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Secretary of State for Transport
National Transport Casework Team
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By email nationalcasework@dft.gov.uk

7 September 2023

Dear Madam/Sir,

**Re: ESSEX COUNTY COUNCIL (A120/A133 LINK ROAD) (PHASE 1 (SOUTHERN SECTION))
COMPULSORY PURCHASE ORDER (CPO) 2023**

Ardleigh Parish Council shares the concerns of neighbouring councils (Wivenhoe Town Council and Elmstead Parish Council) and of the Crockleford and Elmstead Action Group- whose members reside in the area designated for development for the Tendring Colchester Borders Garden Community (TCBGC).

This situation has arisen because of funding shortfalls which are explained within the 'A120-A133 Link Road Memorandum of Understanding – February 2023' some extracts are given below (our **emphasis**).

*'H. Since entering the GDA and securing the HIF money, design changes in response to public consultation on the planning application, high inflation and general rising costs for the Link Road have led to increases beyond original estimates and significant delays incurred to the original timetable. **These cost increases and programme delays have created a gap in the funding available to deliver the Link Road. As the Link Road is required to unlock the 7,500 homes at TCBGC, this gap in funding will need to be met through other avenues including developer contributions provided through the development of TCBGC.***

*I. In order to resolve this funding shortfall issue, Essex County Council has agreed in principle with Homes England to changes to the GDA which, subject to formal contract variation, sets out a phased delivery approach to the Link Road. Phase 1 will be the construction of the A133 roundabout plus a partial Link Road with multiple access arrangements to the Garden Community, terminating at a roundabout south of Allen's Farm. Phase 2 will be a new junction on the A120 and completion of the Link Road. **This phased delivery approach involves the use of the secured HIF money to deliver the first phase of the Link Road, and***

the Rapid Transit Scheme, with the second phase being funded through developer contributions from the development of TCBGC (or external funding sources that may become available), with continued involvement from the Councils to support the delivery of the full Link Road...

1.5 The Parties acknowledge that future planning applications will be accompanied by detailed assessments of all transport impacts and will require an appropriate package of associated mitigation measures. In addition to the full Link Road, transport and movement mitigation measures, including measures to secure modal shift, will be assessed against such material, and the policy requirements set within the future adopted Development Plan Document and its supporting evidence base, as well as the wider Development Plan.'

This CPO is to enable the construction of only phase 1 of the Link Road. The CPO states that between 4500 and 5000 homes could be built supported by phase 1 alone. If this is an infrastructure-led project then we find it unacceptable that any new homes could be occupied without a full road link between the A133 and the A120 let alone four to five thousand of them! This approach flies in the face of the infrastructure-led intentions of the Garden Community and will cause immense traffic problems throughout the area, including within our Parish, over many years.

We expressed concerns about traffic impact when responding to the Regulation 19 consultation of the Development Plan Document (DPD) Submission Version Plan earlier this year, as follows;

'the short to medium term impact on traffic through Crockleford of any delay to the A120/A133 link road and to the rapid transport system. The DPD appears to be silent on the memorandum of understanding reported to the Joint Committee on 27 February due to the shortfall in funding for the Link Road, which we understood would delay the final stages of the link road until the first buildings were underway'...

'Our residents are also worried about construction traffic and noise of construction particularly for residents living on or using Bromley Road and the small lanes which connect to it. The experience of the recent development (145 houses) at the Salary Brook end of Bromley Road has been that this has been very disruptive indeed to residents. Any closures to parts of Clingoe Hill, or added congestion there, will inevitably lead to the lanes through Crockleford being used as rat runs (more than is already the case- confirmed as a current practice in the Wivenhoe Society submission).'

Our understanding and assumption (mistakenly it seems) referred to above was that Phase 2 of the Link Road would follow soon after 'the first buildings were underway'. Never did we imagine that over 4000 homes might be in situ before the full Link Road was constructed. This is not an A120/A133 Link Road it is a link to the A133 at Clingoe Hill.

ECC claim in their 'statement of reasons' for the Order that homes could be sustained by the first phase of the project if the Rapid Transit System (RTS) and mitigation measures are in place. We are far from confident that the current RTS proposals would provide any such sustainability. Any CPO related to this project should, surely, include all of the land needed to deliver the whole road and not part of it. Essex County Council (ECC) would also need to evidence a mechanism for transferring the phase 2 land to a developer (who would not have such powers to acquire land). Any service road accessing just the A133, with any number of homes associated with it, will only create more congestion in an already congested area. This is not in the public interest.

As we understand it, according to the currently proposed DPD for the TCBGC, there would be vehicular access to the Link Road from the first two stages of the housing development (referred to in the plan as the Southern Neighbourhood and the Central Neighbourhood) only and NOT from the third Crockleford Neighbourhood (within Ardleigh). Crockleford Neighbourhood residents would only be able to drive to the Bromley Road, not to the Link Road. Conversely Southern and Central Neighbourhood Residents were not intended to be able to drive to the Bromley Road. This was to encourage/ recognise future modal shifts and reduce potential impact on the existing communities and roads. If there is no complete Link Road, then many of the residents in the Southern and Central Neighbourhoods will have to use local roads to access the A120 and/or A12 including via the Bromley Road. It doesn't make sense and we fear that granting this Order could prejudice the DPD/ Master Plan public hearing for the Tendring Colchester Borders Garden Community and create incompatible and contradictory proposals.

There are various issues that make the second phase of delivery uncertain. These include lack of funding, unresolved concerns of Highways England and landowners who, we understand, are refusing to sell.

We have concerns about the consultation undertaken and, in particular would note that no hard-copy documents were available for inspection within Ardleigh or indeed at any location within the whole of Tendring District. Given that the proposed Link Road falls entirely within Tendring this is a serious omission. The Chelmsford public library was included, which we do not consider appropriate given the distance from the site, yet a staffed Essex Highways depot within Ardleigh- which we suggested as a venue- was not used, nor were libraries more accessible to our residents such as Manningtree.

Further there was not direct consultation with recognised groups in the surrounding settlements and inadequate notification to our Parish Council. For the latest correspondence we received a letter (sent only by mail with insufficient postage causing a delay to delivery) directing us to online resources and libraries mentioned above with nothing at all sent by email.

If the proposals go ahead then we will be looking closely at evidence of traffic impacts and mitigation in any Planning Applications put forward for the new Garden Community and, almost certainly, objecting to such applications if the transport impacts are not fully mitigated.

We cannot accept that up to 4500 homes could actually be accommodated by Phase 1 of the Link Road and we feel that it is irresponsible and misleading of Essex County Council to suggest that this would be the case in this Compulsory Purchase Order.

We have no interest in the land involved.

We may wish to be represented at any subsequent hearing or inquiry related to this Order.

Yours sincerely,



Rachel Fletcher
Parish Clerk