



**REPORT of
HEAD OF PLANNING SERVICES**

**to
PLANNING AND LICENSING COMMITTEE
6 MARCH 2014**

**DUTY TO COOPERATE UPDATE AND THE PRODUCTION OF STATEMENTS
OF COMMON GROUND WITH ESSEX COUNTY COUNCIL, BRAINTREE
DISTRICT COUNCIL AND CHELMSFORD CITY COUNCIL**

1. PURPOSE OF THE REPORT

- 1.1 Through the Duty to Cooperate, and to support the production of the Local Development Plan (LDP), the Council is required to cooperate with neighbouring authorities and other relevant organisations to identify any strategic or cross boundary issues which should be considered as part of the production of the Plan. The Council has undertaken a large amount of work, meetings, and workshops to meet the requirements of the Duty to Cooperate. Through this work, strategic highways issues have been identified by Chelmsford City Council (Chelmsford CC), Braintree District Council (Braintree DC), and Essex County Council (Essex CC) in relation to growth allocated in the LDP.
- 1.2 The purpose of this report is to:
- a) update the Planning and Licensing Committee on the work that has been undertaken by the Council to meet the requirements of the Duty to Cooperate;
 - b) to provide a summary of the strategic and cross boundary issues identified through the Duty to Cooperate which required further consideration as part of the production of the LDP; and
 - c) to present two draft statements of common ground and a supporting explanatory note which are being jointly produced with Chelmsford CC, Braintree DC and Essex CC to support the LDP at examination, and are being initially considered by relevant Committee's at each authority in March 2014.

2. AREA FOR DECISION / ACTION

2.1 Background

- 2.1.1 The Localism Act (2011) established a duty to cooperate in relation to the planning of sustainable development. The Duty to Cooperate requires cooperation between local planning authorities, county councils, and relevant bodies as specified in the Planning Regulations (2012)¹ during the preparation of development plan documents and other local development documents.

¹ Relevant bodies include the Environment Agency, English Heritage, Natural England, the Mayor of London, the Civil Aviation Authority, the Homes and Communities Agency, the relevant Primary Care Trust, the Office of Rail Regulation,

- 2.1.2 The Act states that any cooperation should seek to maximise the effectiveness with which relevant strategic activities are undertaken. A strategic activity that should be considered within the Duty is described as *'sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas'*.
- 2.1.3 The National Planning Policy Framework (NPPF) states that public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the following strategic priorities²:
- the homes and jobs needed in the area;
 - the provision of retail, leisure and other commercial development;
 - the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
 - the provision of health, security, community and cultural infrastructure and other local facilities; and
 - climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.
- 2.1.4 The NPPF notes that the examination of a local plan should include an assessment to identify if the plan has been prepared in accordance with the Duty to Cooperate.

2.2 The Council's approach to meeting the requirements of the Duty to Cooperate

2.2.1 To support the production of the LDP and meet the requirements of the Duty to Cooperate, in addition to the usual consultation work and ongoing dialogue that is normally undertaken, Maldon District Council (MDC) has undertaken the following key tasks with neighbouring local authorities and other relevant authorities:

2.2.2 LDP Preferred Options consultation meeting with neighbouring authorities (July 2012)

2.2.2.1 Invitations were sent to the Chief Executive and Head of Planning of all neighbouring local authorities³ to attend a joint meeting to discuss the LDP Preferred Options consultation, and consider the strategic impact of proposals in the Plan and how these should be managed in the future.

2.2.2.2 An agreed outcome from the meeting was the need for all authorities to gain a better understanding of the needs of other areas, and any strategic and cross boundary issues, for consideration within development plan preparation. It was agreed that Maldon District Council (MDC) would produce a questionnaire to collate information on the

Transport for London, the relevant Integrated Transport Authority, the highways authority, the Marine Management Organisation, and the Local Enterprise Partnership.

² See paragraphs 178 and 156 of the National Planning Policy Framework

³ Including Chelmsford City Council, Brentwood Borough Council, Braintree District Council, Tendring District Council, Colchester Borough Council, Rochford District Council

needs of other local authority areas which should be considered as part of the production of the LDP.

2.2.3 Production and circulation of a questionnaire to all Essex local authorities (August 2012)

2.2.3.1 MDC requested the completion of a Duty to Cooperate questionnaire by all authorities in Essex. The aim of the questionnaire was to allow MDC to gain a full understanding of the requirements of other local authorities in the County, and ensure that these requirements can be fully considered as part of the production of the LDP.

2.2.3.2 The Council received nine questionnaire responses. As MDC were the first local authority in Essex to undertake such a large scale review in relation to the Duty to Cooperate, the results of the questionnaire were circulated to all authorities in Essex. The MDC Planning Policy Team analysed the responses, and identified a range of strategic and cross boundary issues which required further consideration as part of the production of the LDP, which are summarised in **APPENDIX 1**.

2.2.4 Sub-Regional Duty to Cooperate meetings (March & April 2013)

2.2.4.1 Based on the strategic and cross boundary issues identified through the Duty to Cooperate questionnaire, invitations to three sub-regional Duty to Cooperate meetings were circulated to the Head of Planning, Chief Executive, and planning portfolio holder or committee chair of all relevant⁴ authorities. The aim of the meetings was to provide the opportunity to discuss identified strategic and cross boundary issues, and consider how these should be managed through the LDP. **APPENDIX 2** lists all actions / recommendations from the sub-regional meetings, and outlines how MDC has responded through the production of the LDP and other on-going work.

2.2.5 Meeting with the Clinical Commissioning Group (CCG) (May 2013)

2.2.5.1 MDC attended a meeting with the CCG to raise concerns highlighted by neighbouring local authorities about the impact of LDP housing growth on health facilities in surrounding areas, and concerns about the management of future healthcare facilities. A process for further on-going consultation with the CCG was agreed at the meeting.

2.2.6 Essex CC Highways Modelling Workshop (May 2013)

2.2.6.1 All attendees of the sub-regional Duty to Cooperate meetings were invited to the highways modelling workshop, which was attended by representatives of Essex CC, Chelmsford CC, Braintree DC, Colchester Borough Council, and Brentwood District Council. Essex CC presented the outcomes of highways modelling undertaken on the level of growth allocated in the LDP Preferred Options 2012. The modelling work presented included the consideration of the strategic impacts of LDP growth within Maldon District, and assisted in alleviating concerns in relation to congestion around South Woodham Ferrers on the B1012 and Rettendon Turnpike (A130 / A132) from additional traffic on the B1018 Lower Burnham Road⁵.

⁴ Based on strategic and cross boundary issues identified through the Duty to Cooperate questionnaire, invitations were sent to Chelmsford City Council, Brentwood Borough Council, Castle Point District Council, Rochford District Council, Basildon District Council, Colchester Borough Council, Braintree District Council, and Tendring District Council.

⁵ The reduction of the housing allocation at North Fambridge in the Draft LDP (August 2013) also assisted in alleviating congestion concerns on the B1018 Lower Burnham Road from Chelmsford CC and Essex CC.

2.2.6.2 However, concerns were raised at the workshop that the highways modelling supporting the LDP did not sufficiently consider the strategic impacts of growth outside of the District. In particular, concerns were raised by Chelmsford CC and Braintree DC regarding the strategic impact of growth proposed in the LDP on the A414 focusing on Danbury, the impact on the B1019 / B1137 junction in Hatfield Peverel, and the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station.

2.2.7 LDP highways improvements meeting with Essex CC (August 2013)

2.2.7.1 Following concerns raised by Chelmsford CC and Braintree DC, MDC met with Essex CC to agree an approach to further highways modelling to consider the strategic impact of growth proposed in the LDP on the A414 focusing on Danbury, the impact on the B1019 / B1137 junction in Hatfield Peverel, and the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station. It was agreed that Essex Highways would produce a technical note on the wider highways network to form part of the LDP evidence base.

2.2.8 Duty to Cooperate County-wide workshop (October 2013)

2.2.8.1 Invitations to a Duty to Cooperate workshop on the Draft LDP consultation were circulated to the Head of Planning, Chief Executive, and planning portfolio holder or committee chair of all lower and upper tier authorities in Essex. Invitations were also sent to all relevant bodies specified in the Planning Regulations (2012). In addition to neighbouring local authorities and Essex County Council, the workshop was also attended by Anglian Water and Essex and Suffolk Water.

2.2.8.2 The workshop provided the opportunity to all authorities to identify any strategic or cross boundary issues on the Draft LDP, and discuss how this should be considered through the LDP. Apart from on-going highways concerns previously raised by Braintree DC and Chelmsford CC, no further strategic or cross boundary issues were identified at the workshop.

2.2.9 LDP highways impact Duty to Cooperate meetings with Essex CC, Chelmsford CC, and Braintree DC (October 2013 and December 2013)

2.2.9.1 A meeting with representatives of Essex CC, Braintree DC, and Chelmsford CC was undertaken in October 2013 to present the approach to considering strategic highways concerns at Danbury, Chelmsford, and Hatfield Peverel in relation to growth allocated in the LDP. Essex CC outlined how modelling would be undertaken to consider strategic concerns raised, and Chelmsford CC and Braintree DC outlined how key concerns should be considered through the production of the LDP.

2.2.9.2 Following the completion of highways modelling by Essex Highways, a further meeting was undertaken in December to consider the conclusions of the modelling work, and to consider the agreement of statements of common ground to support the submission of the LDP. Draft statements of common ground and a supporting explanatory note were presented at the meeting, and it was agreed that each authority would consider the drafts and provide comments. Following further refinement, it was agreed that each authority would present the proposed statements of common ground and supporting explanatory note to the relevant planning committee within

each Council for Member endorsement. The statements of common ground and supporting explanatory note are provided in **APPENDIX 3, 4 and 5**.

2.3 Summary of strategic and cross boundary highways issues raised by Chelmsford CC, Braintree DC, and Essex CC through the Duty to Cooperate

- 2.3.1 At Sub-Regional Duty to Cooperate meetings in March and April 2013, representatives from Chelmsford CC, Braintree DC and Essex CC raised concerns that the proposed distribution of growth in Maldon District may increase congestion on key transport routes to surrounding areas. Although additional employment growth is included within the LDP, the existing high levels of out commuting from Maldon District to surrounding areas can be expected to continue in the future, and will increase in relation to proposed growth in the LDP.
- 2.3.2 Concerns were raised that the level of growth at South Maldon may have a significant impact on the A414 between Maldon and Chelmsford, particularly where there are existing issues regarding congestion in Danbury at peak times. The A414 is a key transport route for Maldon residents providing access to Chelmsford, the A12, and mainline rail services to London. The level of congestion on the A414 will increase in relation to proposed growth in the LDP.
- 2.3.3 Further concerns were raised that the level of growth at North Heybridge may have a detrimental impact on the B1019 / B1137 junction at Hatfield Peverel. The B1019 is a key transport route going north of the District providing access to the A12 and a mainline railway station at Hatfield Peverel. There is existing congestion at this junction at peak times, which potentially could increase in relation to proposed growth in the LDP.
- 2.3.4 Chelmsford CC and Essex CC also raised concerns about the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station.

2.4 Outcomes of additional highways modelling undertaken by Essex Highways

- 2.4.1 To consider the strategic and cross boundary highways issues identified by Chelmsford CC and Braintree DC, Essex Highways undertook further highways modelling based on the impact of growth proposed in the LDP on the A414 focusing on Danbury, the impact on the B1019 / B1137 junction in Hatfield Peverel, and the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station.
- 2.4.2 The outcome of the additional highways modelling was presented to Chelmsford CC and Braintree DC at the Duty to Cooperate meeting on 17 December 2013, and the final report has been circulated to all authorities. In relation to the A414 towards Chelmsford, the highways modelling report has identified that congestion would increase in Danbury as a direct result of proposed growth in the LDP. Proposed mitigation measures can be identified on the Eves Corner junction in Danbury, which will allow the management of traffic through the junction to ensure the free flow of traffic along the A414. This would provide additional benefits of reducing 'rat running' on lanes surrounding Danbury where the use of the A414 would provide the most efficient option, and would enable bus priority opportunities at the junction.

However, this would increase travel times of residents from Little Baddow Road and Mayes Lane in Danbury, and the villages of Little Baddow and Bicknacre, to access the A414 from the centre of Danbury. Costs for these works are estimated at £120,000.

- 2.4.3 In relation to the B1019 / B1137 junction at Hatfield Peverel, the junctions performance is currently a concern during peak periods, and the highways modelling report identified that growth allocation in the LDP would exacerbate existing levels of congestion. However, due to the lack of physical space around the junction, there are no practical solutions available to mitigate against any adverse impacts of LDP growth in the short term. The highways report has noted that a long term solution would be the creation of a new junction on the A12 linking to the B1019. This would direct traffic away from Hatfield Peverel, however the significant costs associated with a new junction render this option undeliverable at this time. Agreement to promote the project between MDC, Braintree DC, and Essex CC will be required at a strategic level to take the proposal forward.
- 2.4.4 Highways modelling undertaken by Essex Highways confirmed that the proposed North East Chelmsford Rail Station will have a negligible impact on commuter movements from Maldon District, and any additional traffic could be accommodated within committed improvements to the Boreham Interchange to be completed in 2014 / 15.

2.5 The proposed approach to addressing strategic highways concerns identified through the Duty to Cooperate

- 2.5.1 The highways modelling report has confirmed that appropriate mitigation works can be undertaken to address concerns regarding congestion on the A414 in Danbury. As the Highways Authority, Essex CC will ensure that appropriate junction improvements are implemented at Eves Corner as recommend in the highways modelling report. In consultation with Essex CC, MDC will consider the inclusion of junction improvements at Eves Corner within the Regulation 123 list as part of the emerging Maldon District Community Infrastructure Levy. MDC have also recognised the importance of improvements at Eves Corner within Policy S4 of the Pre-Submission LDP and the Maldon District Infrastructure Delivery Plan Update (December 2013). Text included within the Pre-Submission LDP to highlight the required improvements is as follows:

6.1.1 In relation to the strategic highways network, Essex Highways has identified that growth at Maldon and Heybridge will increase congestion on the A414 between Maldon and Chelmsford and at the B1019 / B1137 junction at Hatfield Peverel. Essex County Council is committed to identifying and implementing appropriate improvements on the A414 and B1019 / B1137 junction to relieve congestion.

6.1.2 In relation to the A414, the approach currently recommended by Essex Highways is the addition of pre-signals at Eves Corner. Maldon District Council will support Essex County Council by identifying recommended mitigation measures within the Infrastructure Delivery Plan, and where appropriate will include specific strategic highways improvements within the Council's CIL Regulation 123 list.

6.1.3 *Physical space surrounding the B1019 / B1137 junction at Hatfield Peverel has restricted the identification of a viable immediate solution to relieve congestion by Essex Highways. A new junction connecting the B1019 to the A12 would provide the most effective solution, however the significant costs associated with a new junction render this option undeliverable at this time. Maldon District Council will seek to work with Braintree District Council, Essex County Council, the Highways Authority, the South East Local Enterprise Partnership, and Central Government to raise awareness and seek funding towards the future implementation of a new junction on the A12.*

6.1.4 *In the short term, Maldon District Council will work with Essex County Council and Braintree District Council to seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.*

2.5.2 Where no immediate improvements can be provided in relation to the impact of growth on the B1019 / B1137 junction in Hatfield Peverel, MDC will work with Essex CC to raise the profile of the requirement for a new junction on the A12 with neighbouring authorities, the Highways Agency, the South East Local Enterprise Partnership (SELEP), and Central Government. MDC has already sought to raise the profile of growth in the LDP in this area through Essex CC, the SELEP and direct to the Government in order to attract funding which could ultimately help to facilitate strategic improvements to infrastructure. A bid is being made to SELEP for £10m of funding towards strategic highway improvements in the District. In addition, the Council is seeking to ensure that the emerging Strategic Economic Plan for SELEP reflects the need for significant future investment in strategic infrastructure in and around Maldon District to support planned strategic growth identified within the emerging LDP, and to address historic infrastructure deficits which exist.

2.5.3 Due to the significant costs associated with the implementation of a new junction, strategic improvements to the A12 are beyond the scope of the LDP at this current time. MDC will continue to work with Braintree DC and Essex CC to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction. The importance of highways improvements in this area are identified within Policy S4 of the LDP through the text outlined above, and through the Maldon District Infrastructure Delivery Plan. This will enable MDC to continue to promote strategic highways improvements in this area as a corporate priority.

2.5.4 To reduce the amount of traffic using the B1019, Essex Highways also recommends the identification of further measures to encourage the use of sustainable travel options. Essex CC will work with MDC and Braintree DC to consider, identify, and implement appropriate future projects.

2.6 The production of draft statements of common ground

2.6.1 The Duty to Cooperate work and meetings undertaken by MDC to inform and support the production of the LDP has identified key strategic and cross boundary highways issues. MDC has undertaken further highways modelling, and through this further work has sought to identify ways to mitigate identified highways issues.

- 2.6.2 During the examination of the LDP later this year, the Council will be required to present how it has sought to meet the requirements of the Duty to Cooperate. This will be provided through the production of a Duty to Cooperate Statement of Compliance. Issues identified through the Duty to Cooperate will be presented to the Inspector for consideration, and the Council will be required to demonstrate how any identified issues have been considered at a Member level, and how cooperative work with all relevant authorities has been undertaken to seek to resolve any identified issues.
- 2.6.3 The recommended approach to presenting this information to the Inspector is through the production of a statement of common ground which has been endorsed by all relevant authorities. The statement should provide the Inspector with confidence that strategic and cross boundary issues have been sufficiently considered as part of the production of the LDP. The statement should also outline where possible resolutions have been identified, where relevant authorities are in agreement or otherwise, and where there may be unresolved issues which require further work.
- 2.6.4 Based on the outcomes of the highways modelling, MDC presented draft statements of common ground to Chelmsford CC, Braintree DC, and Essex CC at a Duty to Cooperate meeting in December 2013. Officer level consultation on the content of the statements of common ground has been ongoing since December 2013. The current draft statements of common ground and supporting explanatory note provided in **APPENDIX 3, 4 and 5** are being considered by each authority through the following:
- Chelmsford CC: Development Policy Committee on the 6 March 2014;
 - Braintree DC: LDF Sub Committee on the 6 March 2014;
 - Maldon DC: Planning and Licensing Committee on the 6 March 2014;
 - Essex CC: Endorsement by relevant Cabinet Member late February / early March 2014.
- 2.6.5 Following consideration of the statements of common ground by the relevant planning committees of each authority, any requested changes will be considered through further consultation with each authority and the final statements of common ground will be produced for consideration and endorsement as appropriate by the relevant planning committees of each authority.

3. IMPACT ON CORPORATE GOALS

- 3.1 Meeting the requirements of the Duty to Cooperate and the production of statements of common ground are essential to support the progression of the LDP, which will help to support the following corporate goals which underpin the Council's vision for the District:
- Enabling, supporting and empowering communities to be safe, active and healthy;
 - Protecting and shaping the District and balancing the future needs of the community; and

- Meeting the housing needs of the District.

4. IMPLICATIONS

- (i) **Impact on Customers** – Meeting the requirements of the Duty to Cooperate is essential as part of the production of the LDP. The LDP will give greater certainty to the local community, stakeholders and service providers on the future planning strategy for the Maldon District.

The adoption of the Local Development Plan will supersede the Maldon District Replacement Local Plan ‘saved policies’ as the Development Plan for the District. This will provide a clear and up to date spatial vision and policy framework for the District.

- (ii) **Impact on Equalities** – The progression of the Local Development Plan and associated Masterplans for North Heybridge Garden Suburb and South Maldon Garden Suburb will help to provide sustainable and well planned communities which promote social cohesion and help to provide for the future needs of the local community.
- (iii) **Impact on Risk** – Meeting the requirements of the Duty to Cooperate, and showing an Inspector how strategic and cross boundary issues have been considered, is essential during the examination of the LDP. If the Council fails to show that the requirements of the Duty to Cooperate have been met, the Plan could be found unsound at examination.
- (iv) **Impact on Resources (financial and human)** – Failure to meet the requirements of the Duty to Cooperate could result in a delay in the production of the LDP, where further evidence base studies and consultation may be required.
- (v) **Impact on the Environment** – The Local Development Plan will enable the Council to promote sustainable development and safeguard the local environment in accordance with the local priorities for the District. The Local Development Plan is subject to Sustainability Appraisal and Appropriate Assessment in accordance with the European Union (EU) directive on Strategic Environmental Assessment.

5. CONCLUSIONS

- 5.1 The Council has undertaken a large amount of work, meetings, and workshops to meet the requirements of the Duty to Cooperate. Through this work, strategic highways concerns have been identified by Chelmsford CC, Braintree DC, and Essex CC in relation to growth allocated in the LDP. In conjunction with Essex CC, MDC has sought to identify appropriate mitigation measures. Where mitigation options are limited, MDC has sought to identify an approach to addressing highways concerns in the future in collaboration with Essex CC and relevant neighbouring local authorities.

6. RECOMMENDATION

That the update provided on the Duty to Cooperate work undertaken by Maldon District Council, Chelmsford City Council, Braintree District Council, and Essex County Council, be noted.

Background Papers:

National Planning Policy Framework (2012).

Technical Note - Impact of Proposed Development Sites in Heybridge and South Maldon on Wider Highway Network (Essex County Council, December 2013).

Maldon District Pre-Submission Local Development Plan.

Enquiries to: Tim Parton, Planning Policy Officer, (Tel: 01621 876203).

Summary of the strategic and cross boundary issues identified through the Duty to Cooperate questionnaire circulated in August 2012

Basildon District Council

- Basildon BC is currently producing a Core Strategy. Therefore, the Council is unable to identify any surplus or deficit in objectively assessed needs at this time.
- The level of housing growth proposed in the Preferred Options Core Strategy consultation would not meet housing needs in the Borough.
- Basildon have identified protection of Special Areas of Conservation (SAC), Special Protection Areas (SPA), RAMSAR and Natura 2000 sites in Maldon District as cross boundary issues that may require joint working with Maldon District Council (MDC).

Braintree District Council

- The adopted Braintree Core Strategy does not meet the total housing and traveller accommodation needs for the area. However, Braintree does not require any need deficit to be accommodated in neighbouring local authority areas.
- Braintree would expect joint working to be undertaking with MDC on issues relating to the Chelmer and Blackwater Canal Conservation Area, Bradwell Nuclear Power Station, Witham to Maldon railway line cycleway, and the impact of any growth proposals in Maldon District on surrounding road networks and train stations.

Brentwood Borough Council

- Brentwood are currently producing a development plan, therefore the objectively assessed needs for the area are still being identified.
- It is considered unlikely that the Borough could meet its objectively assessed housing need due to high levels of demand and need, land constraints and high property prices.
- Brentwood requires neighbouring areas to accommodate the Boroughs B8 warehousing needs.
- Brentwood has not identified any particular issues which require cross boundary cooperation between MDC and Brentwood.

Castle Point Borough Council

- The Castle Point Local Plan is out of date, and is currently being updated. The District is therefore unaware of current and future objectively assessed needs.
- Joint working may be required in relation to SPA and SAC in Maldon District which are within 20km of Castle Point District.

Chelmsford City Council

- Chelmsford has a deficit in the provision of traveller accommodation beyond 2016.
- All other objectively assessed needs in Chelmsford are accommodated through the adopted Core Strategy.
- Potential cross boundary issues related to housing growth in Maldon District include impacts on the local road network, management of tourism facilities in Maldon, health care and education facilities in the Chelmsford Council area.

Colchester Borough Council

- Affordable housing needs are not being met. It is considered that assessed needs cannot be achieved within the Borough.
- All other objectively assessed needs in Colchester are accommodated through the adopted Core Strategy.
- Colchester BC is not aware of any cross boundary issues with Maldon DC that require consideration through the Duty to Cooperate.

Rochford District Council

- Objectively assessed needs in Rochford are accommodated through the adopted Core Strategy.
- Rochford District is considered to be functionally separate to Maldon District, and has limited links in relation to the housing market, retail, leisure and employment.
- Management of the natural environment, particularly in relation to the river Crouch, is considered to be the only significant cross-boundary issue between Maldon and Rochford District's.

Southend-on-Sea Borough Council

- Objectively assessed needs in Southend are accommodated through the adopted Core Strategy.
- Southend are not aware of any cross boundary issues with Maldon DC that require consideration through the Duty to Cooperate.

Uttlesford District Council

- Uttlesford are aiming to meet objectively assessed needs within the District through the emerging Local Plan.
- Uttlesford are not aware of any cross boundary issues with MDC that require consideration through the Duty to Cooperate.

Maldon District Council's response to actions / recommendations from the three sub-regional Duty to Cooperate meetings undertaken in March and April 2013

Heart of Essex Duty to Cooperate Meeting	
Actions / Recommendations	MDC Response
<p>Chelmsford CC outlined that it is unlikely the Council could accommodate additional growth from surrounding local authorities. Chelmsford CC would therefore expect MDC to meet its own objectively assessed needs for housing through the Local Development Plan (LDP).</p>	<p>MDC has acknowledged that other areas cannot accommodate additional growth, and have therefore sought to increase housing provision in the LDP to meet the Districts objectively assessed needs for housing.</p> <p>Reference: Council agreed to increase the housing provision in the LDP to meet the District's objectively assessed needs for housing on 22 May 2013. (reports and minutes available here)</p>
<p>It was acknowledged that the identification of objectively assessed need requires the consideration of a range of sources. However, it was generally considered appropriate to use conclusion within the Essex Demographics Study Phase 4, based on the revised Sub National Population Projections 2010 figures, to identify objectively assessed need.</p>	<p>Maldon DC has used the revised SNPP 2010 data as outlined in the Essex Demographics Study 2013 to identify objectively assessed housing need for the District.</p> <p>Reference: Council agreed the District's objectively assessed needs for housing on 22 May 2013. (reports and minutes available here)</p>
<p>Concerns were raised by Chelmsford CC on the impact of housing growth in Maldon District on health facilities within surrounding areas.</p> <p>It was agreed that mixed messages are being received from Clinical Commissioning Group (CCG) / Primary Care Trust (PCT) in relation to the future provision of healthcare facilities. Maldon DC will draft and circulate for comment a letter on behalf of the Heart of Essex to raise concerns identified.</p>	<p>MDC had a meeting with the CCG in May 2013 to raise concerns identified.</p> <p>The CCG continue to attend regular Developer Forum meetings to consider strategic growth in the District as part of the progression of the LDP.</p> <p>To assist in the identification of appropriate areas for additional housing growth, MDC undertook 'Growth Capacity Testing' in May 2013 to consult with the National Health Services (NHS) / CCG in relation to healthcare provision in the District.</p> <p>Reference: Council considered the results of the growth capacity testing on 11th July 2013. (reports and minutes available here)</p>
<p>Concerns were raised by Chelmsford CC on the impact of housing growth in Maldon District on school facilities within surrounding areas.</p>	<p>MDC continue to work with Essex County Council (ECC) to consider the impact of housing growth proposed in the District.</p>

APPENDIX 2

<p>Concerns were raised that ECC education based advice does not consider the impact of housing growth across administrative boundaries.</p> <p>MDC will request that ECC consider the impact of proposed housing growth on education facilities outside the District.</p>	<p>ECC Principal Planning Kevin Fraser has provided these comments to colleagues within ECC.</p> <p>To assist in the identification of appropriate areas for additional housing growth, MDC undertook ‘Growth Capacity Testing’ in May 2013 to consult with ECC in relation to education provision in the District. ECC have identified that all schools provision can be accommodated within the District.</p> <p>Reference: Council considered the results of the growth capacity testing on 11 July 2013. (reports and minutes available here)</p>
<p>Concerns were raised about the strategic impact of proposed housing growth in Maldon District on surrounding highways networks, in particular the A414 towards Chelmsford.</p> <p>Chelmsford CC and Brentwood BC will be invited to attend a transport based workshop with ECC to discuss the outcome of highways modelling and consider further the strategic impacts of growth on the highways network.</p>	<p>Representatives from neighbouring authorities attended a highways workshop with ECC in May 2013.</p> <p>To assist in the identification of appropriate areas for additional housing growth, MDC undertook ‘Growth Capacity Testing’ in May 2013 to consult with ECC in relation to highways provision in the District.</p> <p>Highways modelling to support the Draft LDP was completed by Essex Highways in August 2013 (available here).</p> <p>A meeting was held in August 2013 with ECC Director of Highways and Transportation Paul Bird, ECC Councillor Rodney Bass, and ECC Strategy and Engagement Manager Hannah Neve to consider the need for further highways modelling to support the LDP. Further modelling work is now currently being undertaken which will consider the wider impact on the highways network. The Study will be completed in October 2013.</p> <p>Reference: Council considered the results of the growth capacity testing on 11 July 2013. (reports and minutes available here)</p>
<p>Concerns were raised about the potential increase in trespass and impact on natural environment in the South Woodham Ferrers area. MDC Officers will monitor conclusions of future sustainability appraisal work in relation to these concerns.</p>	<p>No further issues have been raised in the LDP Sustainability Appraisal supporting the Draft LDP. The level of growth in the North Fambridge area has been reduced, which will reduce any potential adverse impacts on the South Woodham Ferrers area.</p>

APPENDIX 2

<p>It was agreed that the notes of the meeting would be circulated to appropriate Council Members in each authority to ensure that they are aware of the Duty to Cooperate discussions being undertaken and have the opportunity to comment and provide their views.</p>	<p>Notes of the meetings were circulated to all attendees. MDC requested that all attendees circulated the notes to relevant Council Members within their authority.</p>
<p>It was agreed that there are no strategic issues that are appropriate to require the production of a memorandum of understanding at this time. The production of statements of common ground on appropriate strategic issues will be considered as required.</p>	<p>Further meetings will be organised as part of the Draft LDP consultation which will begin to set out the consideration of statements of common ground where appropriate with neighbouring authorities.</p>
<p>Thames Gateway Duty to Cooperate Meeting</p>	
<p>Due to identified significant constraints, Castle Point BC and Rochford DC stated that they would be unlikely to be able to accommodate the level of housing growth suggested by Sub-National Population Projections (SNPP) within their administrative boundaries.</p>	<p>MDC has acknowledged that other areas cannot accommodate additional growth, and have therefore sought to increase housing provision in the LDP to meet the Districts objectively assessed needs for housing.</p> <p>Reference: Council agreed to increase the housing provision in the LDP to meet the District's objectively assessed needs for housing on 22 May 2013. (reports and minutes available here)</p>
<p>It was acknowledged that the identification of objectively assessed need requires the consideration of a range of sources. However, it was generally considered appropriate to use conclusion within the Essex Demographics Study Phase 4, based on the revised Sub National Population Projections 2010 figures, to identify objectively assessed need.</p>	<p>Maldon DC has used the revised SNPP 2010 data as outlined in the Essex Demographics Study 2013 to identify objectively assessed housing need for the District.</p> <p>Reference: Council agreed the District's objectively assessed needs for housing on 22 May 2013. (reports and minutes available here)</p>
<p>Concerns were raised about the cumulative impact of proposed growth on the European conservation sites such as the Blackwater Estuary and Crouch Estuary in the LDP.</p> <p>To assist in the production of the Castle Point Habitat Regulation Assessment (HRA), MDC will provide further information as required on the future agreed housing target of the LDP when this is available.</p>	<p>The Sustainability Report (incorporating a Strategic Environmental Assessment and Habitats Regulations Assessment (available here)) has stated that the Draft LDP is not expected to have a significant effect on the integrity of international conservation sites, alone or in combination with other plans or programmes.</p> <p>MDC have distributed information on the production of the LDP to all neighbouring authorities as part of the Draft LDP consultation.</p>

APPENDIX 2

<p>It was acknowledged in the meeting that both MDC and Rochford DC could do more to engage on the management of the Rivers Crouch and Roach.</p>	<p>MDC Head of Community and Leisure Services Richard Holmes will take this forward through the work of his team.</p>
<p>Rochford DC to share with Maldon DC Rochford's emerging development management policy on houseboats to assist in the production of the Draft LDP.</p>	<p>Rochford DC shared information with MDC Planning Officers.</p>
<p>Haven Gateway Duty to Cooperate Meeting</p>	
<p>Colchester BC and Braintree DC expect each local planning authority to meet their own housing needs within their own administrative boundary, and may object to the LDP if this cannot be achieved.</p>	<p>MDC has acknowledged that other areas cannot accommodate additional growth, and have therefore sought to increase housing provision in the LDP to meet the Districts objectively assessed needs for housing.</p> <p>Reference: Council agreed to increase the housing provision in the LDP to meet the District's objectively assessed needs for housing on 22 May 2013. (reports and minutes available here)</p>
<p>Concerns were raised about the strategic impact of proposed housing growth in Maldon District on surrounding highways networks.</p> <p>Colchester BC and Braintree DC will be invited to attend a transport based workshop with ECC to discuss the outcome of highways modelling and consider further the strategic impacts of growth on the highways network.</p> <p>Maldon DC and ECC to further consider wider highway impacts of proposed growth.</p>	<p>Representatives from neighbouring authorities attended a highways workshop with ECC in May 2013. Notes of the meeting are provided in Appendix 7.</p> <p>To assist in the identification of appropriate areas for additional housing growth, MDC undertook 'Growth Capacity Testing' in May 2013 to consult with ECC in relation to highways provision in the District.</p> <p>Highways modelling to support the Draft LDP was completed by Essex Highways in August 2013 (available here).</p> <p>A meeting was held in August 2013 with ECC Director of Highways and Transportation Paul Bird, ECC Cllr Rodney Bass, and ECC Strategy and Engagement Manager Hannah Neve to consider the need for further highways modelling to support the LDP. Further modelling work is now currently being undertaken which will consider the wider impact on the highways network. The Study will be completed in October 2013.</p> <p>Reference: Council considered the results of the growth capacity testing on 11 July 2013. (reports and minutes available here)</p>

APPENDIX 2

<p>Colchester BC to share viability information with MDC on affordable housing collected by Colchester BC.</p>	<p>Colchester BC shared information with MDC Planning Officers.</p>
<p>MDC will consider the possibility of allocating cycle routes in the LDP, particularly in relation to linking up with cycle routes in Braintree District.</p>	<p>ECC are currently undertaking work on future cycle routes across the County. Prior to the completion of this, and without future evidence base work to support the LDP, it was not considered appropriate to include new cycle routes in the Plan. Appropriate routes for new cycle and walking routes in and around the Garden Suburbs and Strategic Allocations will be development through masterplanning, and the provision of new routes is a policy requirement within the Draft LDP.</p> <p>The Council may consider producing a supplementary planning document cycle routes if required following the completion of the LDP.</p>
<p>It was agreed that the notes of the meeting would be circulated to appropriate Council Members in each authority to ensure that they are aware of the Duty to Cooperate discussions being undertaken and have the opportunity to comment and provide their views.</p>	<p>Notes of the meetings were circulated to all attendees. MDC requested that all attendees circulated the notes to relevant Council Members within their authority.</p>
<p>It was agreed that there are no strategic issues that are appropriate to require the production of a memorandum of understanding at this time. The production of statements of common ground on appropriate strategic issues will be considered as required.</p>	<p>Further meetings will be organised as part of the Draft LDP consultation which will begin to set out the consideration of statements of common ground where appropriate with neighbouring authorities.</p>

Duty to Cooperate Statement of Common Ground Explanatory Note - Strategic Highways Issues

1. Introduction

The Localism Act (2011) established a duty to cooperate in relation to the planning of sustainable development. The Duty to Cooperate requires cooperation between local planning authorities, county councils, and relevant bodies as specified in the Planning Regulations (2012)¹, to consider strategic and cross boundary issues during the preparation of development plan documents and other local development documents.

In relation to the production of the Maldon District Local Development Plan (LDP), cooperative work has been undertaken with Essex County Council (ECC), neighbouring local authorities, and other relevant bodies to identify strategic and cross boundary issues which require further consideration (as outlined in the LDP Duty to Cooperate Statement). Through Duty to Cooperate meetings with Chelmsford CC (CCC), Braintree DC (BDC), and ECC, concerns were raised in relation to the impact of proposed LDP growth on the following strategic highways issues:

- Congestion on the A414 between Maldon and Chelmsford, particularly in relation to congestion at Danbury (issue raised by CCC and ECC)
- Congestion on the B1019 / B1137 junction at Hatfield Peverel (issue raised by BDC and ECC)

Although a range of strategic and cross boundary issues were identified through cooperative work supporting the LDP, only strategic highways issues are considered to require the production of a Statement of Common Ground between relevant authorities. This explanatory note outlines how these strategic highways concerns have been addressed alongside the production of the LDP, to support the agreement of a Statement of Common Ground which will form part of the LDP evidence base.

2. Cooperative work undertaken with Chelmsford CC, Braintree DC, and Essex CC

To support the production of the LDP and meet the requirements of the Duty to Cooperate, in addition to the usual consultation work that is normally undertaken, Maldon District Council (MDC) has undertaken a large amount of work specifically related to identifying and addressing strategic and cross boundary issues associated with the LDP. The LDP Duty to Cooperate Statement outlines in detail all work undertaken by MDC to meet the requirements of the Duty to Cooperate. The following table identifies the key Duty to Cooperate tasks undertaken with CCC, BDC, and ECC, where strategic highways issues have been considered.

¹ *Relevant bodies include the Environment Agency, English Heritage, Natural England, the Mayor of London, the Civil Aviation Authority, the Homes and Communities Agency, the relevant Primary Care Trust, the Office of Rail Regulation, Transport for London, the relevant Integrated Transport Authority, the highways authority, the Marine Management Organisation, and the Local Enterprise Partnership.*

APPENDIX 3

Key Duty to Cooperate tasks where strategic highways issues have been considered with MDC, CCC, BDC, and ECC

Task	Date	Participation by Chelmsford CC, Braintree DC, Maldon DC and Essex CC
LDP Preferred Options consultation related Duty to Cooperate meeting with neighbouring authorities	16 July 2012	Claire Stuckey (CCC) Alan Massow (BDC) Pat Amos (ECC) Cllr Boyce, Cllr Mrs Channer, Cllr Ms Lewis, Fiona Marshall, Paul Gayler, Derek Lawrence, David Coleman, Andrew Ransome, Tim Parton (MDC)
Production and circulation of a questionnaire to all Essex local authorities	August 2012	Questionnaire responses received by CCC and BDC
Duty to Cooperate Heart of Essex Sub-Regional Meeting	18 March 2013	David Green, Derek Stebbing (CCC) Kevin Fraser, Korah Galloway (ECC) Cllr Boyce, Cllr Mrs Channer, Fiona Marshall, Paul Gayler, Richard Holmes, Derek Lawrence, David Coleman, Tim Parton, Tai Tsui, Jenny Lewsey (MDC)
Duty to Cooperate Haven Gateway Sub-Regional Meeting	18 April 2013	Jon Hayden (BDC) Eleanor Dash (BDC) Kevin Fraser (ECC) Cllr Boyce, Cllr Mrs Channer, Fiona Marshall, Paul Gayler, Richard Holmes, Derek Lawrence, David Coleman, Tim Parton, Tai Tsui, Chris Roberts, Jackie Longman (MDC)
ECC Highways Modelling Duty to Cooperate Workshop	13 May 2013	Laura Percy (CCC) Eleanor Dash (BDC) Kevin Fraser, Hannah Neve, Matthew Bradley, Brendan Johnston, Mary Young, Charlotte Saunders (ECC) Hazel Berrett, Derek Lawrence, Phillip Rowson, David Coleman, Tim Parton, Gary Sung (MDC)
LDP Highways Improvements meeting	9 August 2013	Hannah Neve, Paul Bird, Cllr R Bass (ECC) Cllr Boyce, Cllr Mrs Channer, Fiona Marshall, David Coleman (MDC)
Draft LDP consultation Duty to Cooperate County-wide workshop	11 October 2013	Julie Broere, Cllr Shepherd (CCC) Alan Massow (BDC) Kevin Fraser, Hannah Neve (ECC) David Coleman, Tim Parton, Derek Lawrence, Emily Hall, Cllr M Lewis (MDC)
LDP Highways Impact Duty to Cooperate meeting	14 October 2013	Julie Broere, Cllr Shepherd (CCC) Emma Goodings (BDC) Kevin Fraser, Hannah Neve, Cllr R Bass (ECC) Cllr Channer, Cllr Boyce, David Coleman,

		Tim Parton, Fiona Marshall (MDC)
LDP Highways Impact Duty to Cooperate meeting	17 December 2013	Claire Stuckey, Cllr Gulliver (CCC) Emma Goodings, Cllr Bebb (BDC) Hannah Neve, Matthew Bradley, Kevin Fraser, Brendan Johnson, Cllr R Bass (ECC) Cllr Henry Bass, Cllr Miriam Lewis, David Coleman, Gary Sung, Tim Parton (MDC)

3. Strategic and cross boundary issues raised

The LDP Preferred Options consultation document (July 2012) sought to identify appropriate locations for 3,200 dwellings across Maldon District through the allocation of strategic growth areas at South Maldon (1,250 dwellings), North Heybridge (900 dwellings), Burnham on Crouch (450 dwellings) and North Fambridge (300 dwellings). The LDP focused on locating the majority of growth in the District around Maldon and Heybridge. Subsequent drafts of the LDP have made adjustments to the distribution of growth, however the spatial layout of growth remains the same, with the majority of growth being focused at North Heybridge and South Maldon.

At Sub-Regional Duty to Cooperate meetings in March and April 2013, representatives from CCC, BDC and ECC raised concerns that the proposed distribution of growth in Maldon District may increase congestion on key transport routes to surrounding areas. Although additional employment growth is included within the LDP, the existing high levels of out commuting from Maldon District to surrounding areas can be expected to continue in the future, and will increase in relation to proposed growth in the LDP.

Concerns were raised that the level of growth at South Maldon may have a significant impact on the A414 between Maldon and Chelmsford, particularly where there are existing issues regarding congestion in Danbury at peak times. The A414 is a key transport route for Maldon residents providing access to Chelmsford, the A12, and mainline rail services to London. The level of congestion on the A414 will increase in relation to proposed growth in the LDP.

Concerns about the impact of growth in the south of the District were raised, where growth at Burnham on Crouch could increase congestion around South Woodham Ferrers on the B1012 and Rettendon Turnpike (A130 / A132) from additional traffic on the B1018 Lower Burnham Road.

Further concerns were raised that the level of growth at North Heybridge may have a detrimental impact on the B1019 / B1137 junction at Hatfield Peverel. The B1019 is a key transport route going north of the District providing access to the A12 and a mainline railway station at Hatfield Peverel. There is existing congestion at this junction at peak times, which potentially could increase in relation to proposed growth in the LDP.

4. Actions undertaken to address strategic highways issues raised

Following the concerns raised at Sub-Regional Duty to Cooperate meetings in March and April 2013, CCC and BDC were invited to a highways workshop with ECC and MDC, where the results of highways modelling produced as part of the LDP evidence base were presented.

The modelling work included the consideration of the strategic impacts of LDP growth within Maldon District, and assisted in alleviating concerns in relation to congestion around South Woodham Ferrers on the B1012 and Rettendon Turnpike (A130 / A132) from additional traffic on the B1018 Lower Burnham Road².

However, concerns were raised at the workshop that the highways modelling supporting the LDP did not sufficiently consider the strategic impacts of growth outside of the District. Following this meeting and further discussions with ECC, Essex Highways undertook further highways modelling to consider the strategic impact of growth proposed in the LDP on the A414 focusing on Danbury, the impact on the B1019 / B1137 junction in Hatfield Peverel, and the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station.

5. Outcomes of additional highways modelling undertaken by Essex Highways

The outcome of the additional highways modelling was presented to CCC and BDC at the Duty to Cooperate meeting on 17 December 2013, and the final report has been circulated to all relevant authorities. In relation to the A414 towards Chelmsford, the highways modelling report has identified that congestion would increase in Danbury as a direct result of proposed growth in the LDP. Proposed mitigation measures can be identified on the Eves Corner junction in Danbury, which will allow the management of traffic through the junction to ensure the free flow of traffic along the A414. This would provide additional benefits of reducing 'rat running' on lanes surrounding Danbury where the use of the A414 would provide the most efficient option, and would enable bus priority opportunities at the junction. However, this would increase travel times of residents from Little Baddow Road and Mayes Lane in Danbury, and the villages of Little Baddow and Bicknacre, to access the A414 from the centre of Danbury. Costs for these works are estimated at £120,000.

In relation to the B1019 / B1137 junction at Hatfield Peverel, the junctions performance is currently a concern during peak periods, and the highways modelling report identified that growth allocation in the LDP would exacerbate existing levels of congestion. However, due to the lack of physical space around the junction, there are no practical solutions available to mitigate against any adverse impacts of LDP growth in the short term. The highways report has noted that a long term solution would be the creation of a new junction on the A12 linking to the B1019. This would direct traffic away from Hatfield Peverel, however the significant costs associated with a new junction render this option undeliverable at this time. Strategic agreement to promote the project between MDC, BDC, and ECC will be required at a strategic level to take the proposal forward.

Highways modelling undertaken by Essex Highways confirmed that the proposed North East Chelmsford Rail Station will have a negligible impact on commuter movements from Maldon District, and any additional traffic could be accommodated within committed improvements to the Boreham Interchange to be completed in 2014 / 15.

² The reduction of the housing allocation at North Fambridge in the Draft LDP (August 2013) also assisted in alleviating congestion concerns on the B1018 Lower Burnham Road from CCC and ECC.

6. Maldon DC's and Essex CC's approach to addressing strategic highways concerns

The highways modelling report has confirmed that appropriate mitigation works can be undertaken to address concerns regarding congestion on the A414 in Danbury. As the Highways Authority, ECC will ensure that appropriate junction improvements are implemented at Eves Corner as recommend in the highways modelling report. In consultation with ECC, MDC will consider the inclusion of junction improvements at Eves Corner within the Regulation 123 list as part of the emerging Maldon District Community Infrastructure Levy. MDC have also recognised the importance of improvements at Eves Corner within Policy S4 of the Pre-Submission LDP and the Maldon District Infrastructure Delivery Plan Update (December 2013). Text included within the Pre-Submission LDP to highlight the required improvements is as follows:

In relation to the strategic highways network, Essex Highways has identified that growth at Maldon and Heybridge will increase congestion on the A414 between Maldon and Chelmsford and at the B1019 / B1137 junction at Hatfield Peverel. Essex County Council is committed to identifying and implementing appropriate improvements on the A414 and B1019 / B1137 junction to relieve congestion.

In relation to the A414, the approach currently recommended by Essex Highways is the addition of pre-signals at Eves Corner. Maldon District Council will support Essex County Council by identifying recommended mitigation measures within the Infrastructure Delivery Plan, and where appropriate will include specific strategic highways improvements within the Council's CIL Regulation 123 list.

Physical space surrounding the B1019 / B1137 junction at Hatfield Peverel has restricted the identification of a viable immediate solution to relieve congestion by Essex Highways. A new junction connecting the B1019 to the A12 would provide the most effective solution, however the significant costs associated with a new junction render this option undeliverable at this time. Maldon District Council will seek to work with Braintree District Council, Essex County Council, the Highways Authority, the South East Local Enterprise Partnership, and Central Government to raise awareness and seek funding towards the future implementation of a new junction on the A12.

In the short term, Maldon District Council will work with Essex County Council and Braintree District Council to seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.

Where no immediate improvements can be provided in relation to the impact of growth on the B1019 / B1137 junction in Hatfield Peverel, MDC will work with ECC to raise the profile of the requirement for a new junction on the A12 with neighbouring authorities, the Highways Agency, the South East Local Enterprise Partnership (SELEP), and Central Government. MDC has already sought to raise the profile of growth in the LDP in this area through ECC and the SELEP in order to attract funding which could ultimately help to facilitate strategic improvements to infrastructure. A bid is being made to SELEP for £10m

of funding towards strategic highway improvements in the District. In addition, the Council is seeking to ensure that the emerging Strategic Economic Plan for SELEP reflects the need for significant future investment in strategic infrastructure in and around Maldon District to support planned strategic growth identified within the emerging LDP, and to address historic infrastructure deficits which exist.

Due to the significant costs associated with the implementation of a new junction, strategic improvements to the A12 are beyond the scope of the LDP at this current time. MDC will continue to work with BDC and ECC to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction. The importance of highways improvements in this area are identified within Policy S4 of the LDP through the text outlined above, and through the Maldon District Infrastructure Delivery Plan. This will enable MDC to continue to promote strategic highways improvements in this area as a corporate priority.

To reduce the amount of traffic using the B1019, Essex Highways also recommends the identification of further measures to encourage the use of sustainable travel options. ECC will work with MDC and BDC to consider identify and implement appropriate future projects.

7. Conclusion

This explanatory note has outlined strategic highways issues raised by neighbouring authorities through the Duty to Cooperate. MDC will seek the endorsement of the proposed approach to addressing strategic highways concerns of CCC, BDC, and ECC through the agreement of the attached Statements of Common Ground. The agreed Statements of Common Ground will then form part of the LDP evidence base.

Duty to Cooperate Statement of Common Ground on strategic highways issues associated with the Maldon District Local Development Plan

Statement of Common Ground between:

- 1) Chelmsford City Council
- 2) Essex County Council (Highway Authority)
- 3) Maldon District Council

1. Background and context

- 1.1 In relation to the production of the Maldon District Local Development Plan (LDP), and to meet the requirements of the Duty to Cooperate, a large amount of cooperative work has been undertaken with Essex County Council (ECC), neighbouring local authorities, and other relevant bodies to identify strategic and cross boundary issues related to proposed growth in the LDP.
- 1.2 At a Sub-Regional Duty to Cooperate meeting in March 2013, representatives from Chelmsford City Council (CCC) and ECC raised concerns that the level of growth in the LDP at South Maldon may have a significant impact on the A414 between Maldon and Chelmsford, particularly where there are existing issues regarding congestion in Danbury at peak times. The A414 is a key transport route for Maldon residents providing access to Chelmsford, the A12, and mainline rail services to London.
- 1.3 CCC and ECC also raised concerns that the level of development at North Fambridge and Burnham on Crouch could increase congestion near South Woodham Ferrers on the B1012 and the Rettendon Turnpike (A130 / A132 junction), and raised concerns about the possible level of demand that growth allocated in the LDP could have on the proposed North Chelmsford Rail Station.
- 1.4 To support the production of the Draft LDP, Essex Highways has produced the following studies which assessed the impact of planned growth on the local and wider highways network.
 - Impact of Potential Core Strategy Sites on Existing Junctions Report (2010)
 - Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham on Crouch (May 2013)
 - Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham-on-Crouch (May, 2013)
 - Further assessment of the impact of proposed development sites in Heybridge and South Maldon on Highways Network (November, 2013)
 - Technical Note - Impact of Proposed Development Sites in Heybridge and South Maldon on Wider Highway Network (December, 2013)
 - Reallocation of 335 Dwellings from South Maldon to Heybridge (January, 2014)
- 1.5 In response to the specific concerns raised through the Sub-Regional Duty to Cooperate meetings, ECC undertook further highways modelling to review the strategic highways

impact of growth proposed in the LDP in key locations outside of the District. The highways modelling report has identified that congestion would increase in Danbury as a result of proposed growth in the LDP. Proposed mitigation measures can be identified on the Eves Corner junction in Danbury, which will allow the management of traffic through the junction to ensure the free flow of traffic along the A414. Potential options considered by ECC include the creation of a staggered priority junction, signalised crossroads, and pre-signal arrangements on Little Baddow Road and Mayes Lane.

- 1.6 ECC's preferred option is the use of pre-signals on Little Baddow Road and Mayes Lane, which will reduce congestion on the A414 by prioritising traffic on this route and limiting access from Mayes Lane and Little Baddow Road. This would provide additional benefits of reducing 'rat running' on lanes surrounding Danbury where the use of the A414 would provide the most efficient option, and would enable bus priority opportunities at the junction. However, this would increase travel times of residents from Little Baddow Road and Mayes Lane in Danbury, and the villages of Little Baddow and Bicknacre, to access the A414 from the centre of Danbury. Costs for these works are estimated at £120,000.
- 1.7 The reduction in the LDP housing allocation in North Fambridge from 300 to 75 dwellings have alleviated concerns regarding potential congestion on the B1012 and Rettendon Turnpike (A130 / A132 junction) near South Woodham Ferrers. Also, modelling undertaken by Essex Highways confirmed that the proposed North East Chelmsford Rail Station will have a negligible impact on commuter movements from Maldon District, and any additional traffic could be accommodated within committed improvements to the Boreham Interchange to be completed in 2014/15.
- 1.8 As the Highways Authority, ECC will ensure that appropriate junction improvements are implemented at Eves Corner as recommend in the highways modelling report. In consultation with ECC, MDC will consider the inclusion of junction improvements at Eves Corner within the Regulation 123 list as part of the emerging Maldon District Community Infrastructure Levy. MDC has also recognised the importance of improvements at Eves Corner within Policy S4 of the Pre-Submission LDP and the Maldon District Infrastructure Delivery Plan Update (December 2013). Text included within the Pre-Submission LDP to highlight the required improvements is as follows:

In relation to the strategic highways network, Essex Highways has identified that growth at Maldon and Heybridge will increase congestion on the A414 between Maldon and Chelmsford and at the B1019 / B1137 junction at Hatfield Peverel. Essex County Council is committed to identifying and implementing appropriate improvements on the A414 and B1019 / B1137 junction to relieve congestion.

In relation to the A414, the approach currently recommended by Essex Highways is the addition of pre-signals at Eves Corner. Maldon District Council will support Essex County Council by identifying recommended mitigation measures within the Infrastructure Delivery Plan, and where appropriate will include specific strategic highways improvements within the Council's CIL Regulation 123 list.

2. Matters of agreement in principle
 - 2.1 MDC, CCC, and ECC have been working together in a constructive manner throughout the production of the LDP. Through the Duty to Cooperate, the following matters of agreement in principle have been reached:
 - 2.1.1 Essex CC and Maldon DC have recognised that proposed growth in the LDP will have an impact on the A414. MDC will support ECC in identifying and implementing effective mitigation measures to reduce congestion on the A414. Essex CC has identified appropriate mitigation measures at the following:
 - A414 Oak Corner roundabout
 - Proposed A414 Bypass within the South Maldon Garden Suburb at Wycke Hill North with appropriate junctions
 - The addition of pre-signals at Eves Corner, Danbury
 - 2.1.2 As the Highways Authority, Essex CC will ensure that appropriate junction improvements are implemented at Eves Corner on the A414. Essex CC will consult with Chelmsford CC on the detailed design and review of junction improvements at Eves Corner.
 - 2.1.3 All parties support the approach proposed by MDC in paragraph 1.8 above to address the impact of growth proposed in the LDP on the A414 between Chelmsford and Maldon.
 - 2.1.4 Following the reduction in LDP housing allocations from 300 to 75 dwellings in North Fambridge, and based on the conclusion of Essex CC highways modelling, Essex CC, Maldon DC, and Chelmsford CC have no further concerns regarding the impact of growth proposed in North Fambridge and Burnham on Crouch on the B1012 and Rettendon Turnpike (A130 / A132 junction) near South Woodham Ferrers.
 - 2.1.5 Modelling undertaken by Essex Highways has confirmed that the new North East Chelmsford Rail Station will have a negligible impact on commuter movements from Maldon District, and any additional traffic could be accommodated within committed improvements to the Boreham Interchange.

Duty to Cooperate Statement of Common Ground on strategic highways issues associated with the Maldon District Local Development Plan

Statement of Common Ground between:

- 1) Braintree District Council
- 2) Essex County Council (Highways Authority)
- 3) Maldon District Council

1. Background and context

- 1.1 In relation to the production of the Maldon District Local Development Plan (LDP), and to meet the requirements of the Duty to Cooperate, a large amount of cooperative work has been undertaken with Essex County Council (ECC), neighbouring local authorities, and other relevant bodies to identify strategic and cross boundary issues related to proposed growth in the LDP.
- 1.2 At a Sub-Regional Duty to Cooperate meeting in April 2013, representatives from Braintree District Council (BDC) and ECC raised concerns that that the level of growth at North Heybridge proposed in the LDP may have a detrimental impact on the B1019 / B1137 junction at Hatfield Peverel. This is a key transport route going north of the District providing access to the A12 and a mainline railway station at Hatfield Peverel.
- 1.3 To support the production of the Draft LDP, Essex Highways has produced the following studies which assessed the impact of planned growth on the local and wider highways network.
 - Impact of Potential Core Strategy Sites on Existing Junctions Report (2010)
 - Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham on Crouch (May 2013)
 - Assessment of Impact of Proposed Development Sites in Heybridge, South Maldon and Burnham-on-Crouch (May, 2013)
 - Further assessment of the impact of proposed development sites in Heybridge and South Maldon on Highways Network (November, 2013)
 - Technical Note - Impact of Proposed Development Sites in Heybridge and South Maldon on Wider Highway Network (December, 2013)
 - Reallocation of 335 Dwellings from South Maldon to Heybridge (January, 2014)
- 1.4 In response to the specific concerns raised through the Sub-Regional Duty to Cooperate meetings, additional assessment has been undertaken by ECC regarding the impact of growth on the wider strategic network. The highways modelling report has identified that the B1019 / B1137 junction at Hatfield Peverel is already a concern during peak periods, and the planned development will exacerbate the situation. ECC has considered the signalisation at the junction, however this does not offer a viable solution primarily due to a lack of physical space. ECC will continue to investigate potential solutions in the short term.

- 1.5 A longer term solution would involve a potential new junction connecting the B1019 to the A12, and therefore removing the need for traffic going to the A12 to use the B1019 / B1137 junction. This is not considered a feasible option in terms of cost and timescales in relation to LDP. Strategic agreement to promote the project between MDC, BDC, and ECC will be required at a strategic level to take the proposal forward.
- 1.6 Given the limited mitigation options in the short term further consideration will be given to providing incentives to increase public transport usage at the developments at Heybridge and Maldon. ECC will work with MDC, BDC and developers to identify appropriate options.
- 1.7 MDC will work with ECC to raise the profile of the requirement for a new junction on the A12 with neighbouring authorities, the Highways Agency, the South East Local Enterprise Partnership (SELEP), and Central Government. MDC has already sought to raise the profile of growth in the LDP in this area through ECC and the SELEP in order to attract funding which could ultimately help to facilitate strategic improvements to infrastructure. A bid is being made to SELEP for £10m of funding towards strategic highway improvements in the District. In addition, the Council is seeking to ensure that the emerging Strategic Economic Plan for SELEP reflects the need for significant future investment in strategic infrastructure in and around Maldon District to support planned strategic growth identified within the emerging LDP, and to address historic infrastructure deficits which exist.
- 1.8 Due to the significant costs associated with the implementation of a new junction, strategic improvements to the A12 are beyond the scope of the LDP at this current time. MDC will continue to work with BDC and ECC to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction. The importance of highways improvements in this area are identified within Policy S4 of the LDP and through the Maldon District Infrastructure Delivery Plan. This will enable MDC to continue to promote strategic highways improvements in this area as a corporate priority. Text included within the LDP to highlight the required improvements is as follows:

In relation to the strategic highways network, Essex Highways has identified that growth at Maldon and Heybridge will increase congestion on the A414 between Maldon and Chelmsford and at the B1019 / B1137 junction at Hatfield Peverel. Essex County Council is committed to identifying and implementing appropriate improvements on the A414 and B1019 / B1137 junction to relieve congestion.

Physical space surrounding the B1019 / B1137 junction at Hatfield Peverel has restricted the identification of a viable immediate solution to relieve congestion by Essex Highways. A new junction connecting the B1019 to the A12 would provide the most effective solution, however the significant costs associated with a new junction render this option undeliverable at this time. Maldon District Council will seek to work with Braintree District Council, Essex County Council, the Highways Authority, the South East Local Enterprise Partnership, and Central Government to raise awareness and seek funding towards the future implementation of a new junction on the A12.

In the short term, Maldon District Council will work with Essex County Council and Braintree District Council to seek to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.

2. Matters of agreement in principle
 - 2.1 MDC, BDC, and ECC have been working together in a constructive manner throughout the production of the LDP. Through the Duty to Cooperate, the following matters of agreement in principle have been reached:
 - 2.1.1 Essex CC and Maldon DC recognised that proposed growth in the LDP will exacerbate existing levels of congestion at the B1019 / B1137 junction at Hatfield Peverel. As the Highways Authority, Essex CC will continue to undertake further assessment and review of the impact of growth allocated in the LDP. Essex CC will continue to work closely with Maldon DC and Braintree DC to seek to identify appropriate highways solutions to reduce congestion on the B1019 / B1137 junction at Hatfield Peverel.
 - 2.1.2 Braintree DC recognise that Maldon DC are seeking to meet the Districts objectively assessed needs for housing by allocating growth in the LDP within the most sustainable locations, close to the existing provision of key infrastructure, services and facilities. However, Braintree DC has concerns regarding the impact of growth allocated in the LDP on congestion at the B1019 / B1137 junction at Hatfield Peverel.
 - 2.1.3 All parties support the approach proposed by MDC in paragraph 1.4 above, and will actively work together to reduce the amount of traffic using the B1019 through the identification and implementation of appropriate projects which encourage the use of sustainable transport options.
 - 2.1.4 All parties support the approach proposed by MDC in paragraphs 1.5 and 1.6 above, and will actively work together to promote future strategic highways improvements which will seek to provide an effective long term solution to congestion at the B1019 / B1137 junction at Hatfield Peverel.