examination hearings; the discussions at the examination hearings themselves; and the Inspector's post-examination letters.

- 5.3 Officers have compiled a schedule of proposed amendments and the Inspector has agreed that these should be published for consultation alongside the Additional Sustainability Appraisal work and other evidence before the examination is resumed. The majority of the proposed amendments are minor changes to the wording of policies and supporting text but others could be considered to represent more fundamental changes to policies and how they are interpreted.
- 5.4 Whilst Members are being asked to endorse the proposed amendments for public consultation, it will be the Inspector who will ultimately decide which, if any, of the amendments should be main modifications to the final version of the plan before it is adopted. Any final modifications recommended by the Inspector will require further consultation following the completion of the examination, but the consultation proposed for the current schedule of modifications will enable objections to be considered, by the Inspector, when he resumes the examination in due course.
- 5.5 The full schedule of proposed amendments is provided at **Appendix 1** to this report. None of these amendments represent fundamental changes to the overarching strategy in the plan. The most significant of the proposed amendments are highlighted below:
- 5.6 New Policy SP1A 'Delivering Sustainable Development through the planning system'
- An additional policy is suggested for inclusion in the Section 1 Local Plan, on the advice of the Inspector, to clarify how the policies in the Local Plan, taken as a whole, will operate in practice in the determination of planning applications. The proposed policy would state:
- "Development that demonstrably contributes to the achievement of the policies in this Local Plan (and, where relevant, of policies in neighbourhood plans) will normally be permitted unless material considerations indicate otherwise.*
- Development that is not in accordance with, or which will prejudice the delivery of, the strategic scale development or the achievement of the place making principles, in this Local Plan will not normally be permitted."*
- 5.7 New Policy SP1B 'Recreational disturbance Avoidance and Mitigation Strategy (RAMS)'
- An additional policy is suggested for inclusion in the Section 1 Local Plan, as agreed with Natural England, to reflect the new Essex-wide approach to mitigating against the impacts on internationally important wildlife sites arising

from an increase in development and the associated risk of increased recreational disturbance at those sites. The proposed wording would state:

“An Essex Coast Recreational disturbance Avoidance and Mitigation Strategy will be completed in compliance with the Habitats Directive and Habitat Regulations. Contributions will be secured towards mitigation measures identified in the Essex Coast Recreational disturbance Avoidance and Mitigation Strategy (RAMs) which will be completed by the time the Local Plan is adopted.

Prior to RAMS completion, the NEAs will seek contributions from proposed residential development to deliver all measures identified (including strategic measures) through project level HRAs, or otherwise, to mitigate any recreational disturbance impacts in compliance with the Habitat Regulations and Habitats Directive.”

5.8 Policy SP3: ‘Meeting Housing Needs’

Modifications to Policy SP3 are suggested to provide some explanation, on the Inspector’s advice, as to how the housing figures in the policy will be used for assessing each authority’s five-year housing supply requirements. The additional wording proposed would state:

“The annual housing requirement figures set out below will be used as the basis for assessing each authority’s five-year housing land supply subject to any adjustments in Section 2 of each plan to address any undersupply since 2013. The North Essex authorities will review their housing requirement regularly in accordance with national policy requirements, and in doing so will have regard to the housing needs of the wider area.”

5.9 Policy SP4: ‘Providing for Employment’

Adjustments to the employment land requirements for the three authorities have been recommended by the Inspector to reflect the outcome of discussions at the examination hearings. In particular, they will rectify errors found within the figures for Braintree and Tendring. The revised employment land figures will be as follows:

	Baseline (ha)	Higher Growth Scenario (ha)
Braintree	20.9	43.3
Colchester	22.0	30
Tendring	12.0	20.0
North Essex	54.9	93.3

5.10 Policy SP5: ‘Infrastructure and Connectivity’

Modifications to the infrastructure and connectivity policy are suggested to provide greater clarity over what would happen if, for whatever reason, it

becomes clear that the infrastructure required for the Garden Communities will not be funded or delivered. The modifications also provide greater clarity over what key infrastructure projects will need to be secured in advance of the start of the Garden Communities. The main relevant wording would be as follows:

“If the necessary strategic infrastructure for the Garden Communities as required by Policy SP5 is not committed within a reasonable period of time and phased alongside the delivery of new communities a review of the Plan will be undertaken prior to any consent being implemented, in order that the consequential shortfall in housing delivery does not overburden the infrastructure of existing communities/settlements.”

“Infrastructure provision will be secured in a timely manner and programmed to keep pace with growth of new communities.

Funding and route commitments for the following strategic transport infrastructure projects will need to be secured in advance of the start of the Garden Communities as follows:

- Colchester/ Braintree Borders –
 - A12 widening and junction improvements
 - A dualled A120 from Braintree to the A12
- Tendring /Colchester Borders –
 - A120-A133 Link road
- A scheme and specification for a phased rapid transit network and programme for the integration of the three Garden Communities into the rapid transit network
- Provision of appropriate sustainable travel options will be required to encourage and facilitate sustainable travel behaviour from the outset and to provide viable alternatives to single-occupancy private car use, and will be informed by masterplanning.

Requirements for other strategic Garden Community infrastructure are outlined in sections D, E and F of Policies SP8, 9, and 10 and will be further set out in the Development Plan Documents for each Garden Community.”

5.11 Policy SP7: ‘Development and Delivery of New Garden Communities in North Essex’

A number of modifications are suggested for the wording of this policy, the most significant of which is to address the Inspector’s request that the Section 1 Local Plan specifies the employment land requirements for the Garden Communities. The relevant wording would be as follows:

“In accordance with the Garden Community Charter principle of providing one job per household within the new community or within a short distance by public transport, provide and promote opportunities for employment within each new community and within sustainable commuting distance of it. Around 850,000 square metres of floorspace will be provided in total, with allocations to be defined within Development Plan Documents for each Garden Community totalling some 138 hectares”.

5.12 Policies SP8, SP9 and SP10: Specific policies for each of the three Garden Communities

It is suggested that each of the policies that correspond with the specific Garden Community proposals are modified to include wording agreed with Natural England in relation to the impact of waste water on internationally important wildlife sites. The wording would be:

“To ensure new development does not have an adverse effect on any European Protected sites, the required waste water treatment capacity must be available including any associated sewer connections in advance of planning consent.”

Additional wording is also proposed to address issues raised by Historic England at the examination in respect of the potential impact of the Garden Communities on the historic environment, as follows:

“A Heritage Impact Assessment for each DPD in accordance with Historic England guidance will be required in order to assess impact of proposed allocations upon the historic environment, to inform the appropriate extent, nature and form of the development and establish any mitigation measures necessary.”

Each Garden Community policy will also include a section to set out the amount of employment space to be created as part that development – based on the evidence contained within the report from Cebr. For the Tendring/Colchester Borders Garden Community (SP8) the figure will be 24.5 square metres; for the Colchester/Braintree Borders Garden Community (SP9) it will be 70.1 square metres; and for the West Braintree Garden Community (SP10) it will be 43.4 square metres.

Further bespoke modifications to each of the Garden Community policies are also proposed to reflect specific infrastructure or environmental requirements, for example additional wording around the proposed A120/A133 link road, the realignment of the A12 and the dualling of the A120 and the need to protect relevant internationally and nationally important wildlife designations.

6 Next Steps

- 6.1 The relevant Committees of the three Councils are all considering the additional evidence base that has been prepared, the findings of the Additional Sustainability Appraisal work and proposed amendments. If all three authorities agree, the additional evidence base, Additional Sustainability Appraisal work and the proposed amendments will be published for six-weeks consultation to allow the public and stakeholders the opportunity to consider both the modifications and the evidence and make any comments. The six-week consultation period is expected to run from 19 August 2019 to 30 September 2019.
- 6.2 The Officers of the three authorities will collect any representations made and, following the six-week consultation period, will submit the schedule of proposed amendments, Additional SA work and all the other additional evidence base to the Inspector, along with all the representations received from third parties. The Inspector will then consider all of this information and will liaise with the NEAs to confirm the timetable for resuming the examination and undertaking further examination hearings. The Inspector may issue a further series of Matters, Issues and Questions (MIQs) to establish the main topics he wishes to examine and to invite written responses from participants in the examination ahead of the hearings. It is currently anticipated that hearings will take place either at the end of 2019 or in early 2020.
- 6.3 Following the completion of the further examination hearings, the Inspector will write to the NEAs to confirm whether or not his concerns about the Garden Communities have been addressed and whether or not the Section 1 Local Plan now meets the tests of soundness. The Inspector will have the ability to recommend additional post-examination main modifications to the plan which would need to be the subject of further consultation in their own right before the plan can be finalised and formally adopted by the NEAs.
- 6.4 The examination of the authorities' individual Section 2 Local Plans will not take place until Section 1 has been examined and found to be sound.

Recommendations

That the Local Plan Sub Committee recommends to Council that:

- a) **the additional evidence base summarised within this report are accepted as part of the evidence base for Section 1 of the submitted Local Plan which contains strategic planning policies and proposals common to the North Essex Authorities of Braintree, Colchester and Tendring;**

- b) to note that the evidence base confirms the need for the infrastructure contained in the current HIF Bids submitted by Essex CC with regard to the North Essex Garden Communities and as currently being considered by Government and that the Council's would expect a decision on those Bids before submitting further evidence to the Secretary of State under recommendation (g) below**
- c) it approves the findings of the Additional Sustainability Appraisal work which appraises the submitted Local Plan strategy for three cross-border Garden Communities and the reasonable alternatives to such strategy;**
- d) it agrees that the Additional Sustainability Appraisal work and evidence base (including the additional evidence) supports the existing spatial strategy for growth in the submitted Local Plan proposing three cross-border Garden Communities and that it is justified as being the most appropriate strategy;**
- e) It approves the schedule of proposed amendments to the submitted Local Plan**
- f) a six-week public consultation on the schedule of proposed amendments, the Additional Sustainability Appraisal work and the additional evidence base be undertaken, starting on 19 August 2019 and ending on 30 September 2019;**
- g) following the period of consultation, the above documents along with any duly-made representations received during the consultation period, be submitted to the Secretary of State to enable the Local Plan Inspector to resume and complete the examination of the Section 1 Local Plan; and**
- h) the Council requests the Local Plan Inspector to recommend any further modifications to the Publication Draft Local Plan as necessary to make it sound.**

Additional Habitats Regulation Assessment		Agenda No: 6
Portfolio: Planning and Housing		
Corporate Outcome: Securing appropriate infrastructure and housing growth		
Report Presented by: Emma Goodings Head of Planning and Economic Development		
Report Prepared by: Emma Goodings		
Background Papers: National Planning Policy Framework Publication Draft Local Plan 2017 IED011 Inspectors response to the North Essex Authorities June 2018		Public Report: Yes
		Key Decision: No
Executive Summary: The Habitats Regulation Assessment (HRA) is an assessment undertaken by consultants LUC of the likely effects of development in the Local Plan on wildlife sites of European importance. HRA is a legal requirement and the report has been updated to take into account an important legal ruling from the Court of Justice for the European Union and the progress that Essex Authorities have made in developing the Essex Recreation disturbance Avoidance Mitigation Strategy (RAMS).		
Recommendation To approve the additional Habitats Regulation Assessment for the Section 1 Local Plan		
Purpose of Decision: To add to the evidence base of the Local Plan		
Corporate Implications		
Financial:	Cost of evidence preparation is being met from base budget	
Legal:	Must comply with Governments legislation and guidance on planning policy	
Equalities/Diversity:	Equality Impact Assessment of the Local Plan has been produced	
Safeguarding:	None	
Customer Impact:	The Local Plan will have an impact on customers across the District.	

Environment and Climate Change:	Policies in plans that are proposed to be prepared will need to have regard to the environment and climate change issues.
Consultation/Community Engagement:	The new evidence if approved will be subject to a 6 week public consultation period.
Risks:	That the Local Plan is not found sound or is subject to legal challenge
Officer Contact:	Emma Goodings
Designation:	Head of Planning and Economic Development
Ext. No.	2511
E-mail:	Emma.goodings@braintree.gov.uk

1. Background

- 1.1 Section 1 of the emerging Local Plan ('the Section 1 Plan') sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan proposes three new cross-boundary 'Garden Communities' along the A120 corridor. In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area.
- 1.2 In October 2017, the North Essex Authorities submitted their Local Plans to the Secretary of State to begin the formal process of examination. The Secretary of State then appointed an experienced Planning Inspector, Mr. Roger Clews, to undertake the examination for Section 1 of the plan.
- 1.3 Following the examination hearings, the Councils received three letters from the Local Plan Inspector containing interim feedback on the soundness and legal compliance of the Section 1 Local Plan. The first letter dated 8th June 2018 set out the Inspector's initial findings mainly in respect of legal compliance and the soundness of the Garden Community proposals. The second letter dated 27th June 2018 set out the Inspector's findings in respect of the need for new homes. The third letter dated 2nd August 2018 contained the Inspector's response to questions of clarification raised by the NEAs in respect of the Inspector's first letter. The content of these letters were all reported to Members in 2018.
- 1.4 In summary, whilst supporting many elements of the Plan the Inspector identified a number of key issues about the viability and deliverability of the Garden Community proposals and the way in which the authorities had selected the option of Garden Communities over other reasonable alternatives. Because of this, he was unable to endorse the Section 1 Local

Plan as being sound. Instead, the Inspector provided the authorities with three options for how to progress a Local Plan towards adoption.

1.5 On 22nd October 2018, the NEAs wrote to the Inspector to advise him that the Councils remained committed to using Garden Communities principles to secure the future housing requirements in the North Essex Authorities area and would provide the further evidence requested by the Inspector including evidence on:

- the availability of funding for the necessary strategic infrastructure;
- the financial viability of the proposed communities;
- the environmental effects, including transport issues;
- employment provision within the Communities (and elsewhere) to ensure housing growth is matched with economic growth; and continuing engagement with the local communities.

1.6 The Councils also committed to reviewing the 'Sustainability Appraisal' underpinning the choice of strategy in the Local Plan, ensuring that it considered a full range of realistic alternatives to the Garden Communities, at a range of different sizes. Importantly, the Councils committed to reviewing all of the above evidence before submitting it to the Inspector and before any further consultation – to see whether any changes to the plan or the overall strategy were necessary

2. Additional Habitats Regulation Assessment

2.1 The 'Habitats Regulations' relate to the protection of wildlife sites of European importance including Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) which include the Colne Estuary, Hamford Water and the Stour Estuary. 'Habitats Regulation Assessment' (HRA) is required to determine whether or not a proposal, policy or plan for development would adversely affect the integrity of a European site – either alone, or in combination with other plans and projects. The HRA has to be undertaken by the 'competent authority' who, for the Section 1 Local Plan, are the NEAs (i.e. Braintree, Colchester and Tendring Councils).

2.2 HRA was undertaken for the Section 1 Local Plan but in April 2018 (after the Local Plan had been submitted, but before the Inspector issued his letter) there was a landmark legal ruling from the Court of Justice for the European Union (CJEU) called the 'People over Wind, Peter Sweetman v Coillte Teoranta' judgement. That judgement had implications for how HRA should be carried out and at which stage of the process mitigation measures (intended to avoid or reduce and harmful effects) should be carried out. In his letter, the Inspector advised that the NEAs would need to consider the implications of this legal judgement and would need to ensure that the HRA is

compatible with this landmark judgement. In response, 'Land Use Consultants' (LUC) were commissioned by the NEAs to update the HRA for the Section 1 Local Plan, in consultation with statutory agencies including Natural England, in light of the legal judgement and this was completed in June 2019.

- 2.3 The 'HRA Report for North Essex Authorities Shared Strategic Section 1 Local Plan' identifies the likely significant effects on European sites as being loss of offsite habitat, recreational impacts and water quality impacts. The assessment concludes that mitigation measures can be secured as part of the relevant developments to address loss of offsite habitat; that recreation impacts can be mitigated through the measures in the Essex Recreation disturbance Mitigation Strategy (RAMS) put in place by Essex authorities; and that the development should not result in adverse impacts to water quality so long as there is a commitment to address water treatment capacity issues prior to specific developments. Modifications to the policies in the Section 1 Local Plan are suggested to ensure that the plan properly reflects the findings of the updated HRA and that necessary mitigation is put in place. This report, alongside the suggested modifications, should demonstrate to the Inspector that the NEAs have complied with the Habitats Regulations in assessing the impacts of the Local Plan.

Recommendation

To approve the additional Habitats Regulation Assessment for the Section 1 Local Plan

Viability Assessment Update		Agenda No: 7
Portfolio: Planning and Housing Corporate Outcome: Securing appropriate infrastructure and housing growth Report Presented by: Emma Goodings Head of Planning and Economic Development Report Prepared by: Emma Goodings		
Background Papers: National Planning Policy Framework Publication Draft Local Plan 2017 IED011 Inspectors response to the North Essex Authorities June 2018		Public Report: Yes Key Decision: No
Executive Summary: A Viability Assessment Update from consultants Hyas has been produced which re-tests the economic viability of three Garden Community proposals in light of updated cost and value assumptions, and addresses the specific concerns raised by the Inspector in relation to assumptions made in the previous assessment – including the cost of Rapid Transit Study. The updated assessment confirms that all three Garden Communities can be considered to be economically viable under a range of situations and scenarios which are considered to be rational and reasonable. West of Braintree Garden Community is viable under all modelled scenarios. The viability of the Colchester Braintree Borders Garden Community and (to a lesser degree) the Tendring Colchester Borders Garden Community are more dependent on securing Government investment for upfront infrastructure and/or inflation in future property values.		
Recommendation To approve the Viability Assessment Update as evidence base for the Local Plan		
Purpose of Decision: To add to the evidence base of the Local Plan		
Corporate Implications		
Financial:	Cost of evidence preparation is being met from base budget	
Legal:	Must comply with Governments legislation and guidance on planning policy	
Equalities/Diversity:	Equality Impact Assessment of the Local Plan has been produced	

Safeguarding:	None
Customer Impact:	The Local Plan will have an impact on customers across the District.
Environment and Climate Change:	Policies in plans that are proposed to be prepared will need to have regard to the environment and climate change issues.
Consultation/Community Engagement:	The new evidence if approved will be subject to a 6 week public consultation period.
Risks:	That the Local Plan is not found sound or is subject to legal challenge
Officer Contact:	Emma Goodings
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Ext. No.	2511
E-mail:	Emma.goodings@braintree.gov.uk

1. Background

- 1.1 Section 1 of the emerging Local Plan ('the Section 1 Plan') sets out an overarching strategy for future growth across Braintree, Colchester and Tendring – the 'North Essex Authorities' ('NEAs'). As well as including policies setting the overall housing and employment requirements for North Essex up to 2033, the Section 1 Plan proposes three new cross-boundary 'Garden Communities' along the A120 corridor. In contrast, 'the Section 2 Plan' for each of the three authorities contains more specific local policies and proposals relevant only to their individual area.
- 1.2 In October 2017, the North Essex Authorities submitted their Local Plans to the Secretary of State to begin the formal process of examination. The Secretary of State then appointed an experienced Planning Inspector, Mr. Roger Clews, to undertake the examination for Section 1 of the plan.
- 1.3 Following the examination hearings, the Councils received three letters from the Local Plan Inspector containing interim feedback on the soundness and legal compliance of the Section 1 Local Plan. The first letter dated 8th June 2018 set out the Inspector's initial findings mainly in respect of legal compliance and the soundness of the Garden Community proposals. The second letter dated 27th June 2018 set out the Inspector's findings in respect of the need for new homes. The third letter dated 2nd August 2018 contained the Inspector's response to questions of clarification raised by the NEAs in respect of the Inspector's first letter. The content of these letters were all reported to Members in 2018.
- 1.4 In summary, whilst supporting many elements of the Plan the Inspector identified a number of key issues about the viability and deliverability of the Garden Community proposals and the way in which the authorities had

selected the option of Garden Communities over other reasonable alternatives. Because of this, he was unable to endorse the Section 1 Local Plan as being sound. Instead, the Inspector provided the authorities with three options for how to progress a Local Plan towards adoption.

1.5 On 22nd October 2018, the NEAs wrote to the Inspector to advise him that the Councils remained committed to using Garden Communities principles to secure the future housing requirements in the North Essex Authorities area and would provide the further evidence requested by the Inspector including evidence on:

- the availability of funding for the necessary strategic infrastructure;
- the financial viability of the proposed communities;
- the environmental effects, including transport issues;
- employment provision within the Communities (and elsewhere) to ensure housing growth is matched with economic growth; and continuing engagement with the local communities.

1.6 The Councils also committed to reviewing the 'Sustainability Appraisal' underpinning the choice of strategy in the Local Plan, ensuring that it considered a full range of realistic alternatives to the Garden Communities, at a range of different sizes. Importantly, the Councils committed to reviewing all of the above evidence before submitting it to the Inspector and before any further consultation – to see whether any changes to the plan or the overall strategy were necessary

2. Viability Assessment Update

2.1 It is important that proposals in the Local Plan are economically viable to ensure they have a realistic prospect of being delivered within the timescales envisaged. The Garden Community proposals were supported by an assessment of viability undertaken by Hyas (North Essex Local Plans (Section 1) Viability Assessment: Main Report & Appendices, April 2017), which was subject to considerable debate at the Examination in Public.

2.2 In his letter following the Hearing sessions, the Inspector acknowledged the 'strategic' nature of the viability work in light of the early stage of proposals, the residual valuation methodology and key importance of making sound assumptions. The Inspector accepted that generally reasonable assumptions had been adopted with respect to a broad range of key inputs, but highlighted a number of areas where he felt that the viability assessment required additional work and therefore had not sufficiently demonstrated that the proposed Garden Communities were financially viable.

2.3 The specific areas of concern were:

- Transport infrastructure costs – where the Inspector (paragraphs 66 & 68) found that the potential cost of a rapid transit system and/or any likely developer contributions towards the A12 and A120 improvements required further consideration and needed to be fully taken into account as part of the viability assessment work.
- Land purchase and interest – where the Inspector (paragraph 71) found that no allowance had been included in the viability appraisal for the cost of interest on any borrowing to fund the purchase of land by a master developer – which, given the likely scale and during of the Garden Communities, could be substantial.
- Contingencies and sensitivity testing – where the Inspector (paragraph 77) found that the ‘contingency’ allowance being applied to certain capital sums for specific elements of infrastructure was potentially too low.
- Price of Land – where the Inspector (paragraphs 82-85) found that landowners would require sufficient land values to persuade them to bring land forward for development and that the viability assessment would need to demonstrate that such reasonable uplifts over and above current use values could be achieved.
- Other specific aspects including the cost and timing of a potential new rail station at Marks Tey (paragraph 47), the build out rate being achievable (paragraph 53), the provision of employment land consistent with the wider approach, and ability to deliver the required level of affordable housing.

2.4 In response to these issues, Hyas have produced an updated viability assessment which takes into account the latest information on the costs of all strategic infrastructure (including the Rapid Transit System and elements included in the HIF bids), includes an allowance for interest costs on land purchase, applies higher contingency rates and addresses all other matters raised by the Inspector. The update also considers updates to national planning policy and guidance relating to viability since the previous Examination in Public which provide further clarity to the consideration of viability going forward. A detailed cost estimate produced by Gleeds (and subject to a separate report on this agenda) has set out the overall scope, scale and estimated costs of all strategic infrastructure requirements for each proposed Garden Community.

- 2.5 The updated assessment finds that all three of the Garden Community proposals can be considered viable in that they are capable of producing Residual Land Values that will create significant uplift for landowners well in excess of existing/current values. This is alongside generating sufficient profit for developers and investors to meet their requirements, including supplementary considerations of the time/value of money through a discounted cash flow analysis.
- 2.6 The assessment for West of Braintree Garden Community projects positive uplifts in land value (to circa £80,000-£140,000 per gross acre) without any grant assistance and with no allowance for inflation. This is considerably in excess of current use values with greenfield agricultural land worth in the order of £10,000 per acre with positive inflation (which would be expected over time), the uplifts in land value could be considerable meaning that this Garden Community is comfortably viable across a range of scenarios.
- 2.7 The Tendring/Colchester Borders Garden Community is located in an area where house prices are generally lower than those achievable to the West of Braintree and therefore the projected uplift in land value are also generally lower. That said, even without grant assistance and no allowance for positive inflation, the development could still achieve a positive, albeit lower uplift (between £15,000-£70,000 per gross acre) beyond similar agricultural land values (circa £10,000 per acre). The site is more marginal in viability terms at the highest consideration of contingencies. However the achievement of Government grant funding for upfront strategic infrastructure (such as via the currently shortlisted HIF bid, or any subsequent funding opportunity) would increase uplifts to higher levels (upwards to around £200,000 per gross acre). With positive inflation, the scheme could deliver a much higher uplift (upwards of £300,000 per hectare).
- 2.8 The Colchester/Braintree Garden Community comes with significantly higher upfront infrastructure costs than the other two schemes (primarily due to the need to invest in works to the A12) and, as a result, without grant or positive inflation, the development would not achieve an uplift beyond current land values and would not be considered viable. That said, the site benefits from a short-listed infrastructure funding bid and it is therefore not unreasonable to anticipate the proposals to be considered favourably for potential grant funding, either through the current HIF process, or through any future infrastructure funding opportunities that may be implemented to support strategic housing growth. In addition inflation based scenarios produce considerably higher residual land values. With grant but no positive inflation, the development could achieve a positive land value uplift (£60,000 to £100,000 per gross acre) and with inflation the uplift would be considerably higher.

- 2.9 The assessments therefore reveal that for both Tendring Colchester Borders and Colchester Braintree Borders there is a degree of reliance on securing either Grant funding, and/or inflationary impacts to demonstrate viability. The consultants consider that such scenarios are both credible and realistic given the long history of Government support in infrastructure to support housing growth, and trends in inflation over recent decades (including through periods of economic change and uncertainty, albeit recognising that forecasting over such a long timescale will be subject to considerable uncertainty).
- 2.10 The updated viability work is clear in that it can only provide a strategic overview of viability and a point in time consideration that will need to be monitored and reviewed over time. There will be a broad range of factors which could depress or enhance viability going forward, and are set out in the viability update report. Some aspects such as unforeseen costs or wider economic conditions are considered as factors that may depress viability, but a wide range of other factors are identified that could enhance viability over time such as enhanced value created through place making, construction cost efficiencies such as through wider uptake of modular construction, inflation rates being higher than forecast, speedier delivery and ability to secure future Government investment support. The updated viability assessment has taken a relatively prudent approach to many assumptions thus providing further confidence that the viability position could improve over time.
- 2.11 As a further consideration, the approach to the Garden Communities is based upon the preparation subsequent site specific Development Plan Documents and ultimately through the development management process. As such viability will need to be subject to ongoing monitoring and review as part of a future and ongoing processes to track costs, values and potential returns.
- 2.12 The overall findings of the updated viability assessment suggest that there is no reason to abandon any of the three Garden Community proposals at this stage in the process over insurmountable concerns about economic viability, as there are realistic and credible scenarios which can deliver viable schemes.

Recommendation

To approve the Viability Assessment Update as evidence base for the Local Plan

Phasing and Delivery Update		Agenda No: 8
Portfolio: Planning and Housing Corporate Outcome: Securing appropriate infrastructure and housing growth Report Presented by: Emma Goodings Head of Planning and Economic Development Report Prepared by: Emma Goodings		
Background Papers: National Planning Policy Framework Publication Draft Local Plan 2017 IED011 Inspectors response to the North Essex Authorities June 2018		Public Report: Yes Key Decision: No
Executive Summary: The Planning Inspector requested to see more evidence on the deliverability of the Garden Communities to ensure that the high quality ambitions for the Garden Communities could be delivered in a viable way. A report produced by consultants AECOM sets out what infrastructure will be required for each phase of the development including for example the number of school places, GPs and utilities provision. This work has then fed into the viability work for each Garden Community.		
Recommendation To approve the Infrastructure Planning, Phasing and Delivery Report as evidence base to the Local Plan		
Purpose of Decision: To add to the evidence base of the Local Plan		
Corporate Implications		
Financial:	Cost of evidence preparation is being met from base budget	
Legal:	Must comply with Governments legislation and guidance on planning policy	
Equalities/Diversity:	Equality Impact Assessment of the Local Plan has been produced	
Safeguarding:	None	

Customer Impact:	The Local Plan will have an impact on customers across the District.
Environment and Climate Change:	Policies in plans that are proposed to be prepared will need to have regard to the environment and climate change issues.
Consultation/Community Engagement:	The new evidence if approved will be subject to a 6 week public consultation period.
Risks:	That the Local Plan is not found sound or is subject to legal challenge
Officer Contact:	Emma Goodings
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2. Phasing and Delivery Update

- 2.1 Section 1 of the Local Plans sets out an ambitious plan to uphold high standards of place making and design, whilst also ensuring timely delivery of transport, community, health, education and green and infrastructure. For example Policy SP7 (at point iv) states that infrastructure will be delivered ahead of, or in tandem with, residential development to support new residents and establish sustainable travel patterns.

- 2.2 In his interim findings, the Inspector concluded that whilst he supported the NEAs ambition to deliver infrastructure in such a way he was not convinced that he had seen sufficient evidence to demonstrate the deliverability of such an approach. For example at paragraph 134 he remarks:

'...The NEAs have, quite rightly, set high aspirations for the quality of their GC proposals and for the provision of affordable housing, open space, and social and community facilities in them. Clarity is needed at the outset over the affordability and deliverability of those aspirations, to ensure that they are not compromised during the development process because of unclear or conflicting expectations.'

- 2.3 In response to the Inspector's findings the NEAs considered it necessary to provide evidence on the deliverability of the ambition set out in Policy SP7 as well as the site specific Garden Community policies (SP8, SP9 and SP10). The NEAs therefore appointed AECOM to prepare an Infrastructure Planning, Phasing and Delivery report the purpose of which is to demonstrate the phased manner in which infrastructure will be delivered alongside new homes at the Garden Communities. The report looks in detail at the requirements of Section 1 to ensure that the phasing approach is compliant with policy requirements and more generally fulfils the NEAs' ambition of infrastructure-led communities. Importantly the NEAs have ensured that this report is fully consistent with the viability evidence, demonstrating both the deliverability and the financial viability of the approach put forward in Section 1.

Recommendation

To approve the Infrastructure Planning, Phasing and Delivery Report as evidence base to the Local Plan